Dear Retail Tobacco Specialty Business,

On October 1, 2019, the Utah Department of Health filed an emergency administrative rule R384-418 aimed at reducing the number of vaping-related lung injury cases in the state and protect health and safety of Utah youth. The emergency administrative rule became effective that day, but allows retailers until October 7, 2019 to comply.

As a condition to sell any electronic-cigarette products and electronic-cigarette substances, the administrative rule requires that your business display mandatory warning signs, by October 7, 2019. These warning signs shall be posted at business entrances and at each register counter where electronic-cigarette products are sold. The mandatory warning sign must state: "Vaping unregulated THC is dangerous to your health. A lung disease related to vaping unregulated THC has recently hospitalized dozens of Utahns and caused several deaths nationwide." The words "Vaping unregulated THC is dangerous to your health." must be no less than 0.75 inches in height and the words "A lung disease related to vaping unregulated THC has recently hospitalized dozens of Utahns and caused several deaths nationwide" must be no less than 0.25 inches in height. Your business may use the Department issued signage, or you may create your own signage that complies with these requirements.

The mandatory warning signage is being printed for your business use, but it may not be ready for delivery by October 7th. Your business will still be required to print and post your own signage at both required locations by that day. Any tobacco retailer that does not display the mandatory warning signage cannot legally sell any electronic-cigarette products.

More information about the rule and a digital version of the signage can be found here: <http://utahtobaccolaws.org/emergency-rule-r384-418/>

In addition, as a permitted retail tobacco specialty business, the new rule allows your business to sell flavored electronic-cigarette products and flavored electronic-cigarette substances, as defined in the rule, if you comply with the mandatory warning signage by October 7th 2019.

Failure to comply with this rule could result in local health department penalties and can also result in prosecution by law enforcement as a criminal offense under state law.

If you have any questions, please contact Annie Parker at the Bear River Health Department at aparker@brhd.org or 435-792-6509.