

Judge blocks Michigan's ban on flavored e-cigarettes

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A Michigan judge on Tuesday blocked the state's weeks-old ban on flavored e-cigarettes, citing evidence that adults could return to smoking more harmful than tobacco products.

Court of Claims Judge Cynthia Stephens also said Gov. Gretchen Whitmer's administration's delay in implementing the prohibition undercut its position that emergency rules were justified.

The lawsuit was filed by vaping businesses that said the ban, which took effect Oct. 2, will force them to close. The judge issued a preliminary injunction to stop the state from enforcing the rules.

Michigan, New York and Rhode Island have recently banned flavored vaping products in response to an explosion in teen vaping in recent years. President Donald Trump said last month that the federal government would act to prohibit thousands of flavors used in e-cigarettes because they appeal to underage users.

Whitmer, a Democrat, has accused companies of using candy flavors and deceptive advertising to "hook children on nicotine."

The rules prohibit the sale of flavored nicotine vaping products, including to adults, and the misleading marketing of e-cigarettes.

The federal government and states ban the sale of vaping products to minors, yet government survey figures show that last year, one in five U.S. high school students reported vaping in the previous month. Top government health officials, including the surgeon general, have flagged the trend as an epidemic.

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