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

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DIGEST

SB 307 Original

2024 Regular Session

Reese

Present law requires that, beginning Oct. 1, 2023, every vapor product manufacturer and alternative nicotine product manufacturer whose products are sold in this state, whether directly or through a wholesale dealer, retail dealer, or similar intermediary, to execute and deliver to the commissioner of the office of alcohol and tobacco control (ATC) a certification of either of the following:

- (1) The vapor product was on the market in the U.S. as of August 8, 2016, and the manufacturer has applied for a marketing order pursuant to federal law by submitting a premarket tobacco product application on or before Sept. 9, 2020, to the U.S. Food and Drug Administration, (FDA) and either the premarket tobacco product application for the vapor product or alternative nicotine product remains under review by the FDA or the FDA has issued a no marketing order for the vapor product or alternative nicotine product, but the agency or a federal court has issued a stay order or injunction during the pendency of the manufacturer's appeal or the order has been appealed or challenged and the appeal or challenge is still pending.
- (2) The manufacturer has received a marketing order or other authorization pursuant to federal law for the vapor product or alternative nicotine product from the FDA.

Proposed law changes the deadline for submission to the FDA from Sept. 9, 2020, to May 14, 2022 and otherwise retains present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 26:926(A)(1))