

# **AN OVERVIEW OF E-CIGARETTE REGISTRY LAWS & IMPLICATIONS FOR PUBLIC HEALTH**

**SMOKE-FREE SOUTH CAROLINA—TOBACCO-FREE PARTNERS' ROUNDTABLE**

**JANUARY 23, 2026**



**PUBLIC HEALTH  
LAW CENTER**  
at Mitchell Hamline School of Law

1/23/2026

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# **AN OVERVIEW OF E-CIGARETTE REGISTRY LAWS & IMPLICATIONS FOR PUBLIC HEALTH**

- **What are Registry Laws?**
  - Refresher on PMTA Process
  - Main Provisions of a Typical Registry Law
- **Comparison of Registry Laws Nationwide**
- **Implications for Public Health**
- **PHLC's Resources**



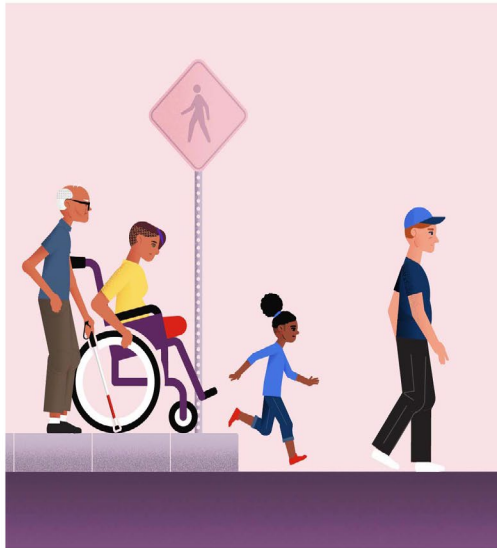
# THE PUBLIC HEALTH LAW CENTER



# THE PUBLIC HEALTH LAW CENTER

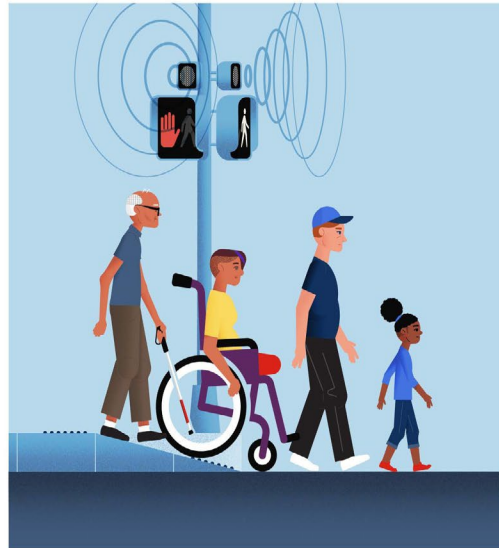
## EQUALITY:

Everyone gets the same – regardless if it's needed or right for them.



## EQUITY:

Everyone gets what they need – understanding the barriers, circumstances, and conditions.



based on work for First Nations Health Authority at Gathering Wisdom VI

Drawing  
change

Image credit: [Sam Bradd](#)

# LEGAL TECHNICAL ASSISTANCE



Legal Research



Policy Development, Implementation, Defense



Publications



Trainings



Direct Representation



Lobby



# SOUTH CAROLINA UPDATE

- As of January 2026, SC has not passed an e-cigarette registry bill into law.
- Several attempts made to establish registry law, with legislation pending.
- [Senate Bill 287](#)—most recent effort, passed Senate with bipartisan support in March 2025.
- As of mid-January, S. 287 still being considered on House floor.



# WHAT ARE REGISTRY LAWS?

## Refresher on the FDA's PMTA Authorization Process

# **WHAT ARE REGISTRY LAWS?**

## **PREMARKET TOBACCO PRODUCT APPLICATION PROCESS**



**New tobacco products need FDA authorization to be legally sold.**

### **PMTA Review by the FDA**

- Risks and benefits to public health
- Impact on cessation, product use uptake
- Manufacturing process and safety standards



# **WHAT ARE REGISTRY LAWS?**

## **PREMARKET TOBACCO PRODUCT APPLICATION PROCESS**

### **FDA Action**

- Marketing Granting Order (authorization)
- Marketing Denial Order (denial)
- FDA or court may stay enforcement of a denial order



# WHAT ARE REGISTRY LAWS?


## FDA PMTA PROCESS

- **As of January 2026, 39 e-cigarette products authorized for sale.**
- **Cannot legally market in United States without a Marketing Granting Order.**
- **No official governmental channel to verify product's status if denied authorization or if application is pending.**

E-Cigarettes Authorized by the FDA		
These are the only e-cigarettes authorized to be sold in the U.S. (Last updated: July 2025)		
Manufacturer	Product Name	
Logic Technology Development LLC	Logic Regular Cartridge/Capsule Package	Logic Pro Capsule Tank System (1)
	Logic Vapeleaf Cartridge/Capsule Package	Logic Pro Capsule Tank System (2)
	Logic Vapeleaf Tobacco Vapor System	Logic Power Tobacco e-Liquid Package
	Logic Pro Tobacco e-Liquid Package	Logic Power Rechargeable Kit
NJOY LLC	NJOY DAILY Rich Tobacco 4.5%	NJOY ACE POD Classic Tobacco 2.4%
	NJOY DAILY EXTRA Rich Tobacco 4%	NJOY ACE POD Classic Tobacco 5%
	NJOY DAILY EXTRA Menthol 4%	NJOY ACE POD Rich Tobacco 5%
	NJOY DAILY Menthol 4.5%	NJOY ACE POD Menthol 2.4%
	NJOY ACE Device	NJOY ACE POD Menthol 5%
R.J. Reynolds Vapor Company	Vuse Vibe Power Unit (1)	Vuse Replacement Cartridge Original 4.8% G2
	Vuse Vibe Tank Original 3.0%	Vuse Alto Power Unit
	Vuse Vibe Power Unit (2)	Vuse Alto Pod Golden Tobacco 5%
	Vuse Ciro Power Unit (1)	Vuse Alto Pod Rich Tobacco 5%
	Vuse Ciro Cartridge Original 1.5%	Vuse Alto Pod Golden Tobacco 2.4%
	Vuse Ciro Power Unit (2)	Vuse Alto Pod Rich Tobacco 2.4%
	Vuse Solo Power Unit	Vuse Alto Pod Golden Tobacco 1.8%
	Vuse Replacement Cartridge Original 4.8% G1	Vuse Alto Pod Rich Tobacco 1.8%
JUUL Labs Inc.	JUULpods (Menthol 3.0%)	JUULpods (Menthol 5.0%)
	JUULpods (Virginia Tobacco 3.0%)	JUULpods (Virginia Tobacco 5.0%)
	JUUL Device	

For the most up-to-date list of authorized e-cigarettes, visit the [Searchable Tobacco Products Database](#).

While these products are authorized to be sold in the U.S., it does not mean these products are safe nor are they "FDA approved." All tobacco products are harmful and potentially addictive. Those who do not use tobacco products shouldn't start.



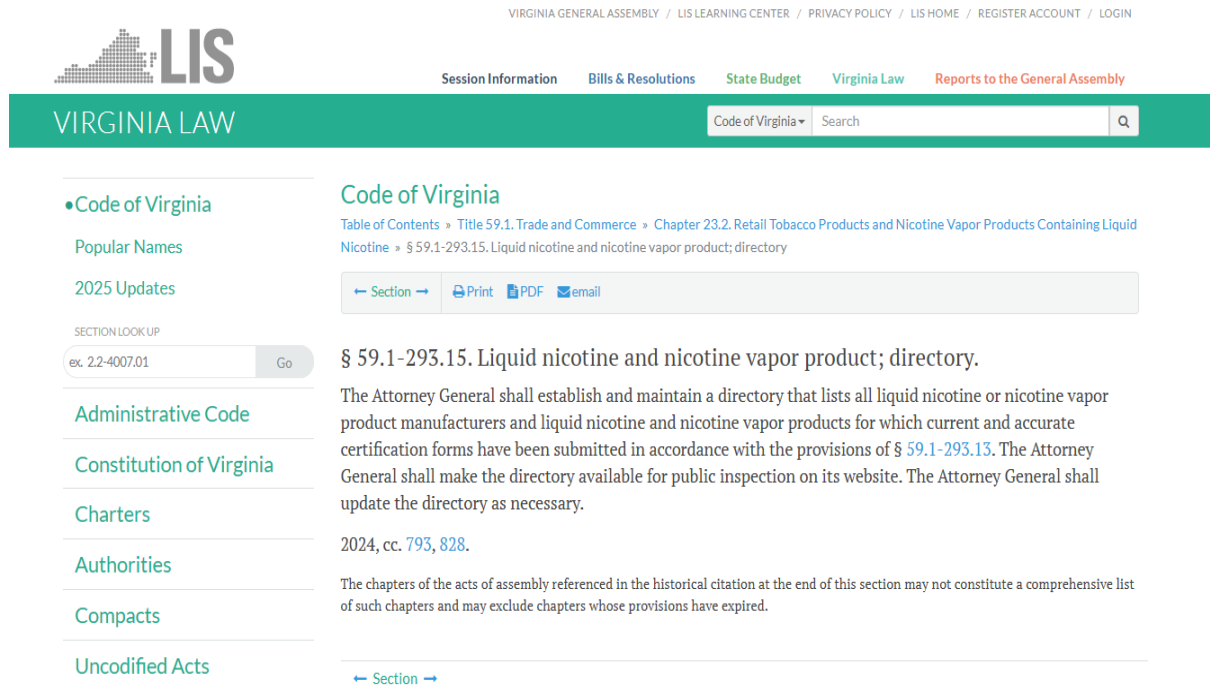
[E-Cigarettes Authorized by the FDA](#)

# **WHAT ARE REGISTRY LAWS?**

## **Main Provisions of a Typical Law**

# WHAT ARE REGISTRY LAWS?

## MAIN POLICY PROVISIONS IN A TYPICAL LAW



The screenshot shows the Virginia Law website. At the top, there is a navigation bar with links: VIRGINIA GENERAL ASSEMBLY / LIS LEARNING CENTER / PRIVACY POLICY / LIS HOME / REGISTER ACCOUNT / LOGIN. Below this is a green header with the LIS logo and the text "VIRGINIA LAW". A search bar is also present. The main content area is titled "Code of Virginia" and displays the text of § 59.1-293.15. The text states that the Attorney General shall establish and maintain a directory of liquid nicotine or nicotine vapor product manufacturers and products. The text also mentions that the directory shall be available for public inspection on the Attorney General's website. The text is followed by a citation: 2024, cc. 793, 828. Below the text, there is a note that the chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired. The left sidebar contains links to various sections: Code of Virginia, Popular Names, 2025 Updates, SECTION LOOK UP (with a search bar), Administrative Code, Constitution of Virginia, Charters, Authorities, Compacts, and Uncodified Acts.

VIRGINIA LAW

Code of Virginia

Table of Contents » Title 59.1. Trade and Commerce » Chapter 23.2. Retail Tobacco Products and Nicotine Vapor Products Containing Liquid Nicotine » § 59.1-293.15. Liquid nicotine and nicotine vapor product; directory

← Section → Print PDF email

SECTION LOOK UP  
ex. 2.2-4007.01 Go

Administrative Code  
Constitution of Virginia  
Charters  
Authorities  
Compacts  
Uncodified Acts

Code of Virginia

§ 59.1-293.15. Liquid nicotine and nicotine vapor product; directory.

The Attorney General shall establish and maintain a directory that lists all liquid nicotine or nicotine vapor product manufacturers and liquid nicotine and nicotine vapor products for which current and accurate certification forms have been submitted in accordance with the provisions of § 59.1-293.13. The Attorney General shall make the directory available for public inspection on its website. The Attorney General shall update the directory as necessary.

2024, cc. 793, 828.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

← Section →

### [Va. Code Ann. § 59.1-293.15.](#) [Liquid nicotine and nicotine vapor product; directory.](#)

- Establishes e-cigarette product registry.
- Only products listed on registry may be sold in the state.
- Other states with typical registry laws: AL, AR, IA, LA, MS, NC, OK, PA, TN, UT, WI.



# WHAT ARE REGISTRY LAWS?

## MAIN POLICY PROVISIONS IN A TYPICAL LAW

Each e-cigarette manufacturer of products sold in the state **shall certify**:

- That the manufacturer received a **marketing authorization (MGO)** from the FDA;

**OR**

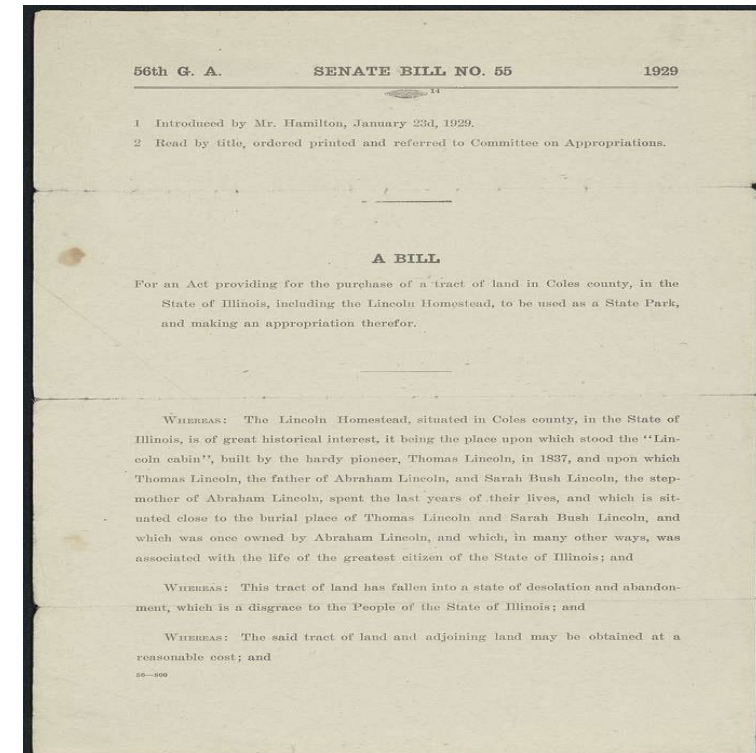
- That the product was:
  - Marketed in the U.S. as of 8/8/2016; *and*
  - Manufacturer submitted a PMTA application on or before 9/9/2020; *and*
  - The product **application remains under review**, *or* a final decision has not otherwise taken effect (e.g. a court order or FDA administrative order staying an MDO).

# WHAT ARE REGISTRY LAWS?

## MAIN POLICY PROVISIONS IN A TYPICAL LAW

### Other Main Provisions:

- Annual fees paid by manufacturer
- Compliance checks
- Penalties incl. fines and other civil penalties



Source: [Library of Congress](#) (public domain)

# **Comparison of Registry Bills Nationwide**

# COMPARISON OF STATE REGISTRY LAWS/BILLS

Industry market-share “typical” laws (already enacted)	More public health oriented?	Other
AL, AR, FL*, IA, KY, LA, MS, NC, NE, OK, PA, TN, UT, VA, WI	CA (2024) MD (2025)	WY (2025)



## California (2024 bill)

- Flavored products already prohibited.
- Creates an “Unflavored Tobacco List” of authorized products for retail sale.
- Other parts of bill expand on flavor prohibition (no flavor enhancers, refine definition of “characterizing” flavor).



## Maryland (2025 bill)

- Proof of MGO or pending PMTA application + brand details, packaging and product details, marketing/advertising plans.
- \$75,000 escrow account deposit required.



## Wyoming (2025 bill)

- Not tied to MGO or pending PMTA application.
- Requires state licensure + annual certification of compliance with PACT Act and U.S. Customs inspection.
- Nonresident manufacturer required to post \$25,000 bond.

*\*FL maintains a registry but is atypical: contains list of single-use or disposable products deemed to be attractive to minors and are prohibited from being sold in state.*



# REGISTRY LAWS: KEY TAKEAWAYS & IMPLICATIONS FOR PUBLIC HEALTH

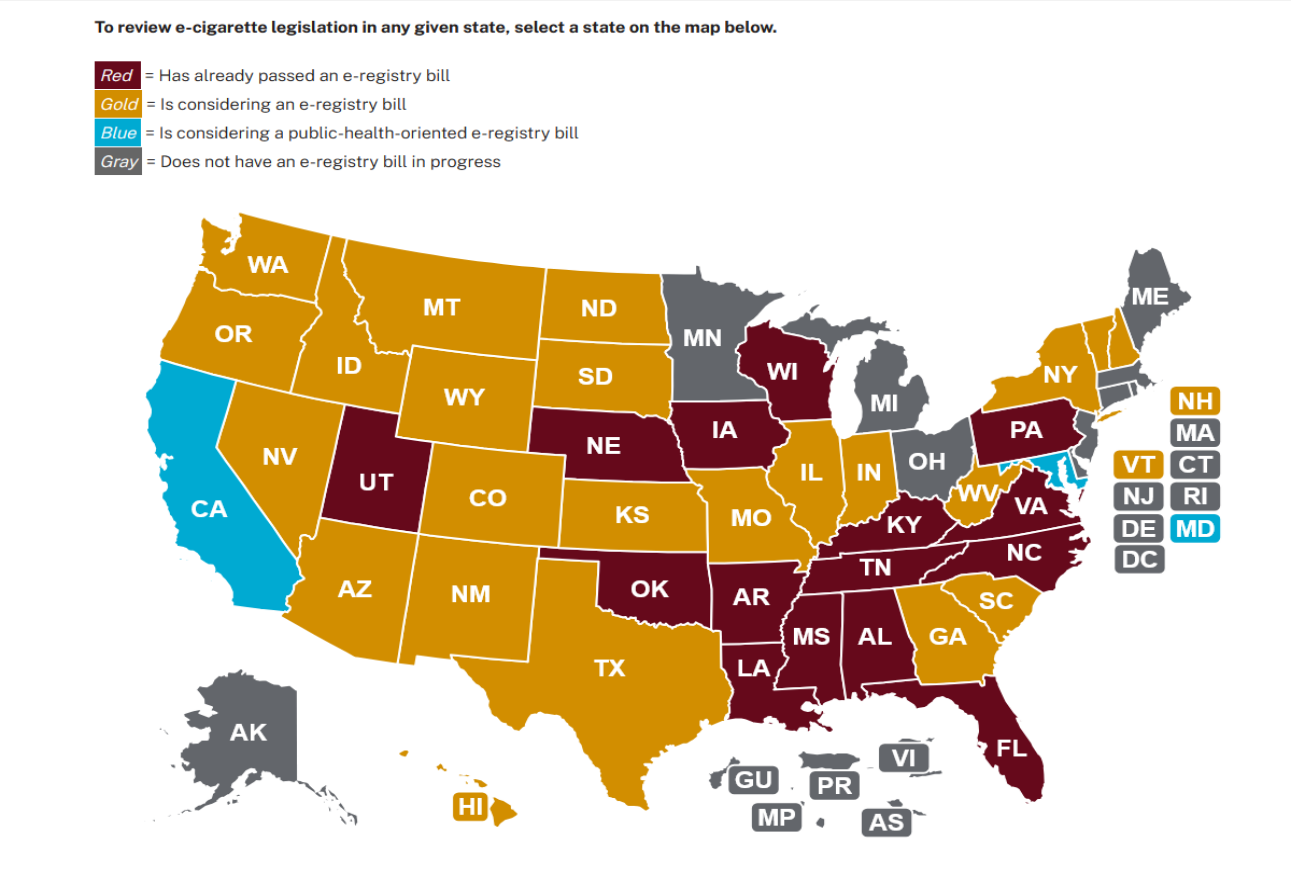
## Registry Laws Are Not Proven as Effective Tobacco Control Policy

- ☐ Thousands of unauthorized products are permitted on registries.
- ☐ Can divert funding and other resources away from proven tobacco control measures.
- ☐ Do not remove flavored tobacco products from market.
- ☐ Inadequate revenue source for states.

# **PHLC's Resources on Registry Laws**

# PHLC'S RESOURCES ON REGISTRY LAWS

## REGISTRY LAW INTERACTIVE MAP



### PHLC's E-Cigarette Registry Law Map

# PHLC'S RESOURCES

## REGISTRY LAW INTERACTIVE MAP



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### STATE E-CIGARETTE REGISTRY BILL MAP - IOWA

#### E-Cigarette Registry Bills Considered in Iowa

House Bill: [HB 682](#)

Senate Bill: [SSB 3101](#)

Existing Law: [Iowa Code Ann. § 453A.52\\*](#)

Directory Implementation Date: 2/3/2025

[Link to Directory Implementation](#)

\*On May 2, 2025, an Iowa federal judge temporarily blocked enforcement of the state's registry law while a legal challenge to that law continues in court. The judge found the registry law is likely preempted by federal law. [Here is the Court Order.](#)



# PHLC'S RESOURCES RECENT WEBINAR

## *National Updates on E-Cigarette Registry Laws and Implications for Public Health*

**November 18, 2026**

### UPCOMING WEBINAR



#### **National Updates on E-Cigarette Registry Laws and Implications for Public Health**

Presenters: **Fatma Romeh Ali**,  
CDC Foundation, **Megan Boelter**,  
Preventing Tobacco Addiction  
Foundation/Tobacco 21, **Marisa  
Katz**, Public Health Law Center

Tuesday, November 18, 11 AM CT



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# PHLC'S RESOURCES ON REGISTRY LAWS

## WEBINARS & BLOG POST

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**VT - AN OVERVIEW OF E-CIGARETTE REGISTRY LAWS AND WHAT TO MAKE OF THEM**

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**E-CIGARETTE  
REGISTRY LAWS**  
What Vermont  
Needs to Know

**PUBLIC HEALTH  
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Watch on  

**DATE**  
02/19/2025

**Resources:**  
[Webinar Slides](#)

States across the country have passed or are considering passing e-cigarette registry laws that have been predominately supported by the tobacco industry. These laws seek to establish or amend product registries or directories that purport to regulate retail sales of e-cigarette and other vapor products.

[An Overview of E-cigarette Registry Laws and What to Make of Them](#)

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**E-REGISTRY BILLS AND THEIR IMPLICATIONS FOR PUBLIC HEALTH**

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**OVERVIEW OF E-REGISTRY LAWS**


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at Mitchell Hamline School of Law

Watch on  

**DATE**  
03/07/2024

**Resources:**  
[Webinar Slides](#)  
[State E-Cigarette Registry Bill Map](#)  
[Commentary Post - State E-Cigarette Registry Bills and What to Make of Them](#)  
[Commentary Post - A Closer Look at the 23 FDA Authorized E-Cigarettes](#)

[Webinar: E-Registry Bills and their Implications for Public Health](#)

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**2/1/24 - STATE E-CIGARETTE REGISTRY BILLS AND WHAT TO MAKE OF THEM**

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States across the country are commencing their legislative sessions, and public health advocates have seen a resulting wave of so-called "registry" bills that have been predominantly supported by the tobacco industry. These laws seek to establish or amend product registries or directories that purport to regulate retail sales of e-cigarette and other nicotine products. Generally speaking, these laws limit the products being marketed to only those that the FDA has approved for sale—or, more accurately, to only those products that the FDA has not definitively prohibited for sale. Public health advocates should carefully consider the public health implications of these proposed laws and critically evaluate whose interests they advance.

### THE REGULATORY BACKGROUND

At first blush, these bills seem to close a loophole leveraged by e-cigarette manufacturers and distributors. Before manufacturers can sell new tobacco products, including e-cigarettes, they must submit a Premarket Tobacco Product Application (PMTA) to the U.S. Food & Drug Administration (FDA). The FDA can then either grant their application, at which point they can sell their products indefinitely, or the FDA can deny their application, at which point they must cease selling them altogether. Unfortunately, because of the lengthy time it is taking the FDA to process applications, or because of legal challenges to denial orders, some manufacturers and distributors take the liberty of keeping their products in the marketplace until they receive a final answer from the FDA or the courts, all the while risking enforcement action because they are selling without authorization.

To date, the FDA has authorized only 23 e-cigarette products and related devices, all of them tobacco-flavored. It has also issued thousands of

[Blog Post: State E-Cigarette Registry Bills and What to Make of Them](#)



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## **PUBLIC HEALTH LAW CENTER WILL BE CLOSED ON JANUARY 23.**

### **WE STAND IN SOLIDARITY WITH OUR COMMUNITY.**

To our partners and friends,

The Public Health Law Center will be closed on Friday, January 23, for **A Day of Truth & Freedom**. As the cruel and unlawful ICE occupation of our home base of the Twin Cities drags on, faith leaders, labor unions, and many organizations have called for participation in this "statewide day of non-violent moral action, reflection: no work, no school, no shopping — only community, conscience, and collective action." We stand in solidarity with each other and our community.

The current attack on immigrants and every person of color, both directly and indirectly, is offensive on its face and harmful to public health. When people are living in fear of violence and detention from their own government, they are less able to access necessary medical care, earn a living, attend school, and provide healthy food for their families. The violent presence of the 3,000 federal agents who have descended on Minnesota and other parts of the country harms individual health, community well-being, and the integrity of our governance and legal infrastructure.

Wherever you live, we invite you to stand with us and our neighbors. If you are able, opportunities to support your neighbors are available, including many you can contribute to from afar.

Thank you for supporting us and each other. We will get through this together.

Joelle Lester  
Executive Director  
Public Health Law Center

### **EVERYONE DESERVES TO BE HEALTHY**

We collaborate with others to reduce and eliminate commercial tobacco, promote healthy food, support physical activity, pursue climate justice, and address other causes of chronic disease to create healthier communities around the country. Questions about law and policy in these areas? **Contact us.**

## **1/22/26 - PHLC Supports Day of Truth and Freedom Public Health Law Center**



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ICE OUT OF MN

MPLS March Prayer Vigils

## **ICE OUT OF MINNESOTA DAY OF TRUTH & FREEDOM**

# **JANUARY 23**

## **MARCH @ 2PM, THE COMMONS MPLS**

([link to map](#))

## **ICE OUT OF MN**

**Resources: supporting community during ICE operations  
- Minnesota Council of Nonprofits**

**1/23/2026**

**23**

# Q&A/DISCUSSION

