



Illinois Attorney General Kwame Raoul PRESS RELEASE

IllinoisAttorneyGeneral.gov



For Immediate Release:
Jan. 16, 2025

Contact:
PressOffice@ilag.gov

ATTORNEY GENERAL RAOUL CONTINUES CRACKDOWN ON ILLICIT FLAVORED DISPOSABLE E-CIGARETTE PRODUCTS AS PART OF BIPARTISAN, NATIONAL COLLABORATION

*****Broadcast-quality video file of Attorney General Raoul's comments can be
downloaded [here](#)*****

Chicago – Attorney General Kwame Raoul, together with a bipartisan coalition of nine attorneys general, today announced coordinated actions to hold companies accountable for unlawfully manufacturing, distributing, selling and marketing flavored disposable e-cigarette products. The crackdown spans the country and seeks to address the continued distribution and sales of harmful and addictive tobacco products to youth through the enforcement of each state’s tobacco and consumer protection laws.

“Flavored, disposable vaping products have flooded the market nationwide, with many of these products coming in sweet, fruity flavors that appeal to teenagers,” Raoul said. “Protecting our youth from the harms of e-cigarette use does not end at Illinois’ borders. That is why I am committed to continuing to collaborate with other state attorneys general on a bipartisan basis. My priority remains holding accountable those who have and continue to fuel the youth vaping epidemic.”

[Raoul filed a lawsuit](#) today against the entities responsible for the distribution of one of Illinois’ bestselling disposable vape brands, Posh. Posh products come in countless fruit and candy flavors, including Gummy Bear Ice, Ice Cream Cone and Jelly Berry. The company markets products on social media platforms popular with youth, such as Instagram, using imagery and themes attractive to young people. Raoul’s lawsuit alleges violations of the Illinois Youth Prevention Vaping Act, which Raoul’s office helped pass to prohibit the marketing of e-cigarettes to youth. The law prohibits the marketing of e-cigarettes in a manner that is attractive to or encourages use by youth and prohibits the sale of illegal e-cigarettes. Posh products are not currently authorized for sale by the FDA. Raoul’s lawsuit seeks to enjoin these entities from selling adulterated vaping products and marketing their products in violation of the act.

Raoul has also opened an investigation into Midwest Goods, one of Illinois’ largest e-cigarette distributors. Raoul’s investigation is related to the company’s distribution, sales and marketing of vaping products.

Flavored disposable e-cigarette products are largely manufactured and imported illegally into the United States from China. Many of the companies that manufacture and distribute these products have declined to participate in the FDA's mandated marketing order process or their products have been rejected for approval, and these products are considered adulterated and unlawful for sale. However, despite the fact that new e-cigarettes require FDA authorization, the U.S. market has been flooded with flavored disposable e-cigarettes, and the number of unique disposable products [has gone up 1,500% since 2020](#).

These products are designed to appeal to and marketed to youth. Despite containing dangerously high amounts of nicotine, disposable e-cigarettes come in a myriad of kid-friendly flavors, playful shapes, bright colors, and 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 products among youth](#), jeopardizing their health and well-being.

Despite the federal government's efforts to control the proliferation of these products, they remain widely available and represent an ongoing threat to youth. The states share a commitment to protecting their youth from these dangerous products and predatory marketing practices. Using their available legal tools and support, today, Illinois, along with California, Connecticut, the District of Columbia, Hawaii, Minnesota, New Jersey, New York, Ohio and Vermont, are taking steps to enforce their respective licensing and consumer protection laws to go after the companies responsible for importing, distributing, selling and marketing flavored disposable e-cigarettes. States within the coalition are employing a range of enforcement tools, from sending letters to e-cigarette retailers, to serving subpoenas or civil investigative demands, to filing lawsuits:

- California Attorney General Rob Bonta is filing a lawsuit against importer and seller of popular FLUM flavored vape products. The lawsuit alleges that the company and founder, among other things, unlawfully imported FLUM products from China and distributed them into California, in violation of state and federal laws. The lawsuit alleges that the companies' conduct violates the Unfair Competition Law and seeks injunctive relief to prevent the companies from continuing to import, distribute and sell FLUM products.
- Connecticut Attorney General William Tong today served civil investigative demands on numerous retailers found selling highly-potent, illegally imported disposable e-cigarette products, seeking comprehensive information regarding the sale of these products and the wholesalers and distributors supplying them.
- New Jersey Attorney General Matthew J. Platkin issued warning letters to the nearly 11,000 retailers licensed to sell tobacco and vapor products in the state reminding them that offering or selling vapor products characterized with a flavor, taste or aroma other than tobacco – including mint, menthol and wintergreen – is a violation of New Jersey's Consumer Fraud Act (CFA) and punishable by up to \$10,000 for the first violation and \$20,000 for each subsequent violation. The letters follow Attorney General Platkin's recent enforcement actions assessing civil monetary penalties of \$4,500 each against 19 retailers for alleged CFA violations over the offer or sale of flavored vapor products.

Today's lawsuit is part of Attorney General Raoul's ongoing work to combat the dramatic increase in youth e-cigarette use and hold e-cigarette manufacturers accountable for epidemic usage levels among youth and teens. Last year, Raoul filed an amicus brief with the U.S. Supreme Court supporting the Food and Drug Administration's (FDA) decision to deny certain companies the ability to market and sell their flavored vape products across state lines.

In 2023, Raoul announced a [\\$462 million multistate settlement with Juul Labs Inc.](#) (Juul), one of the nation's largest manufacturers of e-cigarettes. In 2022, Raoul co-led a [bipartisan coalition](#) calling on the FDA to reject marketing authorization for all non-tobacco nicotine products. In 2021, the Illinois Legislature passed [Raoul's legislation](#) that prohibits companies from marketing e-cigarettes to minors and the sale of unauthorized e-cigarettes. In 2020, Raoul entered into a [consent decree](#) with Juice Man LLC that effectively prohibits Juice Man from operating in the state of Illinois. Additionally, Raoul has urged the FDA to ban flavored tobacco products and to strengthen e-cigarette guidance by prioritizing enforcement actions against flavored e-cigarettes.

For more information and free resources to help quit tobacco, please visit the [Illinois Tobacco Quitline website](#) or call 1-866-QUIT-YES.