

Supplemental table A. Literature review and initial proposed classification scheme

<i>Variable category</i>	Chen, et al. (2018) Restricting the Sale of Flavored E-cigarettes in the US: An Examination of Local Regulations.[50]	Public Health Law Center US sales restrictions on Flavored Tobacco Products[52]	Tobacco Control Legal Consortium Sample language to restrict the sale of Flavored Tobacco Products, including menthol[53]	ChangeLab Solutions Policy options for restricting the sale of menthol cigarettes and other FTPs[54]	ChangeLab Solutions Model ordinance[55]	CounterTobacco: Flavored Tobacco Products[56]	Proposed variable (policies are awarded one point for each variable with a maximum of 4 points)
<i>Area covered</i>	<b>Jurisdiction-wide ban</b>	<b>Jurisdiction-wide ban</b>	Clearly state to whom the policy applies	“All retailers” (implying no buffer zones)	Policies with <b>buffer zones are not considered comprehensive</b>	Comprehensive restrictions have <b>no exemptions for any places</b> (e.g. within a certain distance of schools)	Jurisdiction-wide ban (e.g. not limited to buffer-zones)
<i>Flavors included</i>	<b>Menthol prohibited</b>	<b>Menthol prohibited</b>	“Because descriptions such as “mellow” or “arctic” can imply a flavor, and because testing for actual flavoring may be difficult or expensive, consider regulating not only products that are <b>flavored</b> , but also <b>all products that are marketed as having a distinguishable, distinctive or characterizing flavor (or aroma).</b> ”	“Any tobacco product that has the <b>taste or aroma other than tobacco</b> ” (implies menthol is included)	Flavored tobacco products: “any tobacco product that imparts a characterizing flavor.” “Characterizing flavor” means “Characterizing Flavor” means a <b>taste or aroma, other than the taste or aroma of tobacco</b> , imparted either prior to or during consumption of a Tobacco Product or any byproduct produced by the Tobacco Product, including, but not limited to, tastes or aromas relating to menthol, mint, wintergreen, fruit, chocolate, vanilla, honey, candy, cocoa, dessert, alcoholic beverage, herb, or spice; provided, however, that a Tobacco Product shall not be determined to have a Characterizing Flavor solely because of the use of additives or flavorings or the provision of ingredient information.”	Comprehensive restrictions have <b>no exemptions for any flavor types</b>	All characterizing flavors except tobacco are prohibited (including menthol)
<i>Products included</i>	<b>E-cigarettes included</b>	<b>E-cigarettes included</b>	“Draft the definition of “tobacco product” broadly so it encompasses products such as <b>electronic cigarettes, flavored cigars, little cigars and spit/chewing tobacco, as well as dissolvable tobacco products, flavored tobacco lozenges, and other emerging smokeless products, along with their components and related accessories.</b> ”	“ <b>Any tobacco product</b> that has the taste or aroma other than tobacco” (implies e-cigarettes are included)	<b>All tobacco products, including e-cigarettes (with and without nicotine) and components, parts, or accessories normally used with a tobacco product (e.g. rolling papers, e-liquid, etc)</b>	Comprehensive restrictions have <b>no exemptions for any product type</b>	Applies to all tobacco products, including e-cigarettes, and components/accessories
<i>Retailers included</i>	<b>Applies to adult-only retailers</b>	<b>No retailer exemption</b>	Clearly state to whom the policy applies	“ <b>All retailers</b> ” (implying no exemptions)	““Tobacco Retailer” means <b>any Person who sells, offers for sale, or does or offers to exchange for any form of consideration, tobacco, Tobacco Products or Tobacco Paraphernalia.</b> ”	Comprehensive restrictions have <b>no exemptions for any places (e.g. tobacco bars, adult-only stores)</b>	Applies to all retailers

Supplemental table B. Expert feedback and revision process

<i>Theme</i>	Incorporated expert feedback	American Lung Association <u>State Flavored Tobacco Product Laws Methodology</u>
<b>Relative importance of proposed variables</b>	<p>Experts had varying opinions on the relative importance of “jurisdiction-wide,” “all products,” “all flavors,” and “all retailers.” However, most agreed that some exemptions were more impactful than others. This led us to combine the “jurisdiction-wide” and “all retailers” categories for a total of three variable categories. Experts also felt it was important to disaggregate these variable categories; therefore, we identified narrow and major exemptions within the categories.</p> <p>Experts also had varying feedback about whether policies that only apply to e-cigarettes (rather than multiple or all tobacco products) should be considered highly comprehensive, given the high prevalence of youth e-cigarette use contrasted with concerns about the evolving product market and shifting use patterns. Therefore, we created a scheme for all policies and a separate scheme for e-cigarette-only policies as a subset analysis.</p> <p>Specialty stores are like adult only stores. These should be grouped with adult only stores as major exemptions.</p> <p>Experts had differing opinions on whether hookah exemptions should be considered major or minor product exemptions. Given that youth hookah use is lower than other products of concern (e.g. e-cigarettes, cigarettes, LCCs, smokeless – all &gt;3%) and hookah is usually grouped with pipe tobacco and premium cigars and an exemption in these policies, hookah will be considered a narrow exemption.</p>	<p>A The sale of all flavored tobacco products is prohibited;</p> <p>B The sale of most flavored tobacco products, including menthol cigarettes, is prohibited with some narrow exemptions;</p> <p>C The sale of all flavored tobacco products, including menthol cigarettes, is limited to over age 21 stores/locations;</p> <p>D The sale of one type of flavored tobacco product is completely prohibited (i.e. flavored e-cigarettes or flavored tobacco product restrictions that completely exempt menthol cigarettes);</p> <p>F No state law on flavored tobacco products or the sale of one type of flavored tobacco product restriction that exempts menthol.</p>
<b>Additional variables to consider</b>	<p>Experts indicated that it is important to determine whether FTP policies applied to 1) product components (e.g. e-cigarette cartridges, wrapping papers, etc, 2) products with synthetic nicotine or nicotine not derived from tobacco, and 3) nicotine-free e-cigarettes, given loopholes created by and challenges with enforcing FTP laws that do not apply to these products. Additionally, experts suggested coding whether product sub-categories may be exempted from FTP policies (e.g. flavored products with FDA premarket approval, flavored products containing synthetic nicotine, flavored product components). Therefore, we revisited all ordinances and double-coded sub-categories of products included in the flavor restrictions.</p> <p>Note endgame policies in level 6</p>	

