

Electronic Vaping Coalition of America

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FOR IMMEDIATE RELEASE

Friday, June 23, 2017

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San Francisco Faces Legal Action Over Vaping Flavor Ban

The Electronic Vaping Coalition of America and local vape store owners demand the San Francisco Board of Supervisors “undo the wrong they’ve done” by banning e-liquid flavors

The Electronic Vaping Coalition of America (EVCA) and San Francisco-area vape store owners today filed a legal motion demanding that the San Francisco Board of Supervisors reconsider and rescind the recently passed ordinance banning the sale of flavored tobacco products.

The motion contends that the ordinance, unanimously passed by the board during the first reading on June 20, 2017, violates the federal Family Smoking Prevention and Tobacco Control Act of 2009 which establishes federal jurisdiction over the subject matter included in the ordinance.

EVCA Founder and Director, Mark Block, says the United States Congress invoked the Supremacy and Commerce clauses of the U.S. Constitution in the Act, with intent to federally pre-empt such local regulation.

“The vaping industry was built on the backs of people trying to get their health and their lives back. This ordinance will literally keep life-saving products off store shelves,” Block said. “This motion gives the supervisors a chance to undo the wrong they’ve done before a judge tells them to.”

Mujahed Abbas, owner of City Smoke and Vape in San Francisco, California, is disappointed and angry by the board’s quick action.

“They turned a deaf ear to the growing body of research that shows e-liquid products, whether they have nicotine or not, are at least 95 percent less harmful than cigarettes,” he said.

“I always thought our elected leaders were supposed to look out for the health and safety of the citizens they serve,” added Daniel Masarsky, from Frisco Vapor. “I thought wrong. This ordinance makes it clear to me these supervisors are looking out for everything but their constituents.”

The motion names the City of San Francisco, the San Francisco Board of Supervisors as both government officials and individuals as defendants. The defendants have until Tuesday to rescind Ordinance 170441, otherwise EVCA will move forward with a formal lawsuit.

“If the board wants to dig in its heels and boost Big Tobacco and big government rather than the people they were elected to serve, we’re prepared to go the distance,” said Block.

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About EVCA: The Electronic Vaping Coalition of America (EVCA) is a grassroots organization created to serve the needs of the vaping community. Whether educating the grassroots consumer, shop owner, manufacturer, legislator, or general public, EVCA has a proven track record of success of providing positive leadership and impactful activities to help the industry. EVCA led the way for the ‘Repeal & Replace’ strategy and is in favor of sensible regulatory practices that will protect consumers and allow the vaping industry to grow through new innovation and technology. To learn more, please visit the EVCA website at www.evapingcoalition.org.