

MSA COMPLIANCE ADVISORY BOARD MEETING AGENDA

Wednesday, December 16, 2020

10:00 a.m.

Dial-in number (US): (701) 802-5352

Access code: 8503559#

I. Call to Order/Intro-----Michael Plumley

II. Minutes approval/Old Business ----- Michael Plumley

III. Old business ----- Michael Plumley

A. E-cigs/JUUL-----Michael Plumley

--Fifteen states have now sued JUUL including AK, AZ, CA, CO, DC, HI, IL, MA, MN, MS, NM, NC, NY, PA, WA.

--Policy Playbook for E-Cigarettes (Public Health Law Center and Vaping Prevention Resource. [Policy-Playbook-ECigarettes.pdf \(publichealthlawcenter.org\)](https://publichealthlawcenter.org/PDF/Policy-Playbook-ECigarettes.pdf))

B. NPM Adjustment Settlement update-----Michael Plumley

--2019 proceeding.

C. FDA action-----Michael Plumley

--Graphic warning challenges continue in TX, DC.

--Menthol case: On June 17, 2020 the African American Tobacco Control Leadership Council and Action on Smoking and Health sued HHS and the FDA in the N.D. of California, alleging that the FDA's failure to take action on menthol cigarettes is agency action improperly withheld or unreasonably delayed in violation of the Administrative Procedure Act. The American Medical Association has joined as a plaintiff. Hearing Feb. 2021.

D. Manitou Health Claims-----Michael Plumley

--Premier agreed to remove language objected to by several states as potentially implying health benefits of Manitou brand (“no additives,” “naturally grown”).

IV. New Business -----Michael Plumley/all

A. Local Tobacco Regulation

--[Sep 22 2020 Tobacco Power Point.pdf \(ky.gov\)](https://www.ky.gov/files/default-source/kygov/2020-2021%20Tobacco%20Power%20Point.pdf) referred by the Retail Federation.

B. Reports from Board members on any issues of interest

V. Adjournment

HAPPY HOLIDAYS AND NEW YEAR!

Next meeting (tentative date): March 17, 2021