

MINUTES OF THE TOBACCO MASTER SETTLEMENT AGREEMENT COMPLIANCE ADVISORY BOARD MEETING

December 13, 2023

The eighty-fifth meeting of the Tobacco Master Settlement Agreement Compliance Advisory Board was convened on December 13, 2023, by video call.

The meeting was attended by:

Michael Plumley–Attorney General’s Office

Ellen Cartmell, Jackie Hodges-Kentucky Tobacco Control Program

Tod Griffin-Retail Federation

Steve Cambron-Synar Program

I. Meeting was called to Order by Michael Plumley.

II. Minutes were adopted from previous meeting.

III. Old Business

A. Federal Actions

- 1) Potential Tobacco Product Violations Form - FDA updated this form on September 25, 2023. Changes include adding an option to indicate "unauthorized tobacco product," as a potential violation type.
- 2) FDA issued complaints for civil money penalties (CMPs) against 22 retailers for the illegal sale of Elf Bar/EB Design e-cigarettes, a popular youth-appealing brand.
- 3) On November 9, FDA issued warning letters to seven online retailers for selling unauthorized e-cigarette products.

B. Kentucky/Synar

- 1) Synar update: Waiver of penalties extended to 2025.

IV. New Business

- 1) National Youth Tobacco Survey (2023) shows 2.8 million current users of tobacco in middle and high school (8% e-cigs, 2% cigs).

V. Meeting adjourned.

Next meeting tentatively scheduled for March 13, 2023.