



May 11, 2026

Dockets Management Staff (HFA-305)
U.S. Food and Drug Administration
5630 Fishers Lane, Rm. 1061
Rockville, MD 20852

Re: Draft Guidance for Industry Flavored Electronic Nicotine Delivery Systems (ENDS) Premarket Applications -- Considerations Related to Youth Risk [Docket No. FDA-2026-D-1817]

The undersigned State Attorneys General submit these comments to express our serious concerns regarding the Draft Guidance for Industry “Flavored Electronic Nicotine Delivery Systems (ENDS) Premarket Applications -- Considerations Related to Youth Risk” (the “Draft Guidance”). Today’s youth face a diverse tobacco product landscape that offers cheap products packed with nicotine, in a vast array of flavors. Compared to just five years ago, today’s e-cigarettes deliver higher levels of nicotine at increasingly cheaper prices, heightening the risk of youth addiction.¹ With the potential for allowing new flavors to enter the market, the Draft Guidance may adversely affect public health, with disproportionate impact on youth.

State Attorneys General have engaged extensively in tobacco litigation, regulation, and enforcement. We have long worked to protect our citizens, particularly youth, from the dangers of exposure to and use of tobacco products.² Over the past

¹ Fatma Romeh et al., *Trends in U.S. E-Cigarette Sales Measured in Milligrams of Nicotine, 2019–2024*, *Am. J. Preventive Med.* (2025), <https://www.sciencedirect.com/science/article/pii/S0749379725000522>; Megan C. Diaz et al., *Bigger, Stronger, and Cheaper: Growth in E-Cigarette Market Driven by Disposable Devices with More E-Liquid, Higher Nicotine Concentration, and Declining Prices*, 34 *Tob. Control* 65 (2023), <https://doi.org/10.1136/tc-2023-058033>.

² For example, nearly every state Attorney General sued the major tobacco companies for the harm their cigarettes caused, and, as a result, all states and several territories reached settlement agreements, including the 1998 Master Settlement Agreement (MSA).

several years, we have worked collaboratively to address the flood of illicit, flavored e-cigarettes³ that are being sold in the United States.⁴ Attorneys General have engaged in coordinated multistate efforts, as well as individual state efforts, to hold companies accountable for unlawfully distributing, selling, and marketing flavored ENDS.⁵ These

³ The terms “e-cigarettes”, “ENDS”, “vapor products”, and “vapes” are used interchangeably throughout these comments.

⁴ A recent example is the collaboration in response to the JUUL epidemic, where 19 states filed lawsuits and the remaining states formed a multi-state investigation. Settlements were reached in a vast majority of those states, with JUUL agreeing to significant marketing and advertising restrictions (including ceasing sales of any flavored products unless the products received a premarket authorization order), monetary payments, and an online repository of publicly available documents.

⁵ Several States have filed lawsuits for relief related to sales of illicit e-cigarettes and the well documented harms of flavored vapor products, particularly to youth. See *Arizona v. N.Y. Smoke Shop LLC*, No. CV2025-023689 (Maricopa Cnty. Super. Ct. 2025) (alleging defendant retailers repeatedly unlawfully sold nicotine products to minors); *Arizona v. Pro Source Supply LLC*, No. CV2025-023752 (Maricopa Cnty. Super. Ct. 2025) (same); *California v. Ejuicesteals.com*, No. 1:23-at-01038 (E.D. Cal. 2023) (alleging the defendant company violated the PACT Act, the state’s remote sales laws, and the state’s Stop Tobacco Access to Kids Enforcement Act by selling flavored vapor products); *California v. E-Juice Vapor, Inc.*, No. 8:23-cv-02372 (C.D. Cal. 2023) (same); *California v. Flumgio Technology Inc.*, No. 25PSCV00155 (L.A. Cnty. Super. Ct. 2025) (alleging defendants imported, distributed and sold a leading brand of unauthorized flavored disposable e-cigarettes in the state); *Illinois v. Chicago Merchandize Co.*, No. 2025CH00422 (Ill. Cir. Ct., Cook Cnty., Chancery Div. 2025) (alleging the defendants violated the state’s Preventing Youth Vaping Act and Consumer Faud Act by marketing e-cigarettes in ways that encouraged minors to use them and selling e-cigarettes that were not authorized by the FDA); *Commonwealth of Massachusetts v. VICA Trading, Inc. d/b/a VapeSourcing*, No. 2484CV00747 (Suffolk Sup. Ct. 2025) (alleging illegal online sales of flavored e-cigarettes and failure to comply with age verification laws); *Minnesota v. Venture Concepts Group LLC*, No. 62-CV-25-382 (Ramsey Cnty. Dist. Ct. 2025) (alleging the defendants engaged in deceptive marketing and trade practices, and consumer fraud by selling vapor products that imitate school supplies); *New Mexico ex rel. Torrez v. Circle K Stores, Inc., et al.*, No. D-101-CV-2026-00900 (N.M. Dist. Ct. 1st Jud. Dist. Santa Fe Cnty. 2026) (alleging defendant major store chains and distributors violated New Mexico’s Unfair Practices Act through their role in selling flavored disposable e-cigarettes that are driving youth nicotine addiction in the state); *New York v. Puff Bar*, No. 25-CV-01445 (MMG), (S.D.N.Y. 2025) (alleging 13 e-cigarette manufacturers, distributors, retailers, and trademark holders and three individual defendants violated the state’s executive law and created a public nuisance by selling flavored vapor products); *Ohio v. Orrville Tobacco & Vape Shop LLC*, No. 2024 CVC-H 000327 (Ohio Ct. Com. Pl., Wayne Cnty. 2024) (alleging the defendant retailer sold flavored vapor products not authorized by the FDA in violation of state law); *Ohio v. Central Tobacco & Stuff, Inc.*, No. 24-CVH-070664 (Ohio Ct. Com. Pl., Delaware Cnty. 2024) (same); *Ohio v. Elevate Smoke, LLC*, No. A2403034 (Hamilton Cnty. Com. Pl. 2024) (alleging the defendant, who was located less than half a mile from a high school, sold flavored vapor products that were not authorized by the FDA in violation of state law).

products often contain dangerously high amounts of nicotine and come in a myriad of kid-friendly flavors, bright colors, playful shapes, and video-game themes. Flavored ENDS are now the most widely used tobacco product among youth, jeopardizing their health and well-being, and creating a new generation that is addicted to nicotine. Illicit e-cigarettes remain widely available and represent an ongoing threat to youth, despite our efforts, as well as those of the federal government, to control the proliferation of these products. We therefore urge the U.S. Food and Drug Administration (FDA) to reconsider the Draft Guidance.

I. The Premarket Review Process Is Necessary To Protect The Public Health

Prior authorization is required for an ENDS device to be legally sold in the U.S. under the Family Smoking Prevention and Tobacco Control Act of 2009. No “new” tobacco product (those marketed after February 14, 2007) can be marketed without authorization from the FDA. Congress mandated the premarket review process to ensure that the FDA determines whether the marketing of the product would be “appropriate for the protection of the public health” (APPH).⁶ The FDA must balance “the risks and benefits to the population as a whole,”⁷ taking into account both the “increased or decreased likelihood that existing users of tobacco products will stop using such products” and the “increased or decreased likelihood that those who do not use tobacco products will start using such products.”⁸ “[A]n applicant seeking to market a flavored ENDS product would therefore need to show that its product provides an added benefit compared to tobacco-flavored ENDS to establish that the likely benefits to adults who smoke combusted cigarettes outweigh the added risk to youth.” Draft Guidance at 4. Until now, the FDA has not “distinguished among ENDS products with flavors other than tobacco regarding the relative degree of risk their flavors may pose to youth (e.g., low, medium, high) or the added adult benefit that may be needed to offset such differential risks.” Draft Guidance at 6. The FDA now proposes “[w]here the totality of evidence demonstrates comparatively lower youth initiation risk, FDA may

⁶ 21 U.S.C. §387j(c)(2)(A).

⁷ 21 U.S.C. §387j(c)(4).

⁸ 21 U.S.C. §387j(c)(4) (A) and (B).

consider a correspondingly lower magnitude of incremental adult benefit necessary to support an APPH determination relative to flavors with higher youth appeal.” *Id.*

Flavors Lead Youth to Initiation and Addiction

As the Draft Guidance recognizes, “[f]lavored ENDS pose a known and substantial risk to youth, which is greater than the risk of tobacco-flavored ENDS.”⁹ Unfortunately, high-potency flavored ENDS have inundated the marketplace.¹⁰ As of today, the FDA has only authorized 45 e-cigarettes¹¹; nevertheless, as of June 2024, nearly 6,300 different e-cigarette products were available for purchase in the United States.¹² In flagrant disregard of state and federal laws, ENDS manufacturers are flooding the U.S.

⁹ Draft Guidance, at 11. See also, Regulation of Flavors in Tobacco Products, 83 Fed. Reg. 12294, 12295 (Mar. 21, 2018)(recognizing that flavors in tobacco products increase the appeal of tobacco products to youth and promote youth initiation of tobacco use; Li-Ling Huang et al., *Impact of Non-Menthol Flavours in Tobacco Products on Perceptions and Use Among Youth, Young Adults and Adults: A Systematic Review*, 26 TOBACCO CONTROL 709, 717 (2017) (“Flavours in tobacco products seem to have a universal and rather strong appeal to youth and young adults interested in initiating tobacco use or experimenting with different products due to the variety and availability of flavours [and] are reported as a reason for using most tobacco products ...”).

¹⁰ See [Hongying Daisy Dai, et al., "Correlates of using E-cigarettes with high nicotine concentrations among U.S. adults who exclusively vape E-cigarettes or dual use with cigarettes, Addictive Behaviors \(June 2024\).](#) Researchers analyzed Wave 5 PATH data regarding self-reported nicotine concentration. They found that a higher proportion of exclusive e-cigarette users reported using high nicotine concentrations than dual users. (High concentration was defined at 5% or above.) Never smokers were more likely than former smokers to use high concentrations, and younger adults were more likely to use high concentrations.

¹¹ U.S. Food & Drug Administration, *E-Cigarettes, “Vapes” and Other Electronic Nicotine Delivery Systems (ENDS) Authorized by the FDA*, <https://www.fda.gov/tobacco-products/market-and-distribute-tobacco-product/e-cigarettes-vapes-and-other-electronic-nicotine-delivery-systems-ends-authorized-fda> (last visited May 7, 2026). On May 5, 2026 – just six days before the May 11th comment deadline – the FDA approved the marketing of four flavored ENDS from Glas Inc., including menthol, Gold (mango), and Sapphire (blueberry) flavors. <https://www.fda.gov/news-events/press-announcements/fda-expands-market-access-authorizes-new-ends-products> (May 5, 2026). In its press release, the FDA wrote that these products use smartphones for age verification. *Id.* This approval sets a dangerous precedent by authorizing the marketing of fruit-flavored ENDS despite clear evidence that these flavors are highly enticing to young people and before the FDA had the benefit of public comment on its Draft Guidance.

¹² [About E-Cigarettes \(Vapes\) | Smoking and Tobacco Use | CDC](#) (last visited Apr. 28, 2026).

market with illicit e-cigarettes. Disposable e-cigarettes in youth-appealing flavors are the most commonly sold device type.¹³

Not only are these flavored products inherently attractive to youth, but also, they are marketed in ways that further entice children and teens. As a result of these illegal sales, e-cigarettes are used by youth at alarming rates. An estimated 1.63 million middle and high school students reported using e-cigarettes in 2024.¹⁴ Nearly all (94.6%) youth and young adults who were vaping in 2025 used non-tobacco flavored e-cigarettes, including mint, menthol, spice, and beverage flavors.¹⁵ The flavored ENDS subject to this Draft Guidance have been introduced to the United States market illegally, and data shows that illegal flavored ENDS are luring a new generation of youth into a lifetime of nicotine addiction.

While nicotine is highly addictive to everyone, it poses unique harms to youth. Just five milligrams of nicotine a day is enough to establish a nicotine addiction in young people,¹⁶ and those who start using nicotine as youth have more difficulty quitting than those who started as adults.¹⁷ Adolescents' brains are still maturing, making them more vulnerable to nicotine's addictive properties and potentially leading to lasting physical and cognitive changes. Nicotine exposure during this critical period can impair attention, learning, and memory.¹⁸ Additionally, nicotine exposure can negatively affect

¹³ *Id.*

¹⁴ Eunice Park-Lee et al., *Notes from the Field: E-Cigarette and Nicotine Pouch Use Among Middle and High School Students — United States, 2024*, *Morbidity & Mortality Weekly Report* (MMWR), vol. 73, no. 35, at 774–78 (Sept. 5, 2024), http://www.cdc.gov/mmwr/volumes/73/wr/mm7335a3.htm?s_cid=mm7335a3_w (doi:10.15585/mmwr.mm7335a3).

¹⁵ CDC Foundation, *Monitoring Tobacco Product Use Among Youth and Young Adults in the U.S.: TEEN+ Data Snapshot, Issue 3* (Apr. 2026), https://tobacomonitoring.org/wp-content/uploads/2026/04/DataSnapshot_Issue03_ECigFlavors_v2.pdf.

¹⁶ Truth Initiative, *Nicotine and the Young Brain* (June 2022), https://truthinitiative.org/sites/default/files/media/files/2022/06/Nicotine_Factsheet_FINAL_06172_2.pdf.

¹⁷ Michelle Ren & Shahrdad Lotfipour, *Nicotine Gateway Effects on Adolescent Substance Use*, 20 *West J. Emerg. Med.* 696 (2019), <https://pmc.ncbi.nlm.nih.gov/articles/PMC6754186/>.

¹⁸ U.S. Dep't of Health & Human Servs., *E-Cigarette Use Among Youth and Young Adults: A Report of the Surgeon General* (2016), <https://stacks.cdc.gov/view/cdc/44007>.

normal brain development by impacting concentration, reducing impulse control, and disrupting the formation of brain circuits that control susceptibility to addiction.¹⁹ Use of e-cigarettes also impacts the mental well-being of youth as it has been found to intensify symptoms of depression and anxiety and increase stress levels.²⁰ Moreover, use of nicotine among adolescents is associated with sleep problems.²¹

II. There Are No Low-Risk Flavors

In the Draft Guidance, the FDA opines that “[s]ome flavors may be shown to have lower youth appeal, perhaps such as coffees, teas, or spices, such that they may pose a lower risk of appeal to youth.” Draft Guidance at 12. The FDA includes menthol, mint, and wintergreen as additional examples of these potentially “lower risk” flavors. *Id.* at 11 and 14. However, “lower risk” is not “low risk”, and a determination of “lower risk” ignores both the FDA’s own science and history.

The FDA’s current determination that menthol flavoring is “lower risk” contradicts its own research. The FDA has itself recognized that “menthol facilitates repeated experimentation and progression to regular smoking among youth and young adults.”²² Accordingly, the FDA proposed a rule to prohibit menthol cigarettes because the “menthol in cigarettes increases smoking initiation,”²³ and facilitates “experimentation

¹⁹ Centers for Disease Control and Prevention, *E-Cigarette Use Among Youth* (Oct. 17, 2024), <https://www.cdc.gov/tobacco/e-cigarettes/youth.html>; L.J. England et al., Nicotine and the Developing Human: A Neglected Element in the Electronic Cigarette Debate, *Am. J. Preventive Med.* (2015), [https://www.ajpmonline.org/article/S0749-3797\(15\)00156-0/fulltext](https://www.ajpmonline.org/article/S0749-3797(15)00156-0/fulltext).

²⁰ W.V. Lechner et al., Bi-Directional Associations of Electronic and Combustible Cigarette Use Onset Patterns with Depressive Symptoms in Adolescents, *Prev. Med.* 96:73–78 (2016), <https://pmc.ncbi.nlm.nih.gov/articles/PMC5510594/>; Truth Initiative, *Colliding Crises: Youth Mental Health and Nicotine Use* (Sept. 2021), https://truthinitiative.org/sites/default/files/media/files/2021/10/Mental%20Health%20and%20Nicotine%20Report_10.7.2021.pdf.

²¹ Kira E. Riehm et al., E-Cigarette Use and Sleep-Related Complaints Among Youth, 76 *J. Adolescence* 48 (2019), <https://www.sciencedirect.com/science/article/abs/pii/S0140197119301460>.

²² 87 Fed. Reg. 26,463, at 26,465.

²³ 87 Fed. Reg. 26,463.

and regular use, particularly among younger smokers.”²⁴ The FDA found “menthol, like nicotine, binds to nicotinic receptors in the brain ... and menthol alone can increase the number of nicotinic receptors in the brain.”²⁵ Thus, menthol and nicotine interact in the brain by enhancing nicotine addiction.²⁶

For minors, the addictive quality of mentholated nicotine is further exacerbated as “[t]he combined effects of nicotine and menthol in the developing brain make youth who smoke menthol cigarettes particularly vulnerable to the effects of menthol on nicotine dependence.”²⁷ The FDA itself has recognized that the pharmacologic properties of menthol “make it harder to stop either vaping or smoking” and agreed with the statement that menthol “heightens the addictive properties of e-cigarettes.”²⁸ Whether found in cigarettes or e-cigarettes, the flavor and sensory effects produced by menthol make tobacco products easier to inhale and more attractive to new users.

Accordingly, the FDA should not just consider the flavor name, but it must also consider its physiological effect in evaluating risk of youth initiation and addiction. Because menthol is a derivative of mint, and the two flavors share common characteristics, ENDS that are labeled as mint, wintergreen, chill or ice are not, and should not be, considered “lower risk” flavors.

Recent data also shows that e-cigarette flavors like coffees, teas, or spices are more popular with youth than tobacco or unflavored products. From August to December 2025, 32.8% of youth (13-17 years) who had ever used an e-cigarette had used some other flavor, including spice, alcoholic drinks, non-alcoholic drinks, and

²⁴ *Id.*

²⁵ *Id.* at 26,457.

²⁶ *Id.* at 26,468.

²⁷ Tobacco Product Standard for Menthol in Cigarettes, 87 Fed. Reg. 26,454 (proposed May 4, 2022) (to be codified at 21 C.F.R. pt. 1162).

²⁸ Testimony of Dr. Janet Woodcock, Acting Commissioner, Food and Drug Administration, *An Epidemic Continues: Youth Vaping in America*, Hearing before the Subcommittee on Economic and Consumer Policy of the House Committee on Oversight and Reform (June 23, 2021), at 13.

“clear.” This is nearly double the number of youth (16.8%) who had used tobacco or unflavored e-cigarettes during the same timeframe the prior year.²⁹

Significantly, history has shown that when preferred flavors are unavailable, youth will switch to available flavors. For example, after JUUL removed all flavors other than mint, tobacco, and menthol, use of mint and menthol flavorings by high school exclusive e-cigarette users jumped dramatically from 38.1% to 57.3% between 2018 and 2019.³⁰ This evidence directly contradicts the assumption that youth choose their flavor preferences based on appeal alone, rather than availability. As the FDA acknowledged in its draft guidance, “[h]istorical evidence suggests that flavored tobacco product users might be willing to move to other flavored tobacco products if their preferred product is no longer available.”³¹

Furthermore, “many products that do not appear to be used (or are used very little) by youth in surveys may nevertheless be appealing to youth, and the fact that a product does not appear to be widely used by youth may be a function of other factors such as the way the survey was conducted or more limited distribution of the product.” Draft Guidance at 13. Youth are likely to gravitate towards products that the FDA proposes to designate as having a “lower risk” of appeal if they become more accessible to consumers. Although youth preferences will shift over time, the one

²⁹ During this time period, youth (13-17) who had ever used an e-cigarette also reported use of fruit flavors (64.2%), candy, dessert, and sweet flavors, including chocolate (36.9%), mint (30.4%), and menthol (20.1%). See CDC Foundation, *Monitoring Tobacco Product Use Among Youth and Young Adults in the U.S.: TEEN+ Data Snapshot, Issue 3* (Apr. 2026), https://tobaccomonitoring.org/wp-content/uploads/2026/04/DataSnapshot_Issue03_ECigFlavors_v2.pdf.

³⁰ Cullen, K.A., A.S. Gentzke, M.D. Sawdey, “E-cigarette use among youth in the United States, 2019,” *JAMA*, 322(21);2095-2103, 2019; see also, <https://nypost.com/2019/09/11/juuls-mint-flavored-e-cig-sales-soared-after-other-flavors-pulled/> (accessed on Apr. 29, 2026) (reporting that JUUL’s mint pods annualized sales saw a 200% gain over the mint pods’ annualized sales right before JUUL pulled its other flavors from stores).

³¹ Modifications to Compliance Policy for Certain Deemed Tobacco Products; Draft Guidance for Industry, at 17, FDA-2019-D-0661-0003 available at: [Regulations.gov](https://www.fda.gov/regulatory-information/search/fda-search).

constant is that “flavors facilitate initiation among youth and promote established regular ENDS use.” *Id.* at 14.³²

III. Reducing The Evidentiary Burden For Certain Flavors In Determining APPH Will Create A Loophole That Will Be Exploited

When the FDA issued Guidance detailing its intention to focus on flavored cartridge-based products, excluding tobacco and menthol flavorings, twenty-seven Attorneys General expressed concern that this would create a loophole for flavored non-cartridge products.³³ This fear proved to be correct as disposable flavored ENDS took over the market. This Draft Guidance would again create a loophole that the industry will exploit.

For example, the Draft Guidance does not detail how the Agency will determine the flavor of a product. Will the Agency require applicants to submit a certification from an independent lab certifying the flavor profile, or will the FDA rely on packaging descriptions of the flavor to determine “the relative youth risk posed by the product’s flavor characteristics”? As changes to packaging and labeling are outside of the FDA’s premarketing review authority,³⁴ the lack of any explanation in the Draft Guidance as to how flavors will be verified creates the real possibility that flavors such as fruit and candy/dessert/other sweet flavoring will remain on the market, mislabeled as coffees, spices or other descriptors deemed less favored by youth.³⁵ A similar situation played

³² See also, [Enforcement Priorities for Electronic Nicotine Delivery Systems \(ENDS\) and Other Deemed Products on the Market Without Premarket Authorization \(Revised\): Guidance for Industry](#) at 13-14.

³³ Feb. 27, 2020, Attorneys General Comment Letter Docket No. FDA-2019-D-0661: Enforcement Priorities for Electronic Nicotine Delivery Systems (“ENDS”) and Other Deemed Products on the Market Without Premarket Authorization available at <https://www.regulations.gov/comment/FDA-2019-D-0661-15430>.

³⁴ See [Philip Morris USA Inc. v. United States Food & Drug Admin.](#), 202 F. Supp. 3d 31, 48 (D.D.C. 2016) (finding that the FDA did not have statutory authority under the Tobacco Control Act with respect to label changes).

³⁵ Indeed, former FDA commissioner Scott Gottlieb raised precisely this concern in his commentary on the Guidance, asking “will a manufacturer seek to re-name a flavor to ‘menthol’ or ‘tobacco’ to evade the new restrictions?” Scott Gottlieb (@ScottGottliebMD), Twitter (Jan 1, 2020), <https://twitter.com/ScottGottliebMD/status/1212434401881137152>.

out in response to the enactment of state and local flavor bans. “Between 12/4/2022 and 9/7/2025 clear/other cooling flavored e-cigarette sales increased from 84.1 thousand to 244.8 thousand” – an increase of nearly 200%.³⁶ The labeling and marketing of ENDS products as “clear” directly corresponds to the enactment of flavor bans. Concerningly, the Draft Guidance is silent on how the FDA will distinguish between flavors that are popular with youth or deemed to be “lower risk.” If, for example, JUUL’s mint pods were described by users as “tasting like a candy cane or Altoids,”³⁷ would the FDA consider them to have a candy flavor or a mint flavor? This causes us concern that the FDA would be creating a loophole that history has already shown the tobacco industry can and will exploit.

IV. Conclusion

Lack of effective enforcement of the premarket authorization process has all but guaranteed a new generation of young people will needlessly become addicted to nicotine. The evidence that the proposed “lower risk” flavors in e-cigarettes will benefit public health is extremely limited, and to date, no flavored ENDS has been approved as a cessation device. In contrast, extensive research shows that flavored products of all kinds are favored by youth over unflavored tobacco. Thus, any flavor other than tobacco endangers the health and welfare of youth. The Draft Guidance threatens to allow a wider array of FDA-authorized flavored products that will be appealing and accessible to youth, without sufficient proven countervailing health benefits to adults who smoke. We therefore urge the FDA to reconsider this aspect of the Draft Guidance. As the FDA reviews pending Premarket Tobacco Product Applications, the undersigned Attorneys General urge it to continue to require e-cigarette companies to provide robust evidence of APPH for each ENDS product, and to give particular scrutiny to any flavored products. An applicant must prove that its flavored product does, in fact, facilitate switching away from combusted tobacco products, thereby reducing cigarette

³⁶ [E-Cigarette Sales Data & Trends in the United States - Tobacco Monitoring](#) (accessed on Apr. 29, 2026).

³⁷ <https://nypost.com/2019/09/11/juuls-mint-flavored-e-cig-sales-soared-after-other-flavors-pulled/> (accessed on Apr. 29, 2026).

consumption among adults who would otherwise continue smoking, while not jeopardizing our children's health by exacerbating America's youth nicotine epidemic. The FDA must act on its responsibility to the public to enhance and protect the health and well-being of all Americans.

Respectfully submitted,



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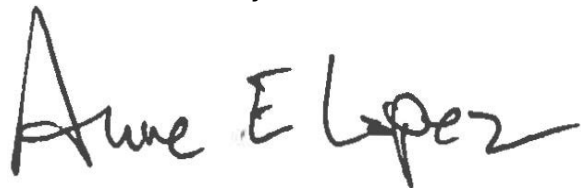
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