

P M A A W E E K L Y REVIEW

FDA'S DEEMING RULE FOR TOBACCO PRODUCTS GOES INTO EFFECT AUGUST 8

As of next Monday, it will have been 90 days since the FDA announced its final deeming rules for cigars, pipe and hookah tobacco and electronic cigarettes. It also marks the date when the regulations officially go into effect.

A press release from the FDA's Center for Tobacco Products (CTP) outlines which provisions affecting retailers will go into effect next Monday. As of Monday, retailers:

1. Must not sell e-cigarettes, hookah or pipe tobacco, or cigars to people under 18 years of age; also must check photo ID of everyone under age 27 who is attempting to purchase such products.
2. Must not sell tobacco products covered under the rule in a vending machine (except in a facility where people under age 18 are not allowed on the premises).
3. Must not give away free samples of any newly regulated tobacco products (this provision also applies to manufacturers, importers, and distributors).

Although some provisions will go into effect on August 8, others will go into effect at a later date. Click [here](#) to view the compliance dates for each provision. Additionally, the FDA has created a webpage that provides information packets on the rules for each category of product. Click [here](#) to either order free material packets to be shipped or download the forms to print for yourself. It is important that retailers selling these products read the rules and comply with them. It is also important for consumers of these products to be aware of the new rules, therefore we suggest having these materials available at your retail stores.

This spring, PMAA advocated against portions of this FDA rule and supported legislation in the House that would have changed the rule to be less burdensome for manufacturers, retailers and consumers. PMAA will continue to support all legislation that would change the rule.