

FDA moves against vape products that mimic toys, slushies and appeal to kids

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E-Cigarette



Drink Container

The U.S. Food and Drug Administration is taking action against e-cigarettes disguised to look like everyday items that appeal to young people.

The FDA sent warning letters Thursday to seven online retailers that

were selling unauthorized vape devices that look like drink containers, toys and phones.

The products' design could appeal to [young people](#) and help them conceal e-cigarettes from adults, FDA officials believe.

They also might be confused with an everyday object by young children and accidentally ingested.

"As we continue into the [school year](#), it's critical that parents, teachers and other adults are aware of illegal e-cigarettes deceptively packaged to look like everyday items," [Brian King](#), director of FDA's Center for Tobacco Products, said in an agency [news release](#). "These types of products can be easily concealed and contain nicotine, which is highly addictive and can harm the developing adolescent brain."

The warning letters cover unauthorized products that are designed to imitate youth-appealing drinks like milk cartons, soda bottles, convenience store slushies and children's sippy cups.

Others are designed to look like dice, phones and action figures.

E-cigarettes have been the most commonly used tobacco product among both [high school](#) and [middle school students](#) for 10 years in a row, the FDA said. More than 2.1 million young people reported vaping in 2023.

There has been an encouraging decline in [e-cigarette use](#) among [high school students](#) since 2022, according to findings from the 2023 National Youth Tobacco Survey.

However, an increase in overall tobacco product use, which includes vaping, has occurred among middle school students.

"FDA uses a variety of surveillance tools to monitor the rapidly evolving e-cigarette landscape and to identify emerging threats to [public health](#)," said [Ann Simoneau](#), director of the Office of Compliance and Enforcement within FDA's Center for Tobacco Products.

The FDA noted that retailers receiving these warning letters are selling or distributing e-cigarettes that lack the agency's authorization.

The seven retailers have been given 15 working days to respond with steps they will take to correct the violations and prevent future violations. Failure to respond could result in injunctions, seizures and civil money penalties.

As of this month, the FDA has issued about 630 warning letters related to manufacturing or distributing vaping products and devices, and more than 400 warning letters to retailers selling unauthorized e-cigarettes.

Civil money penalty complaints have been filed against 35 manufacturers and 42 retailers over unauthorized vaping products, the FDA said. The agency also has worked with the Department of Justice to seek injunctions against six manufacturers.

More information: You can see more examples of these vaping products in the U.S. Food and Drug Administration's [warning letters](#) to the e-cigarette companies.

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