

Alcoholic Beverage Control
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MEMORANDUM

TO: Rep. Will Carpenter, Chairman, House Federal and State Affairs Committee

FROM: Debbi Beavers, Director, Alcoholic Beverage Control Division. Email: debbi.beavers@ks.gov; Desk Phone 785-368-6290; Cell 785-260-1008.

DATE: February 19, 2024

SUBJECT: Neutral Testimony on HB 2801

Mr. Chairman:

Thank you for the opportunity to testify, the ABC is neutral on this bill with concerns.

The ABC does not regulate any cigarette, tobacco, or vaping products in the State of Kansas. By statute, this is regulated by the Director of Taxation which the ABC believes this bill should referenced instead of the Director of ABC.

The way the Department reads the bill, if passed, the only e-cigarettes that could be sold in Kansas are on the attached list, so only a handful of products would be allowed for sale in Kansas. This would be an enormous task to enforce. Our understanding is that the FDA struggles to enforce the illegal tobacco or vaping products entering the United States, and the agency feels that with the limited resources at our disposal we would struggle to enforce the provisions found in this bill.

With limited time to respond, the ABC was unable to prepare a fiscal note. If this bill passes and either the ABC or the Division of Taxation are assigned enforcement obligations, we would need more law enforcement officers and office staff.

Thank you, Mr. Chairman.

E-Cigarettes Authorized by the FDA

As of Jan. 2024, these are the only e-cigarettes authorized to be sold in the U.S.



Manufacturer	Product Name
Logic Technology Development LLC	Logic Regular Cartridge/Capsule Package
	Logic Vapeleaf Cartridge/Capsule Package
	Logic Vapeleaf Tobacco Vapor System
	Logic Pro Tobacco e-Liquid Package
	Logic Pro Capsule Tank System (1)
	Logic Pro Capsule Tank System (2)
	Logic Power Tobacco e-Liquid Package
	Logic Power Rechargeable Kit
	NJOY LLC
NJOY DAILY EXTRA Rich Tobacco 6%	
NJOY ACE Device	
NJOY ACE POD Classic Tobacco 2.4%	
NJOY ACE POD Classic Tobacco 5%	
NJOY ACE POD Rich Tobacco 5%	
R.J. Reynolds Vapor Company	Vuse Vibe Power Unit (1)
	Vuse Vibe Tank Original 3.0%
	Vuse Vibe Power Unit (2)
	Vuse Ciro Power Unit (1)
	Vuse Ciro Cartridge Original 1.5%
	Vuse Ciro Power Unit (2)
	Vuse Solo Power Unit
	Vuse Replacement Cartridge Original 4.8% G1
	Vuse Replacement Cartridge Original 4.8% G2

For the most up-to-date list of authorized e-cigarettes, visit the [Premarket Tobacco Product Marketing Granted Orders webpage](#).

While these products are authorized to be sold in the U.S., it does not mean these products are safe nor are they "FDA approved." All tobacco products are harmful and potentially addictive. Those who do not use tobacco products shouldn't start.

