## SLS 20RS-393

## ORIGINAL

2020 Regular Session

SENATE BILL NO. 301

BY SENATOR JACKSON

COMMERCIAL REGULATIONS. Prohibits the sale of vapor products with a characterizing flavor. (8/1/20)

1	AN ACT
2	To enact R.S. 26:901(36) and 911(E), relative to vapor products; to provide for prohibitions;
3	to direct the Louisiana State Law Institute to arrange in alphabetical order and
4	renumber certain definitions; and to provide for related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S. 26:901(36) and 911(E) are hereby enacted to read as follows:
7	§901. Definitions
8	As used in this Chapter, the following terms have the meaning ascribed to
9	them in this Section, unless the context clearly indicates otherwise:
10	* * *
11	(36) "Characterizing flavor" means a distinguishable flavor, taste, or
12	aroma other than tobacco, mint, or menthol, including but not limited to any
13	fruit, chocolate, vanilla, honey, candy, cocoa, dessert, alcoholic beverage, herb,
14	wintergreen, or spice flavoring, that is imparted, prior to or during
15	consumption, by use of a vapor product including liquid nicotine, or any smoke
16	or vapor emanating from that device or product. A vapor product shall be
17	deemed to have a characterizing flavor if the product is advertised or marketed

Page 1 of 2 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

1	<u>as having or producing any such distinguishable flavor, taste, or aroma.</u>
2	* * *
3	§911. Acts prohibited
4	* * *
5	(E) No person, agent, associate, employee, representative, or servant of
6	any person, retail dealer, or wholesale dealer shall sell, offer for sale, distribute
7	for commercial purpose at no cost or minimal cost or with coupons or rebate
8	offers, give or furnish to any person any vapor product that has a
9	characterizing flavor.
10	Section 2. The Louisiana State Law Institute is hereby authorized and directed to
11	arrange in alphabetical order and renumber the definitions provided in R.S. 26:901.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alan Miller.

## DIGEST 2020 Regular Session

Jackson

<u>Proposed law</u> defines "characterizing flavor" as a distinguishable flavor, taste, or aroma other than tobacco, mint, or menthol, including but not limited to any fruit, chocolate, vanilla, honey, candy, cocoa, dessert, alcoholic beverage, herb, wintergreen, or spice flavoring, that is imparted, prior to or during consumption, by use of a vapor product including liquid nicotine, or any smoke or vapor emanating from that device or product. <u>Proposed law</u> provides that a vapor product is deemed to have a characterizing flavor if the product is advertised or marketed as having or producing any such distinguishable flavor, taste, or aroma.

<u>Proposed law</u> prohibits any person, agent, associate, employee, representative, or servant of any person, retail dealer, or wholesale dealer from selling, offering for sale, distributing for commercial purpose at no cost or minimal cost or with coupons or rebate offers, giving or furnishing to any person any vapor product that has a characterizing flavor.

<u>Proposed law</u> directs the La. State Law Institute to arrange in alphabetical order and renumber certain definitions provided in <u>present</u> and <u>proposed law</u>.

Effective August 1, 2020.

SB 301 Original

(Adds R.S. 26:901(36) and 911(E))