Cigarettes with specific characterizing flavors, other than menthol, were prohibited in the U.S. on September 22, 2009, as part of the Family Smoking Prevention and Tobacco Control Act (TCA) that gave the U.S. Food and Drug Administration (FDA) authority over tobacco products. In addition to the federal ban on flavored cigarettes, states and localities can implement additional sales restrictions to address menthol cigarettes and flavored non-cigarette tobacco products and their appeal to youth and young adults.

**States**

In November 2019, Massachusetts became the first state to restrict the sale of all flavored tobacco products, including menthol cigarettes. In 2020, New Jersey, New York and Rhode Island enacted bans on the sale of flavored e-cigarettes and California became the second state to prohibit the sale of both flavored e-cigarettes and menthol cigarettes.

- Massachusetts² (effective 11/27/19 for e-cigarettes; 6/1/20 for all other products)
- New Jersey⁴ (effective 4/20/20)
- New York⁴,⁷ (effective 5/18/20)
- Rhode Island⁴ (effective 3/26/20)
- California⁶,⁸,⁹ (effective 12/21/22)

Two additional states—Maryland and Utah—restrict the sale of some flavored e-cigarettes. Maryland prohibits the sale of all flavored cartridge-based and disposable e-cigarettes except for menthol-flavored products, and Utah prohibits the sale of flavored e-cigarettes in non-retail tobacco specialty businesses, except mint- and menthol-flavored products.

In 2019, eight states—Massachusetts, Michigan, Montana, New York, Oregon, Rhode Island, Utah and Washington—issued emergency rules to temporarily ban the sale of flavored e-cigarettes. As a result of legal challenges, these orders were blocked in Michigan, New York, Oregon and Utah. The Montana and Washington state orders have expired. Massachusetts, New York and Rhode Island later enacted permanent bans.

Prior to the enactment of the Tobacco Control Act, New Jersey had already restricted the sale of flavored cigarettes, excluding menthol and clove flavors. Maine prohibits the sale of flavored non-premium cigars.

**Localities**

Over 375 localities have passed restrictions* on the sale of flavored tobacco products, although laws differ in their application to specific products and store types (see endnotes). Over 180 of these communities—those listed in **bold**—restrict the sale of menthol cigarettes, in addition to other flavored tobacco products.

<table>
<thead>
<tr>
<th>California (143)</th>
<th>California (cont’d)</th>
<th>California (cont’d)</th>
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</thead>
<tbody>
<tr>
<td>1. Adelanto</td>
<td>10. Auburn</td>
<td>19. Calabasas²</td>
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California (cont’d)
28. Corte Madera
29. Cudahy
30. Culver City²
31. Cupertino
32. Danville⁴,⁷
33. Davis
34. Delano
35. Dublin
36. East Palo Alto
37. El Cerrito
38. El Monte
39. Encinitas⁶
40. Fairfax
41. Fremont
42. Glendale⁶,⁸,⁹
43. Goleta
44. Guadalupe
45. Half Moon Bay
46. Hayward
47. Hermosa Beach
48. Hollister
49. Humboldt County³
50. Imperial Beach
51. Lafayette
52. Laguna Niguel
53. Larkspur
54. La Verne⁶
55. Livermore
56. Long Beach⁶,⁸,⁹
57. Loomis⁴
58. Los Altos²
59. Los Angeles⁶
60. Los Angeles County³
61. Los Gatos
62. Mammoth Lakes
63. Manhattan Beach
64. Marin County³
65. Maywood
66. Mendocino County³
67. Menlo Park
68. Mill Valley
69. Mono County³
70. Monterey
71. Monterey County³
72. Morgan Hill
73. Morro Bay⁵
74. Napa⁶,⁸,⁹
75. Novato
76. Oakland
77. Orinda
78. Orovile
79. Oxnard
80. Pacifica⁶
81. Palmdale⁴
82. Palo Alto
83. Paradise
84. Pasadena
85. Petaluma
86. Pico Rivera
87. Pinole
88. Pleasant Hill⁶,⁸,⁹
89. Pleasanton
90. Portola Valley
91. Rancho Cordova⁶
92. Redondo Beach²
93. Redwood City⁶
94. Richmond
95. Ross
96. Sacramento
97. Sacramento County³
98. San Anselmo
99. San Benito County³
100. San Carlos
101. San Diego⁶,⁸,⁹
102. San Diego County³,⁶,⁸,⁹
103. San Francisco
104. San Jose⁶,⁸,⁹
105. San Juan Batista
106. San Leandro
107. San Luis Obispo⁴,⁷
108. San Luis Obispo County³,⁴,⁷
109. San Mateo
110. San Mateo County³
111. San Pablo
112. San Rafael
113. Santa Ana
114. Santa Barbara County³
115. Santa Clara County³
116. Santa Clarita
117. Santa Cruz
118. Santa Cruz County³
119. Santa Maria
120. Saratoga
121. Sausalito
122. Scotts Valley
123. Sebastopol
124. Solana Beach
125. Soledad
126. Sonoma⁴
127. South San Francisco
128. Stanton
129. Sunnyvale
130. Tiburon
131. Ukiah
132. Ventura
133. Ventura County³,⁴
134. Walnut
135. Walnut Creek⁶
136. Watsonville
137. West Hollywood⁶
138. West Hollywood County³
139. West Sacramento
140. Windsor
California (cont’d)
141. Winters
142. Woodland
143. Yolo County³

Colorado (7)
1. Aspen
2. Boulder⁴
3. Carbondale
4. Edgewater
5. Glenwood Springs
6. Golden
7. Snowmass Village

Georgia (1)
1. Watkinsville⁴

Illinois (4)
2. Chicago¹
3. Cook County³,⁴
4. Evanston
5. River Forest⁴

Maine (6)
1. Bangor
2. Bar Harbor
3. Brunswick
4. Rockland⁴
5. South Portland
6. Portland

Massachusetts (168)
1. Acton²
2. Adams²
3. Agawam²
4. Andover²
5. Amherst²
6. Arlington²
7. Ashburnham²
8. Ashby²
9. Ashland²
10. Athol²
11. Attleboro²
12. Avon²
13. Ayer²
14. Barnstable²
15. Bedford²
16. Belmont²
17. Beverly²
18. Billerica²
19. Bolton²
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24. Brookline
25. Buckland²
26. Cambridge²
27. Canton²
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<td>84. <strong>Malden²</strong></td>
<td>141. Templeton²</td>
<td>198. <strong>Zephyr</strong></td>
</tr>
</tbody>
</table>

**Minnesota (30)**

1. Arden Hills
2. Benton County²,³
3. Bloomington
4. Brown’s Valley
5. Columbia Heights²
6. Dilworth⁴
7. Duluth²
8. Edina
9. Falcon Heights²
10. Fridley²
11. Golden Valley
12. Hennepin County²,³
13. Lauderdale
14. Lilydale
15. Mendota Heights
16. Minneapolis²
17. Moorhead
18. New Hope
19. Nobles County²,³
20. Prior Lake⁴
21. Richfield
22. Robbinsdale²
23. Roseville²
24. Rushford²
25. Shakopee⁴
26. St. Louis Park²
27. St. Paul²
28. Shoreview²
29. Traverse County³
States & Localities with Flavored Tobacco Restrictions

Minnesota (cont'd)
30. Wheaton\(^{10}\)

New Jersey (4)
1. Hanover Township\(^4\)
2. Jersey City\(^4\)
3. Vineland\(^4\)
4. Westfield\(^4\)

New York (3)
1. New York City\(^2\)
2. Manheim
3. Yonkers\(^4\)

Ohio (3)
1. Bexley
2. Columbus\(^6\)
3. Toledo\(^4\)

Oregon (2)
1. Multnomah County
2. Washington County

Rhode Island (6)
1. Barrington\(^2\)
2. Central Falls\(^2\)
3. Johnston\(^2\)
4. Middletown\(^2\)
5. Providence\(^2\)
6. Woonsocket\(^2\)

Washington, DC\(^6\)

MA localities courtesy of the Municipal Tobacco Control Technical Assistance Program.

*The above list may not be comprehensive. It includes communities that have passed restrictions, but some have future implementation dates and/or are the subject of litigation.

Campaign for Tobacco-Free Kids, November 30, 2023 / Laura Bach

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1 Chicago’s e-cigarette flavor ban is comprehensive, but restrictions on other tobacco products apply only to retailers within 500 feet of high schools and exempt adult-only tobacco retailers.
2 Exempts certain types of retailers, such as tobacco retailers (stores that receive a certain proportion of their revenue from tobacco), tobacco/smoking bars, e-cigarette establishments, adult-only retailers and/or liquor stores.
3 Applies only to retailers in unincorporated areas of the County.
4 Flavor restrictions only apply to e-cigarettes.
5 Exempts smokeless tobacco.
6 Exempts hookah tobacco and/or hookah bars.
7 Exempts products that have received a marketing order from the FDA. Currently, no e-cigarettes have received a marketing order.
8 Exempts pipe tobacco.
9 Exempts premium cigars.
10 Exempts e-cigarettes.