Electronic Cigarette Product Application Requirements and Submission FAQs (example table on last page)

Amendments

Please read carefully. Once an application has been submitted, changes are prohibited. The $1,000 fee for each e-cigarette product is nonrefundable and nontransferable. Please review the following document to ensure your application is filled out correctly.

Renewals

Due to recent changes with SB61, we extended the first renewal date to 2026. All products **added to the registry** in 2024 or 2025 must be renewed by January 31st, 2026.

If a product is **added to the registry** on or before December 31st, then it is required to be renewed for the following year excluding new products added in 2024. (Example: A product that is **added to the registry** on December 17th, 2024, must be renewed by January 31st, 2026. If a product is **added to the registry** December 28th, 2025, it must be renewed by January 31st, 2026, and so forth.) There is a $250 nonrefundable renewal fee per product.

If a product is **added to the registry** between January 1st and January 31st it does not need to be renewed until the following year. (Example: If your product is **added to the registry** January 4th, 2026, you will not need to renew until January 31st, 2027.) There is a $250 nonrefundable renewal fee per product.

*** **added to the registry** does not mean the date you submitted the application for your product(s) on our website, it is the date that they are officially added to the published Electronic Cigarette Product Registry, which can be found at the link provided above.***

Definitions and requirements

1. What responses should be entered into the TAP application?

Product Name: This is the name that the product is listed as in the PMTA acceptance letter. If this is an application for a product containing mixed PMTA Tracking #'s or contains multiple packages of the same PMTA tracking please refer to questions 2(multiple packages) & 3(mixed products) on how to fill out this field.

Product Quantity: How many items are included (may be different from quantity in PMTA documentation)

% Of Nicotine: The percentage of nicotine listed in the PMTA acceptance letter.

Nicotine Volume: Volume in mL per individual item. This is listed in the PMTA acceptance letter. This is not a combined total of all items.

Characterizing Flavor: This is a taste or smell that is distinguishable by an ordinary consumer either before or during use or consumption of the electronic cigarette product.

Product Category: List the category that fits the product. (Disposable e-cigarette device, electronic cigarette pod or cartridge, etc.)

PMTA Tracking #: This is found in the PMTA acceptance letter and should include static product ID when applicable. Example of including static product ID found in question 5.

PMTA Submission: This is found in the PMTA acceptance letter Common Attributes of PMTA in the Submission date section.

PMTA Status: This is the current status of the application

> Marketed on or before August 8, 2016: This is asking if the product was on the market prior to August 8, 2016.

Evidence Needed:
- For each authorized product:
  - Evidence of FDA PMTA Marketing Granted Order, such as a copy of the cover page of the marketing order or other authorization issued pursuant to 21 U.S.C. § 387j and appendices that list out all products included in the PMTA

- For each pending product:
  - Evidence of pending FDA PMTA application, such as a copy of the cover page of the premarket tobacco application with evidence of receipt of the application by the FDA and appendices that list out all products included in the PMTA,
  - Evidence that the application was submitted on or by September 9, 2020, and
  - Evidence that the product was marketed on or before August 9, 2016

Certification:
- The Utah Certification of Electronic Cigarette Products PDF can be found on our website at tax.utah.gov/e-cigarette as well as in the application on TAP under the attachments page.

Ex: Multiple packages

2. How to submit an application for products that have multiple packages of a product with the same PMTA tracking # (and static product ID if applicable).

TAP application example:

Product Name: Testpod (Tobacco 2%) 2 Cartridge (4 pack)

Product Quantity: 8

% Of Nicotine: 2.0%

Nicotine Volume: .5

Characterizing Flavor: Tobacco

Product Category: Electronic cigarette pod or cartridge

PMTA Tracking #: PM0123456

PMTA Submission: June 1, 2020

PMTA Status: Pending

Marketed on or before August 8, 2016

Ex: Mixed products

3. How to submit an application for a product that contains items with different PMTA tracking # (and static product ID if applicable), which may include bundles.

- The product in this example only goes by the name of Starter kit. The product name should show all items in the product and each quantity. Product category will be marked as Other. The fields PMTA tracking #, PMTA Submission, PMTA Status, Marketed on or before August 8, 2016, will be left empty only for the TAP application.

- Because this product contains multiple items that have different PMTA tracking #, please include additional supplemental documentation to provide evidence that each product meets the requirements outlined in SB61(2024) to be eligible for the Electronic Cigarette Registry. Completion of all fields in supplemental documentation will help us provide a timely, accurate review of the application.

Steps:

1. Fill out the TAP application and submit it.

2. Next, reach out to tobenforcement@utah.gov requesting the spreadsheet for the supplemental documentation.
3. Finally send the filled out form back to tobenforcement@utah.gov

TAP application example:

Product Name: Starter kit, Testpod (Tobacco 2%) 2 cartridge, testdevice 1 device

Product Quantity: 3

% Of Nicotine: 2.0%

Nicotine Volume: .5

Characterizing Flavor: Tobacco

Product Category: Other

PMTA Tracking #:

PMTA Submission:

PMTA Status:

    Marketed on or before August 8, 2016

Supplemental documentation example:

Application Product Name	Product Name	Product Quantity	% of Nicotine	Nicotine Volume	Characterizing Flavor	Product Category	PMTA Tracking #	PMTA Submission	PMTA Status	Marketed on or before August 8, 2016	Business Email	Business Phone	Business Address
Starter kit, Testpod (Tobacco 2%) 2 cartridge, testdevice 1 device	Testpod (Tobacco 2.0%)	2	2.00%	0.5	Tobacco	Electronic cigarette pod or cartridge	PM123456	June 1, 2020	Pending	☑	testemail@test.com	(123)456-7899	1234 test street
Starter kit, Testpod (Tobacco 2%) 2 cartridge, testdevice 1 device	Testdevice	1	0	0	None	Other	PM789	June 1, 2020	Pending	☑	testemail@test.com	(123)456-7899	1234 test street

Ex: Different quantities

4. How to fill out an application for a product that comes in different quantities.
   - This is an example of a product that has a package that is sold in either 2 cartridges or 4 cartridges. To sell the product in both quantities an application will need to be filled out for each quantity variation.

TAP application example:

Product Name: Testpod (Tobacco 2%)

Product Quantity: 2

% Of Nicotine: 2.0%

Nicotine Volume: .5

Characterizing Flavor: Tobacco

Product Category: Electronic cigarette pod or cartridge

PMTA Tracking #: PM0123456

PMTA Submission: June 1, 2020

PMTA Status: Pending

　　Marketed on or before August 8, 2016

TAP application example:

Product Name: Testpod (Tobacco 2%)

Product Quantity: 4

% Of Nicotine: 2.0%

Nicotine Volume: .5

Characterizing Flavor: Tobacco

Product Category: Electronic cigarette pod or cartridge

PMTA Tracking #: PM0123456

PMTA Submission: June 1, 2020

PMTA Status: Pending

　　Marketed on or before August 8, 2016

Ex: Same PMTA Tracking #

5. How to fill out an application for products that are different but have the same PMTA Tracking #?

　　Provide documentation that includes product name, PMTA tracking #, and the corresponding static product ID.

　　Example: PM0123456.PD1

Ex: Products with different colors

6. Do multiple applications need to be submitted for a device if it comes in different colors?

- If the different colors all have the same PMTA Tracking # (and static product ID if applicable) only one application will need to be submitted and that will cover all the different product colors.

Example data

PMTA Acceptance Letter

Common Attributes of PMTA	
Submission date	June 1, 2020
Receipt date	June 1, 2020

PM0123456: Testpod (Tobacco 2.0%)	
Product subcategory	Closed E-Liquid
Package type	Cartridge
Package quantity	2 Cartridge
Characterizing flavor	Tobacco
E-liquid volume	.5mL
Nicotine concentration	2.0%

PM789: Testdevice	
Product subcategory	ENDS Component
Package type	Box
Package quantity	1 device
Characterizing flavor	None

Additional Question

For questions on TAP application site contact tobenforcement@utah.gov

For questions on application fields contact cjessop@utah.gov