



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
250 Washington Street, Boston, MA 02108-4619

CHARLES D. BAKER
Governor

KARYN E. POLITO
Lieutenant Governor

MARYLOU SUDDERS
Secretary

MONICA BHAREL, MD, MPH
Commissioner

Tel: 617-624-6000
www.mass.gov/dph

September 24, 2019

Dear Tobacco Retailer:

On September 24, 2019, Governor Charles D. Baker declared a public health emergency in the Commonwealth due to severe lung disease associated with the use of e-cigarettes and vaping products, and the epidemic of e-cigarette use among youth. Pursuant to the Governor's Declaration and with the approval of the Governor and the Public Health Council, the Commissioner of the Massachusetts Department of Public Health, Monica Bharel, MD, MPH, issued an Order to temporarily prohibit the sale and public display of all vaping products in retail establishments, online, and by any other means in Massachusetts.

This letter is to inform you that to comply with this Order you may not sell vaping products and must remove all vaping products from public display.

What products are prohibited from sale and display?

- All non-flavored and flavored vaping products, including mint and menthol; and products used to vape tetrahydrocannabinol (THC) and any other cannabinoid
- Vape products are any product intended for human consumption by inhalation, regardless of nicotine content, whether for one-time use or reusable, that relies on vaporization or aerosolization, including but not limited to e-cigarettes, e-cigars, e-pipes, vape pens, hookah pens, and other similar devices that rely on vaporization or aerosolization. This includes any component, part, or accessory of these product or devices defined, even if sold separately

When will retailers be able to sell vape products again?

- The Commissioner's Order is effective immediately. The Order lasts for four months and may be extended.

What will happen if retailers don't comply with this Order?

This rule may be enforced by state and local officials and failure to comply may result in fines, seizure of vape products or other penalties. If you have questions, please visit:

www.mass.gov/dph/mtcp or contact your local board of health.

Thank you for following this new law.

Sincerely,

Enclosure: Commissioner's Order



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RE: ORDER OF THE COMMISSIONER OF PUBLIC HEALTH PURSUANT TO THE
GOVERNOR'S SEPTEMBER 24, 2019 DECLARATION OF A PUBLIC HEALTH
EMERGENCY (Temporary Ban on Sale or Display of Vaping Products)

On September 24, 2019, Governor Charles D. Baker declared a public health emergency in the Commonwealth due to severe lung disease associated with the use of e-cigarettes and vaping products, and the epidemic of e-cigarette use among youth. A copy of the Governor's Declaration is attached at Appendix A. As of September 19, 2019, the federal Centers for Disease Control and Prevention (CDC) had confirmed 530 cases across 38 states and U.S. territories, including seven fatalities in six different states. The commonality in all reported cases is a history of vaping, and a history of using vaping products containing tetrahydrocannabinol (THC), nicotine, or a combination of both.

With the goal of protecting the health of Massachusetts residents, and in accordance with Governor Baker's public health emergency declaration and with the approval of the Public Health Council, I issued an Order which provides in part:

The sale or display of all vaping products to consumers in retail establishments, online, and through any other means, including all non-flavored and flavored vaping products, including mint and menthol, including tetrahydrocannabinol (THC) and any other cannabinoid, is prohibited in the Commonwealth.

The purpose of this letter is to inform Massachusetts retailers of the Order, a copy of which is attached at Appendix B. The Order is effective immediately, and you must remove all vaping products from display and you must stop selling all vaping products. This order is effective immediately and remains in effect until January 25, 2020, and may be further extended.

This Order may be enforced by state and local officials, and failure to comply may result in fines or other penalties.

Massachusetts Vaping Product Ban

On September 24, 2019, Governor Baker declared a public health emergency in the Commonwealth due to severe lung disease associated with the use of e-cigarettes and vaping products and the epidemic of e-cigarette use among youth.

The Commissioner of Public Health has temporarily prohibited the sale and display of all vaping products and e-cigarettes until further notice.

For help quitting:
MakeSmokingHistory.org
1-800-QUIT-NOW

