# Virginia's Liquid Nicotine and Nicotine Vapor Product Directory

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# Study purpose

The JCHC directed staff to:

- Describe the requirements of Virginia's Directory, including enforcement mechanisms
- Identify challenges or barriers in implementation of Virginia's Directory
- Identify other states with product directories and their requirements
- Describe the impact of other states' implemented directories
- Identify legislative approaches to improve implementation of Virginia's Directory

Study approved by Commission for the 2026 workplan on June 4, 2026.

# Findings in brief

- Nicotine vapor product use is increasing among adults, and use can lead to short- and long-term health harms
- The FDA regulates new nicotine vapor products offered for sale in the U.S., but enforcement is limited
- Virginia established the Directory to limit access to unregulated products
- Limited information on the impact of product directories on access to unregulated products is available

FDA = Food and Drug Administration

# Policy Option 1

The JCHC could introduce legislation to amend *Code of Virginia* to require the Attorney General to include additional information about the Liquid Nicotine and Nicotine Vapor Products Directory and enforcement actions in its annual report.

# Policy Option 2

The JCHC could introduce a budget amendment to provide $250,000 to the Virginia Foundation for Healthy Youth to establish a contract to conduct a comprehensive assessment of the impact of the Liquid Nicotine and Nicotine Vapor Products Directory on Virginia's nicotine vapor product market, due no later than October 1, 2029.

# Public comments provided feedback on components of the Directory law

- American Heart Association expresses general opposition to product directories, including the continuation and expansion of Virginia's Directory
- One individual supports the ongoing access to regulated nicotine vapor products for adult use

# Additional Policy Options

# Policy Option 3

The JCHC could introduce a Section 1 bill or a language-only budget amendment to require the Commonwealth's Attorneys' Services Council to provide technical assistance and guidance to local attorneys and Commonwealth's attorneys to assist in the enforcement of the Liquid Nicotine and Nicotine Vapor Products Directory law.

# Policy Option 4

The JCHC could introduce a budget amendment to provide funding for the Department of Criminal Justice Services to establish a grant to provide local law enforcement with resources to support inspections and enforcement of the Liquid Nicotine and Nicotine Vapor Products Directory.

# Member Questions & Discussion

# Joint Commission on Health Care

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