

# Michigan bans flavored e-cigarettes a day after New York

September 18 2019

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In this Sept. 16, 2019 file photo flavored vaping solutions are shown in a window display at a vape and smoke shop, in New York. Michigan has joined New York in banning the sale of flavored e-cigarettes as federal health officials investigate the cause of hundreds of serious breathing illnesses in people who have used vaping devices. The Michigan Department of Health and Human Services released details of the ban Wednesday, Sept. 18 and gave retailers, including

online sellers, two weeks to comply. The ban includes menthol and mint flavored products. (AP Photo/Bebeto Matthews File)

Michigan banned the sale of flavored e-cigarettes on Wednesday, the latest state to act following hundreds of serious breathing issues in people using vaping devices that prompted a federal investigation.

The Michigan Department of Health and Human Services said the ban was effective immediately and gave retailers, including online sellers, two weeks to comply. The ban includes menthol and mint flavored products and expires after 180 days if not extended.

Gov. Gretchen Whitmer announced Sept. 4 that Michigan would become the first state to move toward banning flavored e-cigarettes, accusing companies of using candy flavors and deceptive advertising to appeal to kids. But New York officially became the first state to institute a ban when regulators approved a set of emergency rules on Tuesday.

"For too long, companies have gotten our kids hooked on nicotine by marketing candy-flavored vaping products as safe," Whitmer said in a statement on Wednesday. "That ends today."

Michigan officials said national health data on e-cigarette use found youth use spiked in recent years, including 78% of high students and 48% of middle school students reporting using the products.

Joneigh Khaldun, Michigan's chief medical executive, called youth vaping "a public health emergency."

"Today's filing is necessary to protect the public health," Khaldun said.

Owners of vape stores in New York have said they are considering a legal challenge to the ban, and challenges also are anticipated in Michigan.

Michigan's ban specifically included menthol flavored products but excluded tobacco flavored items. New York did not include menthol flavored products in its ban, prompting criticism from some health groups that kids will simply switch to that flavor.

Michigan's rules also ban any description of vapor products as "clean, safe, harmless or healthy" and limit advertising of vapor products near candy, food and soft drinks in stores.

Federal health officials have not identified a single device or ingredient involved in the lung illnesses. President Donald Trump has proposed a federal ban on flavored e-cigarettes and vaping products.

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