TOBACCO, ALTERNATIVE NICOTINE AND VAPOR PRODUCTS

WHAT ARE THEY AND WHAT PERMITS ARE REQUIRED

Louisiana ATC

TOBACCO PRODUCTS

(MUST BE AT LEAST 18 YEARS OLD TO PURCHASE)

- (1) "Tobacco product" means any cigar, cigarette, smokeless tobacco, or smoking tobacco.

  (2) "Cigar" means any roll of tobacco for smoking, irrespective of size or shape, and irrespective of the tobacco being flavored, adulterated, or mixed with any other ingredients, where such roll has a wrapper made chiefly of tobacco.

  (3) "Cigarette" means any roll for smoking made wholly or in part of tobacco, irrespective of size or shape and irrespective of the tobacco being flavored, adulterated, or mixed with any other ingredient, where such roll has a wrapper or cover made of paper, or any other material, except where such wrapper is wholly or in greater part made of tobacco.

  (4) "Smokeless tobacco" means any finely cut, ground, powdered, or leaf tobacco that is intended to be placed in the oral or nasal cavity.

  (5) "Smoking tobacco" means granulated, plug cut, crimp cut, ready rubbed, and any other kind and form of tobacco prepared in such manner as to be suitable for smoking in a pipe or cigarette.

EXAMPLES OF TOBACCO

Cigars

Cigarettes

Smokeless Tobacco

Smoking Tobacco

EXAMPLES OF TOBACCO (CONTINUED)

Hookah Pipe

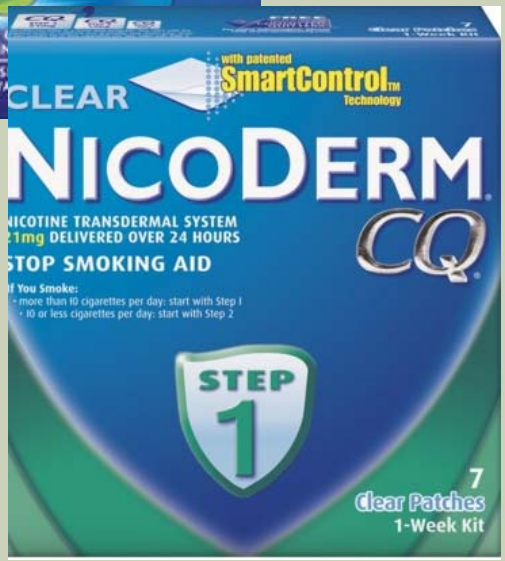
Shisha Tobacco

ALTERNATIVE NICOTINE PRODUCTS
(MUST BE AT LEAST 18 YEARS OLD TO PURCHASE)

Any non-combustible product containing nicotine that is intended for human consumption, whether chewed, absorbed, dissolved, or ingested by any other means. "Alternative nicotine product" does not include any of the following:

- (a) Tobacco product.
- (b) Vapor product.
- (c) Product that is a drug pursuant to 21 U.S.C. 321(g)(1).
- (d) Device pursuant to 21 U.S.C. 321(h).
- (e) Combination product described in 21 U.S.C. 353(g).
  - Combination of a drug, device or biological product)

EXAMPLES OF ALTERNATIVE NICOTINE PRODUCTS



Strips, Lozenges or Patches

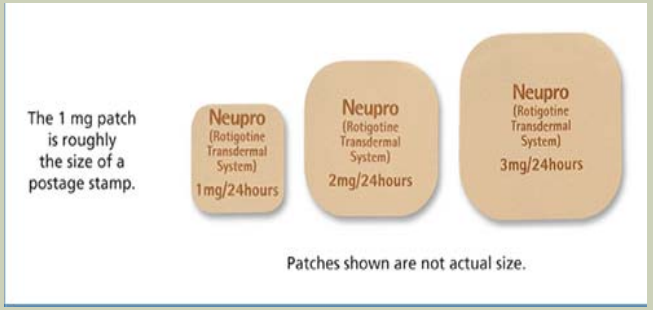
NOT ALTERNATIVE NICOTINE PRODUCTS

Not Alternative because they contain tobacco.

EXEMPTED PRODUCTS

- Product that is a drug pursuant to 21 U.S.C. 321(g)(1).
- Device pursuant to 21 U.S.C. 321(h).
- Combination product described in 21 U.S.C. 353(g).
  - Combination of a drug, device or biological product.

Combination Product
"Neupro" patch used to treat Parkinson's Disease or RLS.

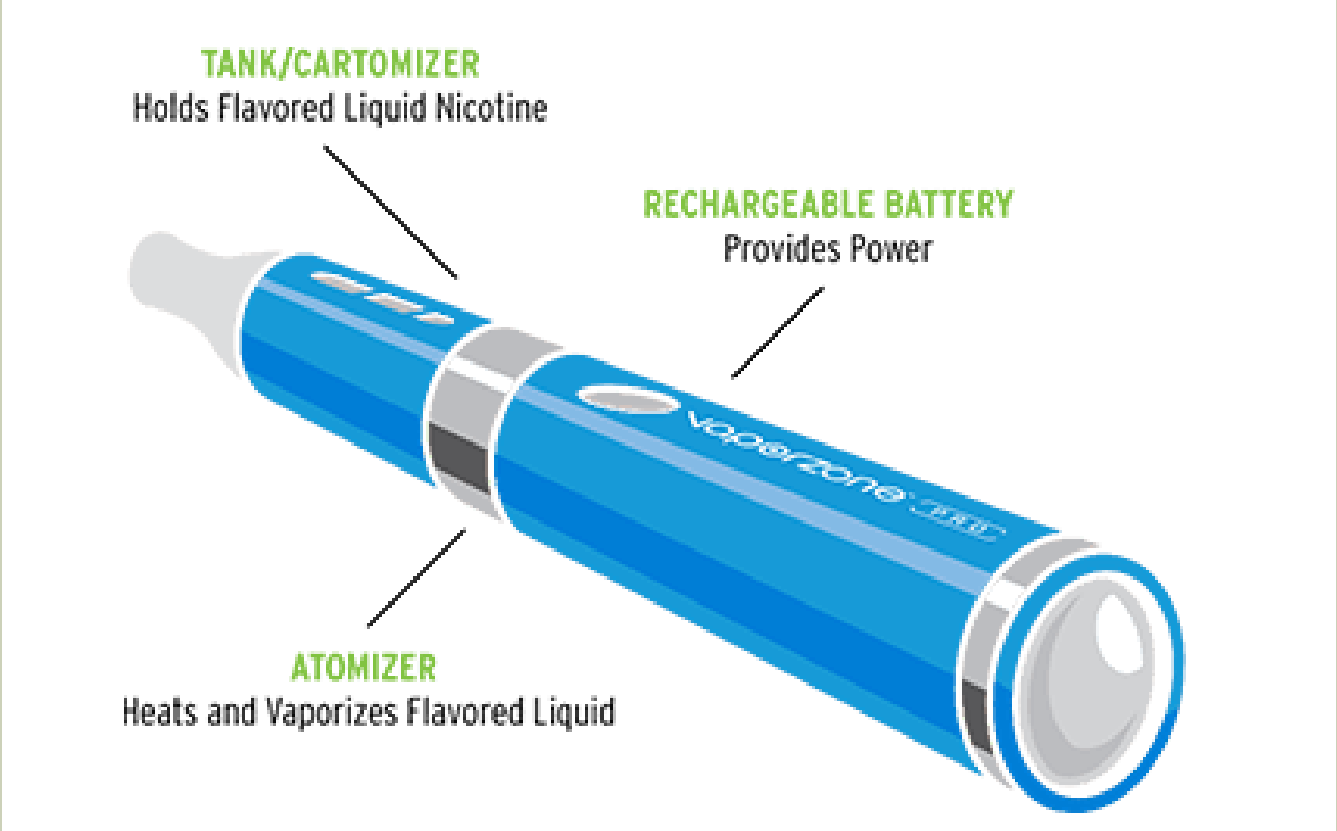


VAPOR PRODUCTS

(MUST BE AT LEAST 18 YEARS OLD TO PURCHASE)

- "**Vapor product**" means any non-combustible product containing nicotine or other substances that employs a heating element, power source, electronic circuit, or other electronic, chemical or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form. "Vapor product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any vapor cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. "Vapor product" does not include any of the following
- (a) Product that is a drug pursuant to 21 U.S.C. 321(g)(1).
- (b) Device pursuant to 21 U.S.C. 321(h).
- (c) Combination product described in 21 U.S.C. 353(g).

HOW MOST VAPOR PRODUCTS WORK



EXAMPLES OF VAPOR PRODUCTS

Electronic Cigarettes
“E-Cigarettes”

Vaporizers
(used for tobacco and/or marijuana

Electronic Cigar

Electronic Pipe

E-Liquid or E-Juice
(poured in device)

Nicotine Solution –
Most likely contains a tobacco Derivative

TOBACCO, ALTERNATIVE NICOTINE & VAPOR PRODUCTS

Tobacco:

- Cigar
- Cigarette
- Smokeless Tobacco (placed in oral or nasal cavity)
- Smoking tobacco (used in pipe or cigarettes)

Alternative Nicotine Products:

- Non-combustible
- Chewed, absorbed or dissolved
- NO tobacco
- NO vapor

Vapor Product

- Non combustible
- Contains nicotine
- Some type of heating or power element (electronic or battery)
- Products with “E” in the title

(Must be at least 18 years old to purchase)

PERMITS REQUIRED

Tobacco Retail Dealer Permit: This permit shall be issued to every dealer, other than a manufacturer, wholesaler, or tobacconist, who sells or offers for sale cigars, cigarettes, other tobacco products, alternative nicotine products, or vapor products, irrespective of quantity or the number of sales.

Tobacco Wholesale Dealer Permit: This permit shall be issued to any tobacco dealer whose principal business is that of a wholesaler, who sells cigarettes, cigars, or other tobacco products to retail dealers for purpose of resale, who is a bona fide wholesaler, and fifty percent of whose total tobacco sales are to retail stores other than its own or its subsidiaries within Louisiana.

Additional information about these permits and applications can be found under the Permits Section of www.atc.la.gov