



STATE OF HAWAII
KA MOKU 'ĀINA O HAWAII

DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA

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**ATTORNEY GENERAL LOPEZ IS SOUNDING THE ALARM OVER
ILLEGAL VAPES BEING SOLD IN HAWAII**

FOR IMMEDIATE RELEASE
Jan. 16, 2025

News Release 2025-03

HONOLULU —Attorney General Anne Lopez is issuing letters to over 800 Hawaii tobacco retailers and distributors that may be distributing and selling illegal tobacco products, most of which are originating from China. These products include electronic smoking devices (also known as vapes or e-cigarettes), and oral tobacco pouch products.

This initiative is part of a coordinated effort, led by a bipartisan coalition of 10 attorneys general from around the country to hold companies accountable for unlawfully manufacturing, distributing, selling and marketing flavored disposable e-cigarette products, especially to the youth population.

These products often contain dangerously high amounts of nicotine and come in a myriad of kid-friendly flavors, playful shapes, bright colors; some even include video games that encourage young consumers to earn virtual coins by vaping. To date, [these products are the most widely used tobacco product among youth](#), jeopardizing their health and well-being.

The U.S. Food and Drug Administration (FDA) must authorize all tobacco products sold in the United States. Currently, only 34 e-cigarettes and 24 oral nicotine products have been authorized by the FDA to be sold in the United States. The 24 oral nicotine products include 20 nicotine pouch products authorized by the FDA today (1/16/25).

Despite the fact that new e-cigarettes require FDA authorization, the U.S. market has been flooded with flavored disposable e-cigarettes.

Flavored disposable e-cigarette products commonly found in the marketplace are largely manufactured and imported illegally into the United States from China. The companies that manufacture and distribute these products have declined to participate in the FDA mandated marketing order process, and these products are considered adulterated and unlawful for sale.

“These illegal products may contain dangerous ingredients not listed on the packaging. E-cigarettes typically contain lithium-ion batteries that have been linked to burns and explosion-related injuries. The Department of the Attorney General is recommending all retailers and distributors in Hawai‘i to remove any tobacco products not authorized for sale by the FDA,” said Rich Stacey, a Deputy Attorney General with the Department’s Criminal Justice Division Tobacco Enforcement Unit.

The letter also reminds people that e-cigarettes and e-liquids are now included in the Cigarette Tax and Tobacco Tax Law (Hawaii Revised Statutes Chapter 245). Wholesalers and dealers of these products are required to have a tobacco license issued by the Hawai‘i Department of Taxation (DOTAX). DOTAX may suspend, revoke, or decline to renew any tobacco license for good cause, which may include instances where the licensee failed to comply with federal law.

Retailers and distributors, found to be knowingly selling these illegal tobacco products, could be subject to federal investigations and penalties.

To report businesses that may be selling these unauthorized and illegal e-cigarettes and vaping products, the public is urged to contact the Department of the Attorney General’s Tobacco Enforcement Unit at: atg.tobacco@hawaii.gov.

See copies of the letters from Attorney General Anne Lopez to [retailers](#) and [distributors](#) as well as a list of [FDA-authorized e-cigarettes and tobacco products](#) that are legal to sell in the United States.

Attorney General Anne Lopez joins the attorneys general of California, Connecticut, Illinois, Minnesota, New Jersey, New York, Vermont, Ohio, and Washington D.C. in this action.

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