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Contact Chase Sizemore

Phone (850) 245-0150



Florida Attorney General's Office News Release

Florida Attorney General's Office Launches Nicotine Dispensing Device Directory, Gives Retailers Until March 1 to Remove Listed Products

TALLAHASSEE, Fla.—The Florida Attorney General's Office has launched the Nicotine Dispensing Device Directory, giving retailers until March 1 to remove the listed products from their inventories. The directory lists nicotine dispensing devices that are illegal to sell or distribute in Florida under state statute due to the products' attractiveness to minors. After 60 days following the date a product is added to the directory, manufacturers who violate the statute face fines of up to \$1,000 a day per device. Those that sell, ship or otherwise distribute a device face a penalty of \$1,000 per device, in addition to other penalties under Chapter 501, Florida Statutes. As the directory is updated with additional devices, retailers will have 60 days to remove the additional products from their shelves.

Acting Attorney General John Guard said, "We launched Florida's Nicotine Dispensing Device Directory to protect children from harmful products and keep harmful products that are appealing to minors off shelves throughout the state. Devices listed on the directory are illegal to sell in Florida, and those who violate the statute face hefty fines."

The launch of the directory comes after the Florida Legislature passed HB 1007 in 2024, authorizing the Attorney General to adopt rules to create a list of nicotine dispensing devices determined to be "attractive to minors," thereby removing those products from the market. More than 150 notices have been sent out regarding items deemed attractive to minors.

For placing items on the directory, the Florida Attorney General's Office can consider multiple sources. These sources include reports of harm, complaints, certain surveys or other data sources indicating that a device is being used by minors at a higher rate than other nicotine dispensing devices, and the extent to which the device:

- Is designed to be attractive to minors, such as through the use of bright colors or cartoon characters;
- Is designed so that it is easy for minors to use and to conceal;
- Uses or resembles the trade dress of a branded food product, consumer food product, or logo of a food product;
- Is marketed in a manner that uniquely appeals to minors; or
- Uses actual copyrights, service marks, or trademarks or fake copyrights, service marks, or trademarks that resemble consumer or food products popular with minors, including the names of candy or cereal products.

The directory and notices can be viewed at MyFloridaLegal.com/NDD.

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