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**MAYOR EMANUEL ANNOUNCES LAWSUIT AGAINST ONLINE SELLERS OF E-CIGARETTES AND
"E-JUICES" TO PROTECT YOUTH HEALTH**

Lawsuit filed in conjunction with undercover sting purchases from retailers and requests for marketing materials from e-cigarette companies to curb illegal marketing and sales of products to Chicago's youth

Mayor Rahm Emanuel joined Corporation Counsel Ed Siskel, Business Affairs and Consumer Protection Commissioner (BACP) Rosa Escareno, and Chicago Department of Public Health (CDPH) Commissioner Julie Morita, MD today to announce that the City of Chicago will file suit against eight online sellers of e-cigarette products for illegally selling their products to Chicago youth. The lawsuit, which will be filed in the Circuit Court of Cook County on Tuesday, is one of several initiatives designed to combat the illicit marketing and sales of e-cigarette products to Chicago's young people.

"Following the playbook used by Big Tobacco, the manufacturers and sellers of e-cigarettes and 'e-juices' are attempting to lure youth into a harmful addiction with unfair marketing clearly aimed at young people," said Mayor Emanuel. "From my first day in office I have used every tool to support Chicago's youth in making healthy choices for their futures and today's actions build on that track record."

The City is undertaking a series of targeted actions against companies that are involved in the marketing and distribution of e-cigarettes to Chicago youth, as CDPH data shows equivalent or higher usage among young people than traditional cigarettes:

- **Lawsuit Against Online Retailers Selling to Minors:** The City's lawsuit will be filed against eight online retailers who were caught illegally selling e-cigarettes to underage Chicago residents. Each of these companies sold e-cigarette products directly to an underage Chicago resident in the past month via the Internet as part of a joint sting operation conducted by BACP and the Department of Law.
- **Locations Cited for Selling to Minors:** BACP has taken enforcement action against 15 Chicago-based retail stores who were caught selling e-cigarette products to underage

Chicago residents. Each retailer was cited for violating the City's ordinance prohibiting the sale of these products to persons under the age of 21 and was referred to Administrative Court.

- **Letters to Retailers and Manufactures to Cease Deceptive Marketing:** The Department of Law and BACP sent letters to thirty-three manufacturers and retailers of e-cigarettes and "e-juices." In each case, their products are sold in Chicago stores and that the City believes may be engaging in unlawful and deceptive marketing and sales practices targeting young people. The City requested documents relating to the companies' marketing practices, youth use prevention practices, online and social media monitoring, product design, and online product sales policies, as well as the public health impacts of the companies' products.

"This lawsuit sends a strong message to the e-cigarette industry and any manufacturer or retailer that we will take decisive legal action to prevent their attempts to get Chicago's youth addicted to nicotine," said Ed Siskel, Corporation Counsel. "Online retailers, regardless of where they are headquartered or where they fulfill orders, are subject to the same ordinances and restrictions as brick-and-mortar stores located in Chicago."

"We are determined to keep young people from getting their hands-on tobacco products of any type, whether combustible or e-cigarettes," said BACP Commissioner Escareno. "Not only have our investigators been conducting sting operations at bricks-and-mortar stores but we are also targeting online retailers who sell to minors without checking their age."

"Chicago will fight back against the marketing tactics employed by Big Tobacco. We continue to focus on reducing youth access and exposure to tobacco products," said CDPH Commissioner Morita. "E-cigarettes contain nicotine, which is dangerous and addictive, especially for youth. We must keep our children healthy and tobacco free."

The City's lawsuit names the following online retailers as defendants: ELiquid Depot, Kandypens Inc., Major League Vaping, Mig Vapor, Sea100, Sex Vapor, Suorin USA, and Vista Vapors.

BACP's stings were conducted against the following bricks-and-mortar retailers: New Ways Partners/Citi Food Mart, Merab Enterprises/Citi Mart, Cool Stuff, Home Run Gas and Mini Mart, JCBK Gas Mart/Citgo Gas Mart Inc, Pari Mitra Inc/7-Eleven, Sam's Quick Stop Food, Sahar Foods Inc/Division Street Liquors, Areba Fashions Inc/Green Arch Food Mart, Rita's Liquors Inc/Polonia Food and Liquor, Shivam Bhole Corp./1400 Marketplace, Archway Amoco/Archway Amoco, KJJ Enterprises/Corliss Shell Dunkin Donuts, Magnolia Food Mart/My Place Food and Sweet Puff Tobacco Shop.

The Department of Law and BACP sent letters requesting documents to: JUUL Labs, Japan Tobacco International, USA, Inc. (Logic), Fontem Ventures (Blu), Reynolds American Inc. (Vuse), Smoque Vapors, Drip More LLC, Ruthless Vapor Company, Kilo Eliquids, Candy Co E-Liquids, HotVapes, USA Vape Lab, 7 Daze Manufacturing, Mod Fuel E-Liquid, The Drip Club, Puff Vapors, OMG E-Liquid,

Liquid Labs NJ, One Hit Wonder E-Liquid, Tasty Cloud Vape Co., LLC, Vapetasia LLC, LCF Labs, True Lab Creations, Finest E-Liquids, Mad Hatter Juice, SS Vape Brands, Juice Roll Upz, Inc., Vape Breakfast Classics, Marina Vape, Mighty Vapors Premium E-Liquid, Vape Manufacturing Labs, Happy Vape Juice, VPR Collection, and Vibleo.

A Record of Fighting Big Tobacco

Chicago, under Mayor Emanuel, has made great strides in reducing youth cigarette smoking in the last seven years. Last year, youth cigarette smoking hit a new historic low, falling from 13.6% in 2011 to 6.0% today—a nearly 60 percent decline, according to data from the Centers for Disease Control and Prevention. However, more needs to be done. Building on the success of previous anti-tobacco programs, the City is taking further measures to reduce the use of harmful e-cigarette and other tobacco products by young people.

Mayor Emanuel has a record of standing up to Big Tobacco and reducing youth access to tobacco products and e-cigarettes. Under his leadership, Chicago became the first big city to impose a tax on e-cigarettes; incorporated e-cigarettes as part of the Clean Indoor Air Ordinance; expanded smoke-free environments to include all parks, marinas and beaches, and college campuses; and has supported federal efforts to make all public housing smoke-free. Mayor Emanuel also banned the sale of flavored tobacco including menthol cigarettes near high schools, raised the tobacco purchasing age to 21, and banned redemption of tobacco coupons. These measures have helped to keep e-cigarettes out of the hands of Chicago's youth and ensured that indoor spaces remain free from smoke and vapor.

Since 2011, Chicago, together with Cook County and the State of Illinois, has increased the costs of tobacco so that today Chicago has the highest combined cigarette tax in the nation—which has been proven to reduce smoking rates.

In April, the City Council passed Mayor Emanuel's ordinance requiring warning signs disclosing the harms of non-cigarette tobacco products to be posted at all tobacco retailers and prohibited all free sampling of tobacco products. These efforts will counter decades of misleading and manipulative marketing techniques, give youth real facts about tobacco, and limit youth exposure to harmful products.

This fall, Mayor Emanuel took additional steps to regulate vape products, chief among them easily concealed, pod-based vape products, which have risen in popularity in recent years among youth. In September, Mayor Emanuel increased the tax on liquid nicotine and e-cigarettes, to further counter the tobacco industry's marketing and make it more difficult for youth to access nicotine products. In addition, to counter tobacco companies that target youth in retail stores through product displays, the Mayor proposed and the City Council passed new requirements that all tobacco products and accessories be kept behind the sales counter.

So far this year, BACP has also revoked 35 tobacco retailer licenses and issued a total of 726 tickets for tobacco violations ranging from sales to minors to sales of unstamped cigarettes and “loose” cigarettes. As part of the 2019 budget, BACP will be adding two new investigators to focus on tobacco enforcement.

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