

State of Louisiana
Office of Alcohol and Tobacco Control

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ATC COMMISSIONER

March 11, 2024

ATC Advisory:

ENFORCEMENT OF V.A.P.E. DIRECTORY WILL RESUME MARCH 18, 2024

The ATC previously announced that on January 24, 2024, Judge Fields, 19th JDC granted a preliminary injunction that enjoined the ATC from enforcing the provisions related to the publication and enforcement of the V.A.P.E. Directory (“Directory”) and stamping agent designation requirements for wholesalers of vapor products. The current status of the litigation has suspended the preliminary injunction pending an appeal to the First Circuit Court of Appeal, and Act 414 as passed during the 2023 legislative session is enforceable. Accordingly, the ATC will resume enforcement of the VAPE Directory and stamping agent designation, effective **March 18, 2024**.

As a reminder, all tobacco retail dealers and wholesalers are notified that all sales, offers for sale, or possession of vapor or alternative nicotine products not listed on VAPE Directory is prohibited. Businesses are required take the necessary steps to remove any prohibited products from display and its licensed premises. Manufacturers of vapor and alternative nicotine products are required to certify their products with the ATC and cease all sales of any unapproved vapor or alternative nicotine products until such time it is determined that certification submission meets the requirements set forth under R.S. 26:926. Only approved products shall be listed on ATC’s Directory as published online and available for review at www.atc.louisiana.gov. For additional information related to Directory requirements and enforcement actions, please review the ATC’s Advisory published on October 5, 2023 at https://atc.louisiana.gov/media/1dpfpyzd/23-10-05-advisory_certification-vape-directory.pdf.

ATC remains committed to supporting businesses in the tobacco, vape, and alternative nicotine product industry while ensuring that such businesses have the requisite knowledge of and adhere to all applicable laws, rules and regulations. All concerned parties should consult the language of ACT 414 which was signed into law on June 15, 2023, current Louisiana laws, and guidance issued by the FDA for in-depth research and additional guidance. Businesses and individuals who have questions concerning the law may contact the agency for guidance by emailing ATC-Attorneys@atc.la.gov.

With Regards,

Ernest P. Legier, Jr., Commissioner
Office of Alcohol and Tobacco Control