

MINUTES OF THE TOBACCO MASTER SETTLEMENT AGREEMENT
COMPLIANCE ADVISORY BOARD MEETING
December 16, 2020

The seventy-fourth meeting of the Tobacco Master Settlement Agreement Compliance Advisory Board was convened by conference call on December 16, 2020, at the Office of the Attorney General, 700 Capitol Avenue, Frankfort, Kentucky.

The meeting was attended by the following:
Michael Plumley – Attorney General’s Office
Kerri Verden – Department of Public Health
Clint Quarles – Department of Agriculture
Corey Krill– Kentucky Retail Federation

I Meeting called to Order by Michael Plumley.

II Minutes adopted from previous meeting.

III. Old Business

A. E-Cigarettes

- Alaska brought action against JUUL, making the total now fifteen states, including California and New York. Schools in Kentucky have sued. Claims include false claims of safety, consumer fraud, nuisance, etc.
- Policy Playbook for E-Cigarettes published by the Public Health Law Center and the Vaping Prevention Resource. Contains information on products and policies in detail.

B. NPM Adjustment Settlement

- Data Clearinghouse preliminary report determined no adjustment for Kentucky for 2019.

C. FDA Action

- Challenge to final rules on graphic warnings in federal courts. Warnings delayed to June, 2022. Argument held December 11, 2020.

- Lawsuit filed by health groups in June seeks to require FDA action on menthol as a flavor in tobacco products. Hearing set for February, 2021.

D. Manitou health claims.

- Premier agreed to remove language which had been objected to by several states which implied health benefits of Manitou (“no additives,” “naturally grown”).

IV New Business

A. Local tobacco Regulation

- A PowerPoint describing a bill to end state preemption of local tobacco regulations in Kentucky was discussed.

B. Tobacco Cessation

- Kerri Verden testified before the MSA Oversight Committee in September regarding tobacco education activities and funding.

V. Meeting adjourned.

Next meeting tentatively scheduled for March 17, 2021.