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MATT DVONCH
FIRST DEPUTY ATTORNEY GENERAL

January 17, 2025

RE: Update from FDA regarding additional authorized tobacco products

Dear Tobacco Licensee:

The purpose of this letter is to inform State of Hawaii tobacco retailers and licensees of a recent announcement by the U.S. Food and Drug Administration (“FDA”).

On January 16, 2025, the FDA announced the authorization of marketing of 20 nicotine pouches to be sold in the United States. The products for which the FDA issued marketing granted orders are the following, each with two nicotine strengths (3 milligram and 6 milligram): ZYN Chill, ZYN Cinnamon, ZYN Citrus, ZYN Coffee, ZYN Cool Mint, ZYN Menthol, ZYN Peppermint, ZYN Smooth, ZYN Spearmint and ZYN Wintergreen. The FDA’s authorization does not apply to any other nicotine pouch or other ZYN products.

The FDA further stated in the announcement: “While today’s actions permit these specific tobacco products to be legally marketed in the U.S. to adults 21 and older, it does not mean these tobacco products are safe, nor are they ‘FDA approved.’ There is no safe tobacco product; youth should not use tobacco products and adults who do not use tobacco products should not start.”

To date, only 34 e-cigarettes and 24 oral nicotine products have been authorized by the FDA to be sold in the United States.

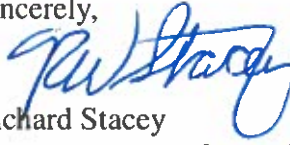
You may also access an up-to-date, searchable FDA database for authorized products at the following website: <https://www.accessdata.fda.gov/scripts/searchtobacco/>. The Department asks that you remove from your shelves any products not authorized for sale and return them to their distributor or manufacturer, keeping in mind that these products may be considered hazardous materials.

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If you have any questions regarding this matter or if you have any information regarding persons or businesses that may be selling these unauthorized and illegal e-cigarettes and vaping products, please do not hesitate to contact us at atg.tobacco@hawaii.gov or by calling the Department's Tobacco Enforcement Unit at 808-586-1203. You may also visit <https://ag.hawaii.gov/cjd/tobacco-enforcement-unit/> for updates.

We appreciate your help in putting an end to the distribution and sale of these unauthorized and illegal products in Hawaii.

Sincerely,

A handwritten signature in blue ink, appearing to read "Richard Stacey". The signature is fluid and cursive, with the first name "Richard" and last name "Stacey" clearly distinguishable.

Richard Stacey
Deputy Attorney General