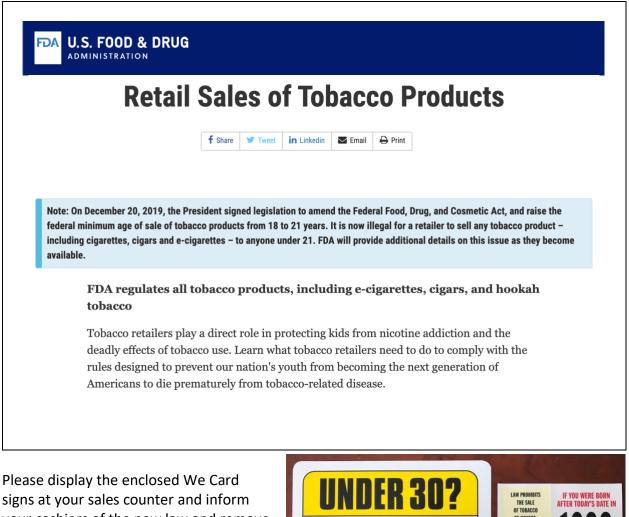
January 8th, 2020

Attention CRST Tobacco Retailers:

The Food and Drug Administration (FDA) recently made significant changes that affect tobacco retailers. Please read the information provided carefully to ensure you are in compliance with the federal law. You are receiving this because you were identified as a possible tobacco retailer with the Cheyenne River Sioux Tribe (CRST) Revenue Department. If you do not sell tobacco please notify Lynnette at 605-964-7071.

On December 20th, 2019 the federal minimum age to purchase tobacco products was raised from 18 to 21.



your cashiers of the new law and remove all outdated signs with age 18. You can also use our updated training video for cashiers on avoiding sales to minors at



<u>https://www.youtube.com/watch?v=0i2m5a2MjZs&feature=youtu.be</u>. If you need more <u>free</u> signs from the Canli Coalition of CRST contact Rae at 605-964-1260.

On January 2nd, 2019 the FDA declared that <u>all</u> e-cigarettes currently on the market are there <u>illegally</u> and that the federal government will prioritize enforcement to stop the sale of:

- 1. <u>Flavored</u>, cartridge-based ENDS (electronic nicotine delivery systems), which includes e-cigarette products (except for tobacco or menthol flavored); and
- 2. Any ENDS products <u>targeted to</u>, or whose marketing is likely to promote use by <u>minors</u>. Examples include, "products marketed with labeling and/or advertising that resemble kidfriendly foods and drinks such as juice boxes or kid-friendly cereal; products marketed directly to minors by promoting ease of concealing the product or disguising it as another product; and products marketed with characters designed to appeal to youth."



Vaping liquids, e-cigarettes and nicotine are considered toxic waste. If you have unsold inventory when the 30 day sell-off period ends on February 1st, 2020, contact your wholesaler for a refund or disposal. If they are unwilling to take the product back, to properly dispose of the waste and **comply with federal law**, contact a hazardous waste company or the South Dakota Department of Environmental and Natural Resources at 605-773-3153 for recommendations.

The flavor restrictions and minimum legal sales age of 21 is for <u>all people in all places</u>. This holds true in all states, U.S. territories, and <u>Tribal jurisdictions</u>. **It is the responsibility of the retailer to enforce these federal regulations**.

Thanks in advance for doing your part to protect young people from the harms of an addiction to nicotine!

Sincerely,

Lynnette Dupris, Director CRST Revenue Department 605-964-7071



Rae O'Leary Missouri Breaks & Canli Coalition of CRST 605-964-1260



Follow us! @MissouriBreaksResearch @CanliCoalitionOfCRST



Resources

Food & Drug Administration. Selling Tobacco Products in Retail Stores. Dec 20, 2019. <u>https://www.fda.gov/tobacco-products/compliance-enforcement-training/retail-sales-tobacco-products</u>

Food & Drug Administration. FDA finalizes enforcement policy on unauthorized flavored cartridge-based e-cigarettes that appeal to children, including fruit and mint. Jan 2, 2020. <u>https://www.fda.gov/news-events/press-announcements/fda-finalizes-enforcement-policy-unauthorized-flavored-cartridge-based-e-cigarettes-appeal-children</u>

Public Health Law Center. The New Federal Tobacco-21 Law: What it Means for State, Local, and Tribal Governments. Jan 7, 2020. <u>https://www.publichealthlawcenter.org/blogs/2020-01-07/new-federal-tobacco-21-law-what-it-means-state-local-and-tribal-governments</u>

Public Health Law Center. Disposing of E-Cigarette Waste. Dec 2020. <u>https://www.publichealthlawcenter.org/sites/default/files/resources/Disposing-of-E-Cigarette-Waste-FAQ-for-Schools-and-Others.pdf</u>