

# Flavored tobacco policy restrictions

as of June 30, 2022

Truth Initiative's flavor policy database analyzes flavored tobacco product laws enacted by U.S. states, counties, cities, and towns. This database is updated quarterly. [The U.S. Food and Drug Administration \(FDA\) policy announced in January 2020](#) is not reflected in the database.

The 2009 Family Smoking Prevention and Tobacco Control Act (TCA) banned the sale of cigarettes with a characterizing flavor (e.g. fruit), but exempted menthol cigarettes and did not apply to flavored tobacco products like electronic cigarettes (also known as e-cigarettes), little cigars, hookah, and smokeless tobacco. The passage of the law gave the FDA the power to implement flavor-related product standards on other tobacco products, but the agency has so far not enacted any comprehensive policies. Flavors also play a big role in the youth e-cigarette epidemic — [97% of youth who vape use flavored products](#) — and while the [FDA issued a policy intended to reduce access to flavored e-cigarettes in January 2020](#), we believe the policy is deficient and has many regulatory gaps, including allowing menthol in all e-cigarettes as well as all flavors in open systems and disposable e-cigarette products. We chose not to include this FDA policy in this database project and instead highlight only state and local policies.

Implementing strong state and local flavor policies that restrict the sale of all flavored tobacco products, including menthol, is an increasingly important tool in ensuring effective tobacco control efforts and protection of the most vulnerable populations. The TCA protects the states' and localities' ability to implement their own sales restrictions on flavored tobacco products. In April 2022, the FDA proposed rules prohibiting menthol cigarettes and flavored cigars. However, the rules are not yet final and these local actions help close the federal regulatory gap and reduce the availability and appeal of flavored tobacco products to youth and young adults.

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## NATIONWIDE SUMMARY

Approximately 71,031,575 people in the U.S. are covered by a flavored tobacco sales restriction, representing 21.44% of the U.S. population.

**371 U.S. jurisdictions\*** have some type of Restriction on Flavored Tobacco Product Sales as of June 30, 2022:

- States = 7
- Full Counties = 8
- Unincorporated Counties = 15
- Cities = 178
- Towns = 161
- Villages = 2

\* Does not include tribes, which are not a jurisdiction. Tribes are sovereign nations with their own system of laws and governance. Sales restrictions enacted by Native American tribes are enforced within their territory by the tribal government.

**13 states** have at least one jurisdiction with a Flavored Tobacco Sales Restriction as of June 30, 2022:

- California = 130
- Colorado = 6
- Georgia = 1
- Illinois = 3
- Massachusetts = 180<sup>‡</sup>
- Maine = 3<sup>‡</sup>
- Maryland = 2<sup>‡</sup>
- Minnesota = 27
- New Jersey = 5<sup>‡</sup>
- New York = 6<sup>‡</sup>
- Ohio = 2
- Rhode Island = 4<sup>‡</sup>
- Utah = 1<sup>‡</sup>

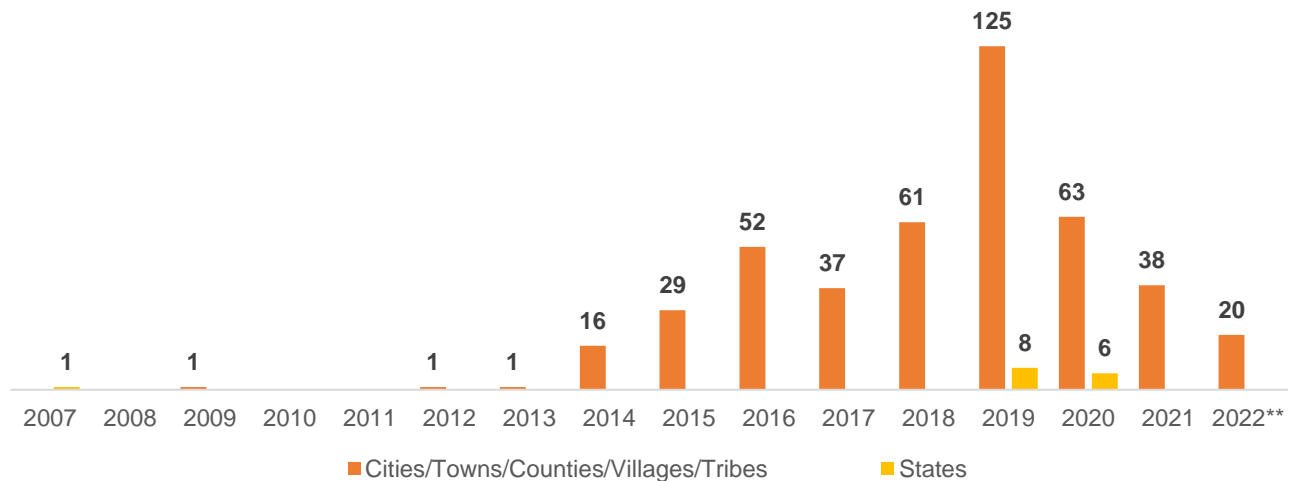
<sup>‡</sup> Includes statewide policies

**3 Native American tribes** have a Flavored Tobacco Sales Restriction enforced within their territory as of June 30, 2022:

- Oglala Sioux Tribe<sup>^</sup>
- Turtle Mountain Band of Chippewa Indians Tribe<sup>^</sup>
- Saint Regis Mohawk Tribe

<sup>^</sup> Bans all e-cigarette products

### Flavored Tobacco Policies Passed By Year



\*\*Data through June 30, 2022

Source: Truth Initiative

## STATEWIDE POLICIES AS OF JUNE 30, 2022:

- **Maine (pop. 1.4 million):** Prohibits sale of all flavored cigars except for premium cigars.
- **Maryland (pop. 6.2 million):** Prohibits sale of all flavored cartridge-based and disposable e-cigarettes except for menthol.
- **Massachusetts (pop. 7.0 million):** Prohibits sale of all flavored tobacco products except in smoking bars.<sup>†</sup>
- **New Jersey (pop. 9.3 million):** Prohibits sale of all flavored vaping products.
- **New York (pop. 19.8 million):** Prohibits sale of all flavored e-cigarettes, except those approved as part of an FDA premarket approval.
- **Rhode Island (pop. 1.1 million):** Prohibits sale of all flavored e-cigarettes.
- **Utah (pop. 3.4 million):** Prohibits sale of flavored e-cigarettes (except for menthol and mint) in non-retail tobacco specialty businesses.

<sup>†</sup> "Smoking bar" is an establishment that exclusively occupies an enclosed indoor space and is primarily engaged in the retail sale of tobacco products for consumption by customers on the premises.

## JURISDICTIONS WITH PENDING BALLOT MEASURES OR LITIGATION, AS OF NOVEMBER 1, 2022\*:

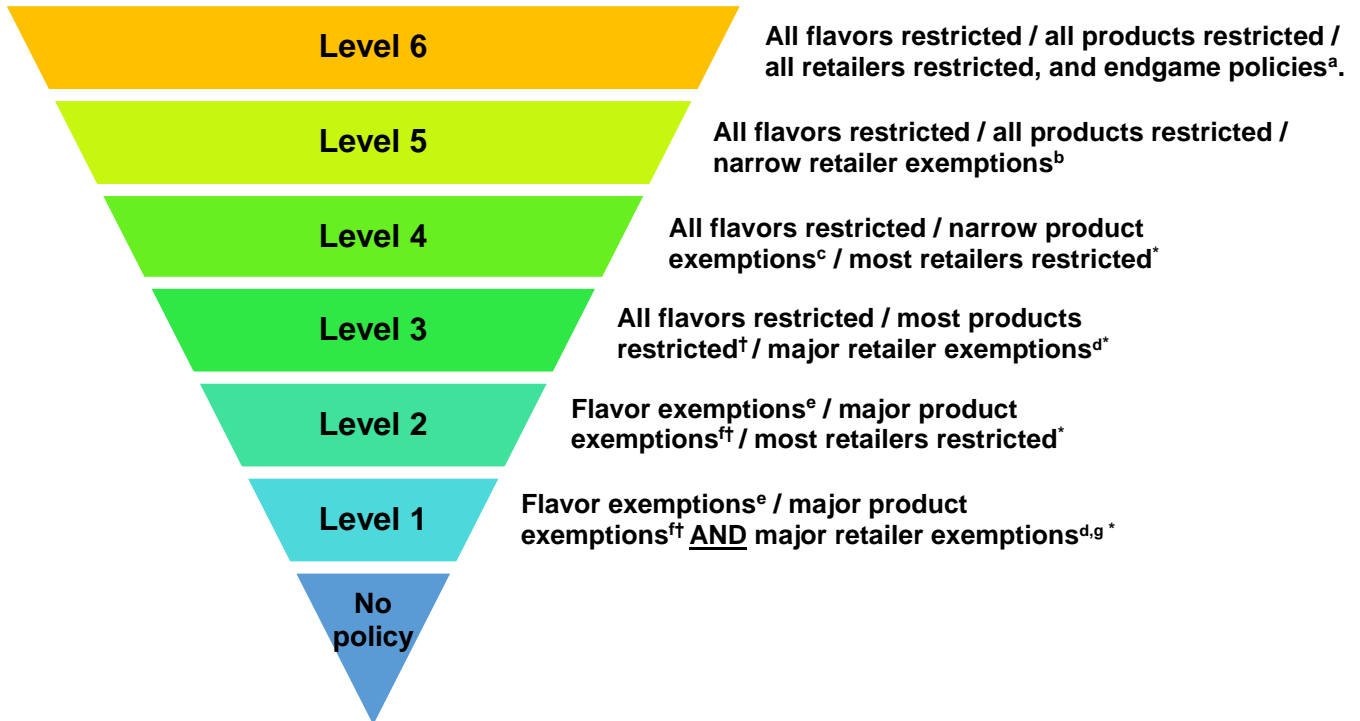
- **California (pop. 39.6 million):** Implementation of the state's law restricting sales of flavored tobacco products is suspended due to the tobacco industry's success in bringing a referendum for vote by the state's voters on the next statewide ballot on November 8, 2022.
- **Goleta, CA (pop. 32,690):** Goleta's restriction on the sale of all flavored tobacco products was placed on hold after a referendum petition successfully received enough signatures and will be on the ballot on November 8, 2022.
- **Washington County, OR (pop. 600,811):** In September 2022, a county judge ruled against the county's restriction on the sale of flavored tobacco products. While the county is looking into options for appeal, a preliminary injunction putting the ordinance on hold remains in effect.

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\* The CA law will now go into effect December 21, 2022.

## LOCALITIES

Comprehensive flavored tobacco sales restrictions are gaining momentum at the local and state level. In this report, we follow a six-tiered classification scheme that characterizes flavored tobacco sales restrictions from least to most comprehensive, with the latter defined as policies that prohibit sales of ALL types of flavors across ALL products, including menthol/mint/wintergreen tobacco products, at ALL retailers. Please see below for a detailed description of each level.



<sup>a</sup> Endgame policies refer to restrictions on the sale of all tobacco products in a jurisdiction.

<sup>b</sup> Narrow retail exemptions allow for the sale of flavored tobacco products (FTPs) in on-site consumption tobacco or smoking bars (i.e. retailers exclusively occupying an enclosed indoor space and are primarily selling tobacco products for consumption by customers on the premises)

<sup>c</sup> Narrow product exemptions allow for the sale of flavored: hookah, pipe, premium cigars, FDA premarket approval products, and/or FDA modified risk approval products

<sup>d</sup> Major retailer exemptions allow for the sale of FTPs in: adult only retailers, liquor stores, vape shops, specialty stores (i.e. establishments in which the primary purpose is the sale of tobacco and tobacco-related products and/or a specified percentage of its revenues is derived from the sale of tobacco and tobacco-related products), and/or policies that apply only to buffer zones (i.e. policies that apply only to retailers within a certain distance of youth-oriented areas, such as schools, parks, playgrounds, and libraries)

<sup>e</sup> Flavor exemptions allow for the sale of FTPs with menthol flavor or characterizing flavors

<sup>f</sup> Major product exemptions allow for the sale of flavored: e-cigarettes, cigars, little cigars and cigarillos, smokeless tobacco, and/or roll your own tobacco

<sup>g</sup> Includes FTP policies with missing data for any flavor, product, or retailer exemption and/or FTP policies that exempt existing retailers

\*Narrow retailer exemptions may also be present

†Narrow product exemptions may also be present

Adapted from [Donovan E, Folger S, Akbar M, Schillo B. Classifying the comprehensiveness of flavoured tobacco sales restrictions: development and application of a tool to examine US state and local tobacco policies. \*Tobacco Control\*. Published Online First: 17 December 2021. Doi: 10.1136/tobaccocontrol-2021-057042](#)

Presented below is the distribution of flavored tobacco product sales restrictions by level of comprehensiveness and corresponding proportion of the U.S. population covered. Although few sales restrictions to date are fully comprehensive, particularly at the state level, enactment of fully comprehensive sales restrictions are more common among local jurisdictions.

	All policies	State-level policies		Local-level policies	
Comprehensiveness level	Percent of US population covered	Percent of state-level policies	Percent of US population covered	Percent of local-level policies	Percent of US population covered
Level 6 (most comprehensive)	2.59%	0.00%	0.00%	29.81%	2.59%
Level 5	3.67%	14.29%	2.11%	2.17%	1.56%
Level 4	0.31%	0.00%	0.00%	2.17%	0.74%
Level 3	1.26%	0.00%	0.00%	11.65%	1.26%
Level 2	12.54%	71.43%	11.35%	10.57%	1.18%
Level 1 (least comprehensive)	1.08%	14.29%	0.95%	43.63%	0.12%

Approximately, 8,403,675 people in the U.S. are covered by a Level 6 (or most comprehensive) state or local flavored tobacco sales restriction, representing 2.59% of the U.S. population.

**110 jurisdictions** have fully comprehensive policies (Level 6) as of June 30, 2022.

- |  |   |                                      |
|--|---|--------------------------------------|
| 1. Adelanto, CA                          | 38. Maywood, CA                           | 75. Sausalito, CA                    |
| 2. Alameda City, CA                      | 39. Mendocino County, CA                  | <b>76. Scotts Valley, CA</b>         |
| 3. Alameda County, CA <sup>§</sup>       | 40. Menlo Park, CA                        | 77. Sebastopol, CA                   |
| 4. Alhambra, CA                          | 41. Mill Valley, CA                       | 78. Solana Beach, CA                 |
| 5. Antioch, CA                           | 42. Mono County, CA                       | 79. Sunnyvale, CA                    |
| 6. Baldwin Park, CA                      | 43. Monterey County, CA <sup>§</sup>      | 80. Tiburon, CA                      |
| 7. Benicia, CA                           | 44. Novato, CA                            | 81. Walnut, CA                       |
| 8. Berkeley, CA                          | 45. Oakland, CA                           | 82. Watsonville, CA                  |
| <b>9. Beverly Hills, CA</b>              | <b>46. Orinda, CA</b>                     | 83. West Sacramento, CA              |
| 10. Buena Park, CA                       | 47. Oroville, CA                          | 84. Windsor, CA                      |
| 11. Burlingame, CA                       | 48. Oxnard, CA                            | 85. Woodland, CA                     |
| 12. Capitola, CA                         | 49. Pacific Grove, CA                     | 86. Yolo County, CA <sup>§</sup>     |
| 13. Carpinteria, CA                      | 50. Palo Alto, CA                         | 87. Aspen, CO                        |
| 14. Carson, CA                           | 51. Paradise, CA                          | 88. Carbondale, CO                   |
| 15. Contra Costa County, CA <sup>§</sup> | 52. Pasadena, CA                          | 89. Edgewater, CO                    |
| 16. Corte Madera, CA                     | 53. Petaluma, CA                          | 90. Glenwood Springs, CO             |
| 17. Cudahy, CA                           | 54. Pico Rivera, CA                       | 91. Snowmass Village, CO             |
| 18. Cupertino, CA                        | 55. Pleasanton, CA                        | <b>92. Brookline, MA<sup>a</sup></b> |
| 19. Davis, CA                            | 56. Portola Valley, CA                    | 93. Chatham, MA                      |
| 20. Dublin, CA                           | 57. Ross, CA                              | 94. Dedham, MA                       |
| 21. East Palo Alto, CA                   | 58. Sacramento, CA                        | 95. Lynn, MA                         |
| 22. El Monte, CA                         | 59. Sacramento County, CA                 | 96. North Attleboro, MA              |
| 23. Fairfax, CA                          | 60. San Anselmo, CA                       | 97. Norwood, MA                      |
| 24. Fremont, CA                          | 61. San Carlos, CA                        | 98. Shrewsbury, MA                   |
| 25. Guadalupe, CA                        | 62. San Francisco, CA                     | 99. Winthrop, MA                     |
| 26. Half Moon Bay, CA                    | 63. San Leandro, CA                       | <b>100. Brunswick, ME</b>            |
| 27. Hayward, CA                          | 64. San Mateo, CA                         | 101. Portland, ME                    |
| 28. Hermosa Beach, CA                    | 65. San Mateo County, CA <sup>§</sup>     | 102. Bloomington, MN                 |
| 29. Imperial Beach, CA                   | 66. San Pablo, CA                         | 103. Brown's Valley, MN              |
| 30. Lafayette, CA                        | 67. San Rafael, CA                        | 104. Edina, MN                       |
| 31. Larkspur, CA                         | 68. Santa Ana, CA                         | 105. Golden Valley, MN               |
| 32. Livermore, CA                        | 69. Santa Barbara County, CA <sup>§</sup> | 106. Mendota Heights, MN             |
| 33. Los Angeles County, CA <sup>§</sup>  | 70. Santa Clara County, CA <sup>§</sup>   | 107. Moorhead, MN                    |
| 34. Los Gatos, CA                        | 71. Santa Cruz, CA                        | 108. Traverse County, MN             |
| 35. Mammoth Lakes, CA                    | 72. Santa Cruz County, CA <sup>§</sup>    | 109. Wheaton, MN                     |
| <b>36. Manhattan Beach, CA</b>           | 73. Santa Maria, CA                       | 110. Manheim, NY                     |
| 37. Marin County, CA <sup>§</sup>        | 74. Saratoga, CA                          |                                      |

Jurisdictions highlighted in **green** had policies that either were passed between 4/1/2022 and 6/30/2022, have an existing policy that removed exemptions for menthol/mint/wintergreen flavored products between 4/1/2022 and

Source: Truth Initiative

6/30/2022, or were updated retroactively upon further examination during the period 4/1/2022 and 6/30/2022; thus making the policy comprehensive.

Jurisdictions restricting all tobacco product sales are in **bold**.

§ Restriction applies to unincorporated part of county

<sup>a</sup> Prohibits sales of tobacco and e-cigarette products to those born after 1/1/2000.

The following jurisdictions prohibit sales of flavors such as fruit, candy, alcohol, or dessert, excluding tobacco flavor but do not include menthol flavors. These jurisdictions differ in whether they include menthol/mint/wintergreen flavors across product types – for example in some jurisdictions the sale of menthol in e-cigarettes is not permitted, but menthol flavored cigarettes, cigars, and other products such as hookah are still sold.

As of June 30, 2022, in **209 jurisdictions and three tribes**, menthol/mint/wintergreen flavored products are exempted:

1. Anderson, CA ■■■
2. **Arroyo Grande, CA** ■■■
3. Auburn, CA ■■
4. Burbank, CA ■
5. **Calabasas, CA** ■■■
6. **Cerritos, CA** ■■■
7. Cloverdale, CA ■■■■
8. **Danville, CA** ■■■
9. El Cerrito, CA ■
10. Encinitas, CA ■
11. Glendale, CA ■■
12. **Laguna Niguel, CA** ■■■
13. Long Beach, CA ■■
14. **Loomis, CA** ■■■
15. Morgan Hill, CA ■
16. Morro Bay, CA ■■■
17. Napa, CA ■■
18. **Palmdale, CA** ■■■
19. Pinole, CA ■
20. Pleasant Hill, CA ■■
21. San Diego, CA ■
22. San Diego County, CA ■
23. **San Jose, CA** ■■
24. **San Luis Obispo, CA** ■■■
25. **San Luis Obispo County, CA** ■■■■
26. Sonoma, CA ■■■■
27. **Ventura County, CA** ■■■
28. West Hollywood ■
29. **Boulder, CO** ■■■
30. **Watkinsville, GA** ■■■
31. **Chicago, IL** ■■■<sup>a</sup>
32. **River Forest, IL** ■■■
33. **Skokie, IL** ■■■■
34. Adams, MA ■■■■
35. Agawam Town, MA ■■■■
36. Amherst, MA ■■■■
37. Andover, MA ■■■■
38. Arlington, MA ■■■■
39. Ashburnham, MA ■■■■
40. Ashby, MA ■■■■
41. Athol, MA ■■■■
42. Attleboro, MA ■■■■
43. Avon, MA ■■■■
44. Ayer, MA ■■■■
45. Bedford, MA ■■■■
46. Belmont, MA ■■■■
47. Beverly, MA ■■■■
48. Billerica, MA ■■■■
49. **Blackstone, MA** ■■■■
50. Bolton, MA ■■■■
51. Braintree Town, MA ■■■■
52. Brewster, MA ■■■■
53. Brockton, MA ■■■■
54. Buckland, MA ■■■■
55. Cambridge, MA ■■■■
56. Carver, MA ■■■■
57. Charlemont, MA ■■■■
58. Charlton, MA ■■■■
59. Chelmsford, MA ■■■■
60. Clinton, MA ■■■■
61. Cohasset, MA ■■■■
62. Concord, MA ■■■■
63. Conway, MA ■■■■
64. Danvers, MA ■■■■
65. Deerfield, MA ■■■■
66. Dracut, MA ■■■■
67. Duxbury, MA ■■■■
68. East Longmeadow, MA ■■■■
69. Easthampton Town, MA ■■■■
70. Easton, MA ■■■■
71. Edgartown, MA ■■■■
72. Essex, MA ■■■■
73. Everett, MA ■■■■
74. Fairhaven, MA ■■■■
75. Fitchburg, MA ■■■■
76. Franklin Town, MA ■■■■
77. Gardner, MA ■■■■
78. Gill, MA ■■■■
79. Gloucester, MA ■■■■
80. Grafton, MA ■■■■
81. Granby, MA ■■■■
82. Great Barrington, MA ■■■■
83. Greenfield Town, MA ■■■■
84. Groton, MA ■■■■
85. Hadley, MA ■■■■
86. Halifax, MA ■■■■
87. Hamilton, MA ■■■■
88. Hatfield, MA ■■■■
89. Haverhill, MA ■■■■
90. Heath, MA ■■■■
91. Holbrook, MA ■■■■
92. Holden, MA ■■■■
93. Holyoke, MA ■■■■
94. Hopkinton, MA ■■■■
95. **Hull, MA** ■■■■
96. Ipswich, MA ■■■■
97. Kingston, MA ■■■■
98. Lancaster, MA ■■■■
99. Lanesborough, MA ■■■■
100. Lawrence, MA ■■■■
101. Lee, MA ■■■■
102. Lenox, MA ■■■■
103. Leominster, MA ■■■■
104. Leverett, MA ■■■■
105. Littleton, MA ■■■■



106. Lowell, MA ■■■■
107. Ludlow, MA ■■■■
108. Lynnfield, MA ■■■■
109. Marblehead, MA ■■■■
110. Marion, MA ■■■■
111. Marlborough, MA ■■■■
112. Marshfield, MA ■■■■
113. Mashpee, MA ■■■■
114. Maynard, MA ■■■■
115. Medfield, MA ■■■■
116. Medford, MA ■■■■
117. Melrose, MA ■■■■
118. Methuen Town, MA ■■■■
119. Middleton, MA ■■■■
120. Millis, MA ■■■■
121. Milton, MA ■■■■
122. Montague, MA ■■■■
123. Natick, MA ■■■■
124. Newburyport, MA ■■■■
125. Newton, MA ■■■■
126. North Adams, MA ■■■■
127. North Reading, MA ■■■■
128. Northampton, MA ■■■■
129. Norton, MA ■■■■
130. Norwell, MA ■■■■
131. Oak Bluffs, MA ■■■■
132. Orange, MA ■■■■
133. Orleans, MA ■■■■
134. Palmer Town, MA ■■■■
135. Peabody, MA ■■■■
136. Pittsfield, MA ■■■■
137. Provincetown, MA ■■■■
138. Reading, MA ■■■■
139. Rockport, MA ■■■■
140. Royalston, MA ■■■■
141. Salem, MA ■■■■
142. Sandwich, MA ■■■■
143. Saugus, MA ■■■■
144. Shelburne, MA ■■■■
145. Southampton, MA ■■■■
146. Spencer, MA ■■■■
147. Stockbridge, MA ■■■■
148. Stoneham, MA ■■■■
149. Stow, MA ■■■■
150. Sudbury, MA ■■■■
151. Sunderland, MA ■■■■
152. Templeton, MA ■■■■
153. Tewksbury, MA ■■■■
154. Tisbury, MA ■■■■
155. Topsfield, MA ■■■■
156. Townsend, MA ■■■■
157. Tyngsborough, MA ■■■■
158. Upton, MA ■■■■
159. Uxbridge, MA ■■■■
160. Wakefield, MA ■■■■
161. Wareham, MA ■■■■
162. Watertown, MA ■■■■
163. Webster, MA ■■■■
164. Wellfleet, MA ■■■■
165. West Boylston, MA ■■■■
166. Westborough, MA ■■■■
167. Westford, MA ■■■■
168. Westminster, MA ■■■■
169. Westwood, MA ■■■■
170. Whately, MA ■■■■
171. Wilbraham, MA ■■■■
172. Williamstown, MA ■■■■
173. Wilmington, MA ■■■■
174. Winchendon, MA ■■■■
175. Winchester, MA ■■■■
176. Worcester, MA ■■■■
177. Wrentham, MA ■■■■
178. Yarmouth, MA ■■■■
179. **Maryland (state)** ■■■■
180. **Montgomery County, MD** ■■■■
181. Maine (state) ■■■■
182. **Big Stone County, MN** ■■■■
183. **Dilworth, MN** ■■■■
184. New Hope, MN ■■■■
185. Nobles County, MN ■■■■
186. **Prior Lake, MN** ■■■■
187. Robbinsdale, MN ■■■■
188. **Shakopee, MN** ■■■■
189. St. Louis Park, MN ■■■■
190. **New Jersey (state)** ■■■■
191. **Hanover Township, NJ** ■■■■
192. **Jersey City, NJ** ■■■■
193. **Vineland, NJ** ■■■■
194. **Westfield, NJ** ■■■■
195. **New York (state)** ■■■■
196. **Hempstead, NY** ■■■■
197. **Nassau County, NY** ■■■■<sup>b</sup>
198. New York, NY ■■■■
199. **Yonkers, NY** ■■■■
200. **Bexley, OH** ■■■■
201. **Toledo, OH** ■■■■
202. **Rhode Island (state)** ■■■■
203. Central Falls, RI ■■■■
204. Johnston, RI ■■■■
205. Providence, RI ■■■■
206. **Utah (state)** ■■■■
207. **Oglala Sioux Tribe** ■■■■
208. **Saint Regis Mohawk Tribe** ■■■■
209. **Turtle Mountain Band of Chippewa Indians Tribe** ■■■■

Flavored e-cigarette policies are in **bold italics**

■ = exempts menthol cigarettes

■ = exempts menthol e-cigarettes

■ = exempts menthol cigars (includes premium cigars, cigars, little cigars, and cigarillos)

■ = exempts other menthol tobacco products (i.e. pipe tobacco, hookah/waterpipe, smokeless tobacco, roll-your-own tobacco)

<sup>a</sup> In addition to restricting the sale of flavored e-cigarettes, Chicago restricts the sale of flavored tobacco products, including menthol flavor, only within 500 linear feet of a secondary school.

<sup>b</sup> In addition to restricting the sale of non-menthol flavored e-cigarettes, Nassau County restricts the sale of e-cigarettes, including menthol flavor, only within 1,000 linear feet of a school, park or playground.

**As stated above, the FDA's [January 2020 flavored e-cigarette compliance policy](#) leaves many flavored e-cigarettes on the market. However, local and state jurisdictions have taken action to target e-cigarette sales, whether they are flavored or not.**

As of June 30, 2022, **55 jurisdictions and two tribes** have banned the sale of all e-cigarettes.

- Alameda County, CA<sup>§</sup>
- Antioch, CA
- Arroyo Grande, CA
- Benicia, CA
- Beverly Hills, CA
- Calabasas, CA
- Carpinteria, CA
- Carson, CA
- Cerritos, CA
- Contra Costa County, CA<sup>§</sup>
- Danville, CA
- Dublin, CA
- East Palo Alto, CA
- Hayward, CA
- Livermore, CA
- Los Altos, CA
- Los Gatos, CA
- Manhattan Beach, CA
- Menlo Park, CA
- Monterey County, CA<sup>§</sup>
- Morgan Hill, CA
- Morro Bay, CA
- Orinda, CA
- Pacifica, CA
- Palo Alto, CA
- Pleasant Hill, CA
- Pleasanton, CA
- Redwood City, CA
- Richmond, CA
- San Luis Obispo, CA
- San Luis Obispo County, CA<sup>§</sup>
- San Mateo, CA
- San Mateo County, CA<sup>§</sup>
- Santa Clara County, CA<sup>§</sup>
- Saratoga, CA
- Sebastopol, CA
- South San Francisco, CA
- Walnut Creek, CA
- Watsonville, CA
- Windsor, CA
- Washington, DC<sup>||</sup>
- Bellingham, MA
- Blackstone, MA
- Brookline, MA<sup>a</sup>
- Dedham, MA
- Hull, MA
- Malden, MA
- Montgomery County, MD<sup>||</sup>
- Brown's Valley, MN
- St. Louis Park, MN
- Traverse County, MN
- Wheaton, MN
- Hanover Township, NJ
- Hempstead, NY<sup>||</sup>
- Nassau County, NY<sup>||</sup>
- Oglala Sioux Tribe
- Turtle Mountain Band of Chippewa Indians Tribe

<sup>a</sup> Beginning July 19, 2021, Brookline prohibited the sale of tobacco or e-cigarette products to those born after 1/1/2000.

<sup>||</sup> Restriction only applies to a buffer zone, meaning it only applies to retailers within a specified distance of youth-oriented areas, such as schools, parks, playgrounds, and libraries.

## AREA INCLUSIONS AND RETAILER/VENUE EXEMPTIONS

Some jurisdictions include and/or exempt particular venues in their flavored tobacco restriction policies.

Jurisdictions with a restriction around schools:

- Washington, DC
- Chicago, IL
- Hempstead, NY
- Montgomery County, MD
- Nassau County, NY
- Westfield, NJ

Jurisdictions with a restriction around parks:

- Hempstead, NY
- Nassau County, NY
- Westfield, NJ

Jurisdictions with a restriction around playgrounds:

- Hempstead, NY
- Nassau County, NY

Jurisdictions with a restriction around libraries:

- Montgomery County, MD

Jurisdictions that exempt smoking/tobacco bars and/or e-cigarette establishments:

- |                          |                          |                          |
|--------------------------|--------------------------|--------------------------|
| 1. Burbank, CA           | 24. Billerica, MA        | 47. Easton, MA           |
| 2. Los Angeles, CA       | 25. Bolton, MA           | 48. Edgartown, MA        |
| 3. Pleasant Hill, CA     | 26. Boston, MA           | 49. Essex, MA            |
| 4. Rancho Cordova, CA    | 27. Braintree Town, MA   | 50. Everett, MA          |
| 5. Walnut Creek, CA      | 28. Brewster, MA         | 51. Fairhaven, MA        |
| 6. Massachusetts (state) | 29. Brockton, MA         | 52. Fitchburg, MA        |
| 7. Acton, MA             | 30. Buckland, MA         | 53. Gardner, MA          |
| 8. Adams, MA             | 31. Cambridge, MA        | 54. Gill, MA             |
| 9. Agawam Town, MA       | 32. Carver, MA           | 55. Gloucester, MA       |
| 10. Amherst, MA          | 33. Charlemont, MA       | 56. Grafton, MA          |
| 11. Andover, MA          | 34. Charlton, MA         | 57. Granby, MA           |
| 12. Arlington, MA        | 35. Chelmsford, MA       | 58. Great Barrington, MA |
| 13. Ashburnham, MA       | 36. Chelsea, MA          | 59. Greenfield Town, MA  |
| 14. Ashby, MA            | 37. Clinton, MA          | 60. Groton, MA           |
| 15. Ashland, MA          | 38. Cohasset, MA         | 61. Hadley, MA           |
| 16. Athol, MA            | 39. Concord, MA          | 62. Halifax, MA          |
| 17. Attleboro, MA        | 40. Conway, MA           | 63. Hamilton, MA         |
| 18. Avon, MA             | 41. Danvers, MA          | 64. Hanover, MA          |
| 19. Ayer, MA             | 42. Deerfield, MA        | 65. Harvard, MA          |
| 20. Barnstable Town, MA  | 43. Dracut, MA           | 66. Harwich, MA          |
| 21. Bedford, MA          | 44. Duxbury, MA          | 67. Hatfield, MA         |
| 22. Belmont, MA          | 45. East Longmeadow, MA  | 68. Haverhill, MA        |
| 23. Beverly, MA          | 46. Easthampton Town, MA | 69. Heath, MA            |

Source: Truth Initiative

70. Holbrook, MA
71. Holden, MA
72. Holyoke, MA
73. Hopkinton, MA
74. Hudson, MA
75. Kingston, MA
76. Lancaster, MA
77. Lanesborough, MA
78. Lawrence, MA
79. Lee, MA
80. Lenox, MA
81. Leominster, MA
82. Leverett, MA
83. Littleton, MA
84. Longmeadow, MA
85. Lowell, MA
86. Ludlow, MA
87. Lynnfield, MA
88. Malden, MA
89. Marblehead, MA
90. Marlborough, MA
91. Marshfield, MA
92. Mashpee, MA
93. Maynard, MA
94. Medfield, MA
95. Medford, MA
96. Melrose, MA
97. Methuen Town, MA
98. Middleboro, MA
99. Middleton, MA
100. Millis, MA
101. Milton, MA
102. Montague, MA
103. Natick, MA
104. Needham, MA
105. Newburyport, MA
106. Newton, MA
107. Norfolk, MA
108. North Adams, MA
109. North Andover, MA
110. North Reading, MA
111. Northampton, MA
112. Norton, MA
113. Norwell, MA
114. Oak Bluffs, MA
115. Orange, MA
116. Orleans, MA
117. Palmer Town, MA
118. Peabody, MA
119. Pittsfield, MA
120. Reading, MA
121. Rockport, MA
122. Royalston, MA
123. Salem, MA
124. Sandwich, MA
125. Saugus, MA
126. Sharon, MA
127. Shelburne, MA
128. Somerville, MA
129. South Hadley, MA
130. Southampton, MA
131. Spencer, MA
132. Stockbridge, MA
133. Stoneham, MA
134. Stoughton, MA
135. Stow, MA
136. Sudbury, MA
137. Sunderland, MA
138. Templeton, MA
139. Tewksbury, MA
140. Topsfield, MA
141. Townsend, MA
142. Tyngsborough, MA
143. Upton, MA
144. Uxbridge, MA
145. Wakefield, MA
146. Walpole, MA
147. Wareham, MA
148. Watertown Town, MA
149. Wellfleet, MA
150. West Boylston, MA
151. Westborough, MA
152. Westford, MA
153. Westwood, MA
154. Whately, MA
155. Wilbraham, MA
156. Williamstown, MA
157. Wilmington, MA
158. Winchendon, MA
159. Winchester, MA
160. Worcester, MA
161. Wrentham, MA
162. Yarmouth, MA
163. Westfield, NJ
164. Toledo, OH
165. Central Falls, RI
166. Johnston, RI
167. Providence, RI

Jurisdictions that exempt adult-only retailers, retail stores that primarily sell tobacco, or specialty retail establishments with a specified percent of tobacco revenue sales:

- Compton, CA <sup>a</sup>
- Long Beach, CA <sup>a</sup>
- Los Altos, CA (60%) <sup>a,b,c</sup>
- Pacifica, CA <sup>a</sup>
- Pleasant Hill, CA <sup>a</sup>
- Redondo Beach, CA <sup>a</sup>
- San Jose, CA <sup>a</sup>
- South San Francisco, CA <sup>a</sup>
- Chicago, IL (80%) <sup>b,c</sup>
- All MA localities <sup>a,◇</sup>
- Bellingham, MA <sup>c</sup>
- Hull, MA <sup>c</sup>
- Topsfield, MA <sup>c</sup>
- Upton, MA <sup>c</sup>
- Westminster, MA <sup>c</sup>
- Arden Hills, MN <sup>a</sup>
- Columbia Heights, MN (90%) <sup>a,b</sup>
- Duluth, MN (90%) <sup>b</sup>
- Falcon Heights, MN (90%) <sup>a,b</sup>
- Fridley, MN (90%) <sup>a,b</sup>
- Hennepin County, MN (90%) <sup>a,b</sup>
- Lauderdale, MN (90%) <sup>a,b</sup>
- Minneapolis, MN (90%) <sup>a,b</sup>
- New Hope, MN (90%) <sup>a,b</sup>
- Nobles County, MN (90%) <sup>b,c</sup>
- Robbinsdale, MN (90%) <sup>b</sup>
- Roseville, MN (90%) <sup>a,b</sup>
- Shoreview, MN (90%) <sup>a,b</sup>
- St. Paul, MN (90%) <sup>a,b</sup>
- Westfield, NJ <sup>a</sup>
- Toledo, OH (60%) <sup>b</sup>
- Utah (state) (35%) <sup>a,b,c</sup>

<sup>a</sup> Exempt 21+ adult retailers

<sup>b</sup> Exempt specialty stores/retail establishments with specified %

<sup>c</sup> Exempt retail stores that primarily sell tobacco

<sup>◇</sup> Excludes statewide policy, Blackstone, Brookline, Chatham, Dedham, Lynn, North Attleborough, Norwood, Shrewsbury, Sherborn, Winthrop

Jurisdictions that include venue-based exemptions with some exceptions:

- **Compton, CA:** Retailer exemptions only apply to menthol cigarettes.
- **Culver City, CA:** Exempts hookah lounges with a valid retail license and are under the same ownership as of October 14, 2019.
- **La Verne, CA:** Exempts hookah businesses with a valid retail license as of July 1, 2021, and sell flavored hookah.
- **Long Beach, CA:** 21+ hookah businesses are exempted. Also exempts cigar lounges where premium cigars are bought and used.
- **Pacifica, CA:** 21+ hookah businesses are exempted.
- **Pleasant Hill, CA:** Exempts hookah tobacco businesses which include smoking lounges, smoking bars, or adult-only tobacco retailers engaged in the retail sale of hookah.
- **Redondo Beach, CA:** 21+ hookah businesses are exempted.
- **Redwood City, CA:** Exempts businesses with a valid retail license for on-site hookah consumption as of November 22, 2021.

- **San Jose, CA:** Exemption for smoking bar only applies to premium cigars in cigar lounges where cigars are bought and used.
- **Ventura, CA:** Flavored hookah permitted for onsite use and consumption.
- **Washington, DC:** Exempts hookah bars doing business in the District as of September 30, 2021.
- **Canton, MA:** Adult store exemption does not apply to e-cigarettes.
- **Minneapolis, MN:** Menthol/mint/wintergreen flavors are exempted at 21+ adult retailers.
- **Nobles County, MN:** Exempts adult-only retail establishments that derive at least 90% of their revenue from the sale of tobacco products and meet certain building or structural criteria and exempts liquor stores.
- **New York, NY:** Exemption for smoking bar does not include e-cigarettes.