



OFFICE OF THE ARIZONA ATTORNEY GENERAL  
CIVIL LITIGATION DIVISION  
CONSUMER PROTECTION AND ADVOCACY SECTION  
TOBACCO ENFORCEMENT UNIT

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Re: Prohibited Sales of Eonsmoke Products

To: [Retailer, Distributor, etc.]

The Arizona Attorney General's Office ("AGO") is sending this letter to you because you have been identified as a retailer, wholesaler, or distributor of e-cigarettes or another entity otherwise affiliated with the e-cigarette industry, who may be affected by a recent court order. The purpose of this letter is to inform you that the State of Arizona, *ex rel.* Mark Brnovich, Attorney General, has obtained an injunction in the Superior Court of Arizona to cease immediately the sale, distribution, and marketing of illegal vaping products in Arizona.<sup>1</sup>

As recently as December 2019, the AGO identified illegal Eonsmoke products on shelves in Arizona retail locations in most Arizona counties, despite the fact that the United States Food and Drug Administration ("FDA") had instructed Eonsmoke in October 2019 to cease all sales of many of its products nationwide.<sup>2</sup> The AGO filed suit pursuant to the Arizona Consumer Fraud Act to pursue all available legal remedies against Eonsmoke, including disgorgement of profits and civil penalties of up to \$10,000 for each willful violation, to hold the company responsible for misleading consumers on the legality of its products and contributing to the youth vaping crisis in Arizona.

The Court ordered Eonsmoke, among other things, to cease advertising, marketing, distributing, or making available for sale in Arizona any of its products that the FDA has determined to be illegal for failure to obtain an FDA marketing

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<sup>1</sup> See *State of Arizona, ex rel. Mark Brnovich v. Eonsmoke, LLC*, Maricopa Cty, Sup. Ct., Case No. CV 2020-000318.

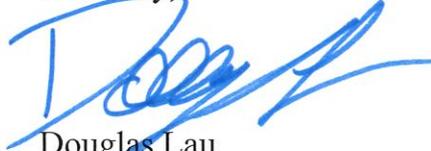
<sup>2</sup> Attached please find the list of illegal Eonsmoke products that are subject to the Court's order.

authorization order. The injunction further requires Eonsmoke to notify Arizona businesses and online retailers that sell its products that these illegal products must be removed from Arizona retail locations and may not be sold to Arizona addresses.

The AGO is providing this notice to alert Arizona businesses to the injunction and that they may be facilitating the delivery of illegal products. Accordingly, all Arizona retailers, wholesalers, and distributors should cease immediately the marketing, distribution, and sale of illegal Eonsmoke products, including removing such products currently displayed or made available for sale and removing all related marketing materials from display.

The AGO recognizes that many Arizona tobacco retailers, wholesalers, and distributors are interested in full, voluntary compliance with all laws relating to tobacco products, including the prevention of illegal tobacco and vapor products in the marketplace and sales to youth. The AGO anticipates swift and widespread voluntary compliance with the Court's order to cease marketing, distributing, and selling illegal Eonsmoke products in Arizona. Otherwise, the AGO reserves all legal avenues available under Arizona law to pursue those businesses or individuals advertising, marketing, distributing, or making available for sale in Arizona any of the Eonsmoke products that the FDA has determined to be illegal for failure to obtain an FDA marketing authorization order.

Sincerely,



Douglas Lau  
Unit Chief Counsel  
Tobacco Enforcement Unit

Encl: List of Illegal Products Prohibited by the FDA and State Court Order

## List of Illegal Eonsmoke Products Prohibited by the FDA and State Court Order

1. Eonsmoke Pods Blueberry 4%
2. Eonsmoke Pods Blueberry 6%
3. Eonsmoke Pods Blueberry 7%
4. Eonsmoke Pods Caffè Latte 4%
5. Eonsmoke Pods Caffè Latte pods 6%
6. Eonsmoke Pods Citrus 4%
7. Eonsmoke Pods Citrus 6%
8. Eonsmoke Pods Cool Mint 4%
9. Eonsmoke Pods Cool Mint pods 6%
10. Eonsmoke Pods Frost 4%
11. Eonsmoke Pods Frost 6%
12. Eonsmoke Pods Grape 4%
13. Eonsmoke Pods Grape 6%
14. Eonsmoke Pods Lush Ice 7%
15. Eonsmoke Pods Mango 4%
16. Eonsmoke Pods Mango 6%
17. Eonsmoke Pods Menthol 4%
18. Eonsmoke Pods Menthol 6%
19. Eonsmoke Pods Multipack 4%
20. Eonsmoke Pods Multipack 6%
21. Eonsmoke Pods Pineapple 4%
22. Eonsmoke Pods Pineapple 6%
23. Eonsmoke Pods Pineapple 7%
24. Eonsmoke Pods Pink Lemonade 4%
25. Eonsmoke Pods Pink Lemonade 6%
26. Eonsmoke Pods Silky Strawberry 4%
27. Eonsmoke Pods Silky Strawberry 6%
28. Eonsmoke Pods Silky Strawberry 7%
29. Eonsmoke Pods Tobacco 4%
30. Eonsmoke Pods Tobacco Pods 6%
31. Eonsmoke Pods Watermelon 4%
32. Eonsmoke Pods Watermelon 6%
33. Eonsmoke Pods Watermelon 7%
34. Eonsmoke Pods Wrangler 4%
35. Eonsmoke Pods Wrangler 6%
36. Lush ice 6% Pods Pack
37. 4X Blue Blackberry 6.5%
38. 4X Blue Raspberry 6.8%
39. 4X Empty Pod
40. 4X Grape 6.5%
41. 4X Green Apple 6.8%
42. 4X Kiwi Strawberry 6.8%
43. 4X Mango Pineapple Guava 6.5%
44. 4X Multipack 6.5%
45. 4X Peach Madness 6.8%
46. 4X Raspberry Mint Lemonade 6.5%
47. 4X Sour Berry Belts 6.5%
48. 4X Sour Gummy 6.5%
49. Eonsmoke Blue Raspberry Disposable 7%
50. Eonsmoke Cubano Disposable 7%
51. Eonsmoke Fresh Mint Disposable 7%

## **List of Illegal Eonsmoke Products Prohibited by the FDA and State Court Order**

52. Eonsmoke Kiwi Strawberry Disposable 7%
53. Eonsmoke Lush Ice Disposable 7%
54. Eonsmoke Mango Disposable 7%
55. Eonsmoke Peach Rings Disposable 7%
56. Eonsmoke Sour Gummy Disposable 7%
57. Eonsmoke Sweet Grape Disposable 7%
58. Blue Raspberry Salt Nicotine E-Liquid 30mg
59. Blue Raspberry Salt Nicotine E-Liquid 60mg
60. Candy Apple/Apple Honey Dew Salt Nicotine E-Liquid 30mg
61. Candy Apple/Apple Honey Dew Salt Nicotine E-Liquid 60mg
62. Cereal Killer Salt Nicotine E-Liquid 30mg
63. Cereal Killer Salt Nicotine E-Liquid 60mg
64. Cotton Candy Salt Nicotine E-Liquid 30mg
65. Cotton Candy Salt Nicotine E-Liquid 60mg
66. Donut Cream Salt Nicotine E-Liquid 30mg
67. Donut Cream Salt Nicotine E-Liquid 60mg
68. Gummy Bear Salt Nicotine E-Liquid 30mg
69. Gummy Bear Salt Nicotine E-Liquid 60mg
70. Mango Pineapple Sorbet Salt Nicotine E-Liquid 30mg
71. Mango Pineapple Sorbet Salt Nicotine E-Liquid 60mg
72. Mint Salt Nicotine E-Liquid 30mg
73. Mint Salt Nicotine E-Liquid 60mg
74. Raspberry Ice Lemonade Salt Nicotine E-Liquid 30mg
75. Raspberry Ice Lemonade Salt Nicotine E-Liquid 60mg
76. Sour Gummy Worm Salt Nicotine E-Liquid 30mg
77. Sour Gummy Worm Salt Nicotine E-Liquid 60mg
78. Strawberry Salt Nicotine E-Liquid 30mg
79. Strawberry Salt Nicotine E-Liquid 60mg
80. Watermelon Salt Nicotine E-Liquid 60mg
81. Watermelon Salt Nicotine E-Liquid 60mg
82. Eonsmoke Pod Device Black v2.0
83. Eonsmoke Pod Device Blue v2.0
84. Eonsmoke Pod Device Gold Chrome v2.0
85. Eonsmoke Pod Device Gold v2.0
86. Eonsmoke Pod Device Green v2.0
87. Eonsmoke Pod Device Pink v2.0
88. Eonsmoke Pod Device Purple v2.0
89. Eonsmoke Pod Device Rainbow Chrome v2.0
90. Eonsmoke Pod Device Red v2.0
91. Eonsmoke Pod Device Silver Shiny v2.0
92. I Vape Aqua Unicorn (Color)
93. I Vape Black (Color)
94. I Vape Blue Chrome (Color)
95. I Vape Purple Unicorn (Color)
96. I Vape Red (Color)