

# MINUTES OF THE TOBACCO MASTER SETTLEMENT AGREEMENT COMPLIANCE ADVISORY BOARD MEETING

September 21, 2022

The eighty-first meeting of the Tobacco Master Settlement Agreement Compliance Advisory Board was convened on September 21, 2022 by conference call.

The meeting was attended by the following:

Michael Plumley–Attorney General’s Office  
Ellen Cartmell, Jackie Hodges-Kentucky Tobacco Control Program  
Todd Griffin–Kentucky Retail Federation  
Steve Cambron-Department of Behavioral Health  
Dave Wilkerson-Alcohol Beverage Control  
Clint Quarles-Agriculture

**I. Meeting** called to Order by Michael Plumley.

**II. Minutes** adopted from previous meeting.

**III. Old Business**

**A. E-Cigarettes/JUUL**

- JUUL agreement in principal: signed by 34 states after two year investigation. If finalized, states would file consent judgments in their court with injunctive relief such as no youth targeting, limited signs, proper age-restrictions on websites. Kentucky would receive \$14 million over 5-10 years, including \$1 million as a bonus for participating in the case.
- Market share(8/22): Vuse-39%, JUUL-29%, Njoy-2.9%, blu-1.6%).

**B. FDA Action**

- Graphic warning challenges continue in TX, DC. Effective date extended to October 6, 2023 in TX case, more than one year after briefing has concluded.

**C. Kentucky/Synar**

- ABC did over 450 inspections for retail sales to minors.
- Tobacco Directory posted in July with 17 Participating Manufacturers and 10 Non-Participating Manufacturers. Korea Tobacco removed.
- PMs agreed Kentucky will have no NPM adjustment for 2021 sales.

#### **IV. New Business**

- Article discussed: “Pediatrics” study finds non-tobacco oral nicotine products were the second most prevalent nicotine product used by adolescents.  
<https://publications.aap.org/pediatrics/article/150/3/e2022056586/188734/Adolescent-Use-of-Flavored-Non-Tobacco-Oral?autologincheck=redirected%3fnfToken%3d000000000-0000-0000-0000-000000000000>
- Agency Reports given by Board members.

#### **V. Meeting adjourned.**

*Next meeting tentatively scheduled for December 14, 2022.*