

ROB BONTA
Attorney General

State of California
DEPARTMENT OF JUSTICE



1515 CLAY STREET, 20TH FLOOR
P.O. BOX 70550
OAKLAND, CA 94612-0550

Public: (510) 879-1300
Telephone: (510) 879-3310
Facsimile: (510) 622-2170
E-Mail: TaylorAnn.Whittemore@doj.ca.gov

October 6, 2023

Ronald J. Bernstein
CEO & President
Liggett Group LLC
100 Maple Lane
Mebance, NC 27302

RE: California Flavor Ban, Health & Safety Code § 104559.5

Dear Mr. Bernstein:

Since December 21, 2022, California has restricted retailer possession, distribution, and sale of flavored tobacco products. *See* Cal. Health & Saf. § 104559.5. On April 25, 2023, our office sent letters to registered cigarette and tobacco product manufacturers requesting flavor-related information regarding tobacco products sold or marketed in the state. Specifically, we requested manufacturers to “identify for each listed tobacco product whether your business represents that the product is ‘Flavored’ (i.e., it ‘contains a constituent that imparts a characterizing flavor’ within the meaning of Health & Safety Code section 104459.5) or is ‘Unflavored’ (i.e., that it does not ‘contain[] a constituent that imparts a characterizing flavor’ within the meaning of Health & Safety Code section 104459.5).”

This letter confirms that, on May 25, 2023, your company responded by identifying the below menthol cigarettes as flavored.

Certified Product(s)	UPC(s)	Product Status
Eagle 20's Menthol Gold King Box	011000286080 01117307	FLAVORED
Eagle 20's Menthol Gold 100 Box	011000293101 01129302	FLAVORED
Eagle 20's Menthol Silver King Box	011000285083 01128507	FLAVORED
Eagle 20's Menthol Silver 100 Box	011000294108 01129409	FLAVORED
Eve Menthol Emerald 120 Box	011000126119 01129807	FLAVORED
Eve Menthol Turquoise 120 Box	011000126157 01130007	FLAVORED
Grand Prix Menthol Gold King Box	011000106333 01163306	FLAVORED
Grand Prix Menthol Gold 100 Box	011000106340 01163403	FLAVORED
Grand Prix Menthol Silver 100 Box	011000106401 01164004	FLAVORED

Liggett Select Menthol Gold King Box	011000551744 01155006	FLAVORED
Liggett Select Menthol Gold 100 Box	011000551706 01156306	FLAVORED
Liggett Select Menthol Silver King Box	011000551720 01155103	FLAVORED
Liggett Select Menthol Silver 100 Box	011000551683 01156607	FLAVORED
Montego Menthol Silver King Box	011000010067 01100000075	FLAVORED
Montego Menthol Silver 100 Box	011000010609 011000000631	FLAVORED
Montego Menthol Gold King Box	011000010050 011000000051	FLAVORED
Montego Menthol Gold 100 Box	011000010616 011000000617	FLAVORED
Pyramid Menthol Gold King Box	011000494089 01149403	FLAVORED
Pyramid Menthol Gold 100 Box	011000104094 01140907	FLAVORED
Pyramid Menthol Silver King Box	011000495086 01149500	FLAVORED
Pyramid Menthol Silver 100 Box	011000104070 01140703	FLAVORED
USA Menthol King Box	029540100100 029540000103	FLAVORED
USA Menthol 100 Box	000870100022 00087245	FLAVORED
USA Menthol Silver King Box	029540100117 029540000110	FLAVORED
USA Menthol Silver 100 Box	000870100039 00087342	FLAVORED

The California flavor ban law restricts the retail distribution and sale of flavored tobacco products to California consumers. Under the California flavor ban law, retailers and their agents are subject to fines for the possession and sale of such flavored tobacco products. *See* Cal. Health & Saf. § 104559.5(f). Other state statutes and local ordinances may impose additional penalties on retailers or other vendors as well. *Id.* at § 104559.5(g); *see also* Cal. Bus. & Prof. § 17200.

Sincerely,

Taylor Ann Whitemore

TAYLOR ANN WHITEMORE
Deputy Attorney General

For ROB BONTA
Attorney General