



What You Need to Know **About the Flavored Nicotine Products Sales Restriction**

Effective July 24, 2023

On May 25, 2023, the Cook County Board of Commissioners amended the Cook County Youth Tobacco Control Ordinance (Chapter 54, Article V), restricting the sale of all flavored liquid nicotine products, effective July 24, 2023.

What the amendment changed in the Cook County Youth Tobacco Control Ordinance

Effective July 24, 2023, no retailer shall sell, give away, barter, exchange or otherwise furnish to any other person any flavored liquid nicotine product. Flavored liquid nicotine product means any liquid nicotine product that contains a constituent that imparts a characterizing flavor. As used in this definition, the term “characterizing flavor” means a distinguishable taste or aroma, imparted either prior to or during consumption of a liquid nicotine product, including but not limited to tastes or aromas of menthol, mint, wintergreen, chocolate, vanilla, honey, cocoa, any candy, any dessert, any alcoholic beverage, any fruit, any herb, or any spice, but shall not include the taste or aroma of tobacco. No liquid nicotine product shall be determined to have a characterizing flavor solely because of the use of additives or flavorings or the provision of ingredient information. A public statement or claim made or disseminated by the manufacturer of a liquid nicotine product, or by any person authorized or permitted by the manufacturer to make or disseminate such statement or claim, that a liquid nicotine product has or produces a characterizing flavor shall establish that the liquid nicotine product is a flavored liquid nicotine product.

Who the amendment affects

All licensed tobacco retailers in unincorporated Cook County who receive their license from Cook County Department of Public Health (CCDPH) must comply with the Cook County Youth Tobacco Control Ordinance amendment, effective July 24, 2023.

How the amendment will be enforced

CCDPH, in partnership with the Cook County Sheriff’s Office, will conduct random, unannounced inspections at locations where tobacco products are sold in unincorporated Cook County to ensure compliance. CCDPH shall check the compliance at such locations a minimum of one time per 12-month period.

Retailers who violate the **sale** of flavored liquid nicotine products shall be subject to a fine of not less than \$1,000, nor more than \$5,000 per offense. Each day that a violation continues shall constitute a separate and distinct offense.

Penalties for retailers who violate the **display** of any flavored liquid nicotine product are as follows:

- For a first violation of this section, CCDPH shall impose an administrative penalty of \$500.
- For a second violation of this section, occurring after a final determination of liability for a first violation, and within a 12-month period, an administrative penalty of \$500 shall be imposed by CCDPH and a suspension of the license of the retailer for 30 days.
- For a third violation occurring after a final determination of liability for a second violation and within a 12-month period, an administrative penalty of \$1,000 and a revocation of the license of the retailer for one year shall be imposed by CCDPH.

Why the amendment is important

- Prohibiting the sale of flavored liquid nicotine products will help save lives of suburban Cook County residents by preventing tobacco-related disease and death.
- In 2022, more than 2.5 million U.S. middle and high school students stated they currently used e-cigarettes. Most youth who reported using e-cigarettes used flavored products (85%), which play a key role in attracting youth to start using these dangerous products and increase the likelihood that they will become regular smokers.
- It is estimated that, for Illinois, the cost of health care for tobacco-related injury has expanded to over \$6 billion and the loss of productivity due to smoking is nearly \$14 billion.

For more information, email healthycook@cookcountyhhs.org, call 708-836-8600 or visit www.cookcountypublichealth.org.



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