

MINUTES OF THE TOBACCO MASTER SETTLEMENT AGREEMENT COMPLIANCE ADVISORY BOARD MEETING

March 22, 2023

The eighty-second meeting of the Tobacco Master Settlement Agreement Compliance Advisory Board was convened on March 22, 2023 by video call.

The meeting was attended by:

Michael Plumley–Attorney General’s Office
Dave Wilkerson-ABC
Ellen Cartmell, Jackie Hodges-Kentucky Tobacco Control Program
Clint Quarles-Agriculture

I. Meeting was called to Order by Michael Plumley.

II. Minutes were adopted from previous meeting.

III. Old Business

A. E-Cigarettes/JUUL

Kentucky received its first payment under the settlement in December 2022. (\$1.3 million). Annual payments will continue over several years.

B. FDA Action

On December 7, 2022, the U.S. District Court for the Eastern District of Texas ruled in favor of R.J. Reynolds that FDA's regulation requiring graphic cigarette warning labels is unconstitutional. The court agreed with RJR's arguments that the rule violates the First Amendment's prohibition on compelled speech. The court found that "the government has not shown that compelling these large, graphic warnings is necessary in light of other options. FDA will appeal to the 5th Circuit Court of Appeals.

C. Kentucky/Synar

Synar report released.

Kentucky MSA payment to be wired April 17-20.

IV. New Business

1. Committee for Tobacco Free Kids Annual report on the MSA and state breakdowns.
<https://www.tobaccofreekids.org/what-we-do/us/statereport/>
2. Truth Initiative Report on Smoking in Media.
https://truthinitiative.org/tobacco-starring-role?utm_source=Truth+Initiative+Mailing+List&utm_campaign=7b63054adc-Newsletter_2023_03_10&utm_medium=email&utm_term=0_-7b63054adc-%5BLIST_EMAIL_ID%5D

V. Meeting adjourned.

Next meeting tentatively scheduled for June 14, 2023.