

19 New Jersey Stores Cited For Selling Flavored Vapes

By **Carla Baranauckas**

Law360 (August 27, 2024, 6:32 PM EDT) -- Nineteen New Jersey shops could face fines of \$4,500 for selling flavored vapor products, which were outlawed in the Garden State in April 2020, the state attorney general said Tuesday.

The retailers were issued notices of violation after a Division of Consumer Affairs investigation into unlawful sales of flavored electronic smoking devices and products found vape products with such flavors as mint, candy, fruit and chocolate, Attorney General Matthew Platkin said in a press release.

Gov. Phil Murphy made New Jersey the first state to ban flavored electronic smoking devices when he signed legislation in January 2020, which took effect three months later.

"Thanks to Governor Murphy, New Jersey has some of the strongest laws in the nation to prevent the sale of flavored vape products that are particularly attractive to kids, and we intend to enforce them," Platkin said. "As students across the state head back to school, we're sending a message of deterrence to retailers. If you are caught selling these dangerous, banned products, you will be held accountable."

The Division of Consumers Affairs began its investigation in June, the attorney general said. Undercover buys and in-store inspections identified smoke shops, convenience stores, and gift and novelty stores in five counties offering and selling the flavored products. Many of the businesses were close to schools, parks or shore town boardwalks.

"The ban on flavor vaping devices is in place to protect New Jersey consumers — especially our youth — from the harmful effects of electronic cigarettes, nicotine, and tobacco," said Cari Fais, acting director of the Division of Consumer Affairs. "By identifying and taking enforcement action against merchants who illegally sell these products, we are protecting public health and fulfilling our responsibility to safeguard consumers from unlawful business practices."

Thirteen of the cited stores were in Wildwood, the state said. Others were in Asbury Park, Irvington, Newark, Parin, Plainfield and Sayreville.

The New Jersey Grocery-C-Store-Automotive Association welcomed the crackdown.

"The association supports the enforcement of the state's laws," said Eric Blomgren, the group's chief administrator and director of government affairs. "The marketplace works best when businesses are competing on as level a playing field as possible. When a law goes unenforced, it skews the marketplace in a way that favors those businesses which are willing to ignore the law, and allows them to profit at the expense of the business owner who is doing the right thing."

He added, "When the government passes a restriction and then doesn't enforce it, it's really the worst of all worlds because the products are still available but now it's only the honest business owners who are hurt."

The investigation was conducted by Caroline Clark, Matthew Reilley, Kristen Reilley, Gregory

Zeichner, Jose Saville, Steven Varites, Demetra Murray, Kathy Plasencia and Josep Iasso of the Office of Consumer Protection.

--Editing by Brian Baresch.

All Content © 2003-2024, Portfolio Media, Inc.