



SB 793 LAW

RESTRICTION OF FLAVORED TOBACCO SALES

A Summary for Retailers

On November 8, 2022, California voters passed SB 793 (Prop 31). The passing of Prop 31 upholds Senate Bill (SB) 793, which prohibits tobacco retailers from selling most flavored tobacco products. This law prohibits certain flavored tobacco product from being sold by anyone selling tobacco products from a retail location or vending machine in the state of California. The law also covers a broad range of flavored tobacco products, including menthol cigarettes, chewing tobacco, snuff, little cigars, e-cigarettes, and roll-your-own tobacco products.

Retailers are required to **stop selling flavored tobacco products covered by the law beginning December 21, 2022.**

PENALTIES
Retailers, their agents or their employees found guilty of an infraction will be fined \$250 for any violation of this law.

LOCAL LAW COMPLIANCE
Licensed stores must also operate in accordance with all state or local laws relating to the sale and/or consumption of tobacco products on their premises.

RETAIL LOCATIONS
This state law applies to the sale of flavored tobacco products from a building where tobacco products are sold at retail and vending machines.

WHAT IS A TOBACCO PRODUCT FLAVOR ENHANCER?

A product designed, manufactured, produced, marketed, or sold to produce a **characterizing flavor** when added to a tobacco product.

The law **does not apply to flavored premium cigars with a wholesale price of \$12 or more and flavored loose-leaf pipe tobacco.**

Flavored shisha/hookah tobacco may only be sold in licensed stores that only allow people 21 or older on the premises at any time.



LIST OF FLAVORED TOBACCO PRODUCTS INCLUDED IN THIS STATE LAW:

- All menthol cigarettes
- Flavored e-liquids
- Flavored little cigars/cigarillos
- Flavored smokeless tobacco
- Flavored blunt wraps
- Flavored loose leaf roll-your-own tobacco
- Tobacco product flavor enhancers

