



VERMONT  
**CANNABIS TRADES**  
ASSOCIATION, INC.

H.26 - Restricting retail and Internet sales of electronic  
cigarettes, liquid nicotine, and tobacco paraphernalia in Vermont  
Proposed Amendment  
March 21,2019

The Vermont Cannabis Trades Association (VCTA) has identified a provision in H.26 which may adversely affect the medical marijuana program and its patients.

H.26 prohibits the retail sale of tobacco substitutes, substances containing nicotine or otherwise intended for use with a tobacco substitute, or tobacco paraphernalia unless the person is a licensed wholesaler or has purchased the items from a licensed wholesaler. H.26 also prohibits shipping these products ordered online/by phone to anyone other than a licensed wholesaler or retailer. Tobacco substitute is defined in Title 7 and includes other electronic or battery powered devices that contain or deliver..., other substances into the body that have not been approved by the FDA for tobacco cessation or other medical purposes.

Medical marijuana dispensaries sell some of the items referred to in H.26, such as electronic and battery-powered devices (i.e. vape pens, vaporizers) that deliver cannabinoid therapy. We also ship some of these products ordered online or by phone. We are not, however, licensed wholesalers under 32 V.S.A. § 7702. Dispensaries are registered under 18 V.S.A. § 4474e.

Therefore, we request the following amendments (in **bold**):

Sec. 1. 7 V.S.A. § 1002(g) is amended to read:

(g) No person shall engage in the retail sale of tobacco products, tobacco substitutes, substances containing nicotine or otherwise intended for use with a tobacco substitute, or tobacco paraphernalia in the State unless the person is a licensed wholesale dealer as defined in 32 V.S.A. § 7702 **or is a medical marijuana dispensary as defined in 18 V.S.A. 4 4474e** or has purchased the tobacco products, tobacco substitutes, substances containing nicotine or otherwise intended for use with a tobacco substitute, or tobacco paraphernalia from a licensed wholesale dealer **or a medical marijuana dispensary.**

Sec. 2. 7 V.S.A. § 1010(b) is amended to read: (b) No person shall cause cigarettes, roll-your-own tobacco, little cigars, or snuff, tobacco substitutes, substances containing nicotine or otherwise intended for use with a tobacco substitute, or tobacco paraphernalia., ordered or purchased by mail or through a computer network, telephonic network, or other electronic network, to be shipped to anyone other than a licensed wholesale dealer or retail dealer **or a medical marijuana dispensary** in this State.

Thank you.