

### **Decree prohibiting the commercialization of SEAN, SSSN, SACN, electronic cigarettes and vaping devices**

Mexico City, June 9, 2022

On May 31<sup>st</sup>, 2022, the Federal Government published the Decree prohibiting the circulation and commercialization in Mexico of Electronic Nicotine Delivery Systems ("SEAN" for its acronym in Spanish), Similar Systems without Nicotine ("SSSN" for its acronym in Spanish), Alternative Nicotine Consumption Systems ("SACN" for its acronym in Spanish), electronic cigarettes and vaporizing devices with similar uses, as well as the solutions and mixes used in such systems, whatever their origin (the "Decree").

Through the Decree, the Federal Government has prohibited the circulation and commercialization (regardless of their origin) of (i) SEANs, (ii) SSSNs, (iii) SACNs, (iv) electronic cigarettes; (v) vaporizing devices with similar uses, and (vi) solutions and mixes used in these systems, as it considered that these products generate curiosity among teenagers, young people, and adults, increasing the probability for them to start smoking combustible tobacco, as a gateway to nicotine addiction.

The Decree also implemented a restrictive measure to the freedom of trade under the argument that such devices allegedly violate health rights in its social dimension, seeking to protect society in general, by preventing its exposure to products that induce serious health risks and damages.

The Decree was published in response to the joint Government-Cofepris communication No. 178/2022 (as a strategy to prevent risks and strengthen actions against smoking), which declared a maximum health alert due to the health risks posed by products commonly known as vaping products in all their forms.

The aforementioned Decree became effective on the same day of its publication.

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