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.

- **Massachusetts**\(^2\) (effective 11/27/19 for e-cigarettes; 6/1/20 for all other products)
- New Jersey\(^4\) (effective 4/20/20)
- New York\(^4,7\) (effective 5/18/20)
- Rhode Island\(^4\) (effective 3/26/20)
- **California**\(^6,8,9\) (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). At least 190 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>
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<tbody>
<tr>
<td>1. Adelanto</td>
<td>10. Auburn</td>
<td>19. Calabasas(^2)</td>
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<td>3. Alameda County(^3)</td>
<td>12. Buena Park(^6)</td>
<td>21. Carpinteria</td>
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<td>6. Alturas</td>
<td>15. Beverly Hills</td>
<td>24. Chula Vista(^6,8,9)</td>
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<td>7. Anderson(^2,4)</td>
<td>16. Buena Park(^6)</td>
<td>25. Cloverdale</td>
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<td>9. Arroyo Grande(^4,7)</td>
<td>18. Burlingame</td>
<td>27. Contra Costa County(^3)</td>
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California (cont’d)
28. Corte Madera
29. Cudahy
30. Culver City
31. Cupertino
32. Danville
33. Davis
34. Delano
35. Dublin
36. East Palo Alto
37. El Cerrito
38. El Monte
39. Encinitas
40. Fairfax
41. Fremont
42. Glendale
43. Goleta
44. Guadalupe
45. Half Moon Bay
46. Hayward
47. Hermosa Beach
48. Hollister
49. Humboldt County
50. Imperial Beach
51. Lafayette
52. Laguna Niguel
53. Larkspur
54. La Verne
55. Livermore
56. Long Beach
57. Loomis
58. Los Altos
59. Los Angeles
60. Los Angeles County
61. Los Gatos
62. Mammoth Lakes
63. Manhattan Beach
64. Marin County
65. Maywood
66. Mendocino County
67. Menlo Park
68. Mill Valley
69. Mono County
70. Monterey
71. Monterey County
72. Morgan Hill
73. Morro Bay
74. Napa
75. Novato
76. Oakland
77. Orinda
78. Oroville
79. Oxnard
80. Pacifica
81. Pacific Grove
82. Palmdale
83. Palo Alto
84. Paradise
85. Pasadena

California (cont’d)
86. Petaluma
87. Pico Rivera
88. Pinole
89. Pleasant Hill
90. Pleasanton
91. Portola Valley
92. Rancho Cordova
93. Redondo Beach
94. Redwood City
95. Richmond
96. Ross
97. Sacramento
98. Sacramento County
99. San Anselmo
100. San Benito County
101. San Carlos
102. San Diego
103. San Diego County
104. San Francisco
105. San Jose
106. San Juan Batista
107. San Leandro
108. San Luis Obispo
109. San Luis Obispo County
110. San Mateo
111. San Mateo County
112. San Pablo
113. San Rafael
114. Santa Ana
115. Santa Barbara County
116. Santa Clara County
117. Santa Clarita
118. Santa Cruz
119. Santa Cruz County
120. Santa Maria
121. Saratoga
122. Sausalito
123. Scotts Valley
124. Sebastopol
125. Solana Beach
126. Soledad
127. Sonoma
128. South San Francisco
129. Stanton
130. Sunnyvale
131. Tiburon
132. Ukiah
133. Ventura
134. Ventura County
135. Walnut
136. Walnut Creek
137. Watsonville
138. West Hollywood
139. West Sacramento
140. Windsor

California (cont’d)
141. Winters
142. Woodland
143. Yolo County

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

Georgia (1)
1. Watkinsville

Illinois (4)
2. Chicago
3. Cook County
4. Evanston
5. River Forest

Maine (7)
1. Bangor
2. Bar Harbor
3. Brunswick
4. Falmouth
5. Rockland
6. South Portland
7. Portland

Massachusetts (168)
1. Acton
2. Adams
3. Agawam
4. Andover
5. Amherst
6. Arlington
7. Ashburnham
8. Ashby
9. Ashland
10. Athol
11. Attleboro
12. Avon
13. Ayer
14. Barnstable
15. Bedford
16. Belmont
17. Beverly
18. Billerica
19. Bolton
20. Boston
21. Braintree
22. Brewster
23. Brockton
24. Brookline
25. Buckland
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<th>Massachusetts (cont'd)</th>
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<td>82. <strong>Lynn</strong></td>
<td>139. Sunderland²</td>
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**Minnesota (30)**
1. Arden Hills
2. Benton County²,³
3. Bloomington
4. Brown’s Valley
5. Columbia Heights²
6. Dilworth⁴
7. Duluth⁵
8. Edina
9. Falcon Heights²
10. Fridley⁶
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. **Roseville**²
24. Rushford⁵
25. Shakopee⁴
26. St. Louis Park²
27. **St. Paul**²
Minnesota (cont’d)
28. Shoreview\textsuperscript{2}
29. Traverse County\textsuperscript{3}
30. Wheaton\textsuperscript{10}

New Jersey (4)
1. Hanover Township\textsuperscript{4}
2. Jersey City\textsuperscript{4}
3. Vineland\textsuperscript{4}
4. Westfield\textsuperscript{4}

New York (3)
1. New York City\textsuperscript{2}
2. Manheim
3. Yonkers\textsuperscript{4}

Ohio (3)
1. Bexley
2. Columbus\textsuperscript{6}
3. Toledo\textsuperscript{4}

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

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

Washington, DC\textsuperscript{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.

\textit{Campaign for Tobacco-Free Kids, December 29, 2023 / Laura Bach}

\footnotesize{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.}