Notice of Revision to Previous Data Estimates

- The data in this brief have been updated to capture new e-cigarette products coded by IRI. Historical sales estimates may differ from previous briefs.

Federal Regulatory Actions

- The U.S. Food and Drug Administration (FDA) issued an enforcement policy, effective February 2020, prohibiting the sale of flavored prefilled e-cigarette cartridges, which does not apply to tobacco-and menthol-flavored prefilled cartridges, e-liquids, or single use disposable e-cigarettes.
- FDA began issuing marketing denial orders for flavored e-cigarette products as of September 9, 2021. However, final marketing orders have not been issued for products making up at least two-thirds of the e-cigarette market.
- On April 15, 2022, FDA was granted authority to regulate products containing nicotine from any source, including synthetic nicotine.
- In April 2022, FDA issued a proposal to eliminate menthol cigarettes and flavored cigars.

Key Findings

Total e-cigarettes:

- From February 23, 2020, to October 30, 2022, total e-cigarette unit sales increased by 39.3% (16.4 million units to 22.9 million units). During this period, sales of non-tobacco flavored e-cigarettes (mint, menthol and other flavors) increased by 55.4% (11.5 million units to 17.9 million units).
- Total e-cigarette unit sales during January to October 2022 outpaced sales during the same period in 2021.
- The 2022 National Youth Tobacco Survey (NYTS) found that 14.1% (2.14 million) of high school and 3.3% (380,000) of middle school students currently used e-cigarettes. Overall, 84.9% used flavored e-cigarettes.1

Flavored disposable e-cigarettes:

- From February 23, 2020, to October 30, 2022, disposable e-cigarette sales increased by 133.5% (4.9 million units to 11.5 million units); their unit share increased from 29.9% to 50.2% of total e-cigarette sales. As of October 30, 2022, 80.0% of disposable sales were of flavors other than tobacco, mint and menthol.
- Among youth who used e-cigarettes in 2022, 55.3% used disposable e-cigarettes. The most commonly used flavors of disposable e-cigarettes were fruit (69.1%) and candy/desserts/other sweets (38.3%) (NYTS).

Menthol flavored e-cigarettes:

- From February 23, 2020, to October 30, 2022, overall menthol flavored e-cigarette sales increased by 22.0% (6.1 million units to 7.4 million units), including a 25.6% increase in menthol-flavored cartridge sales (5.6 million units to 7.1 million units). As of October 30, 2022, menthol flavored e-cigarettes sales accounted for 32.4% of the overall e-cigarette market and 62.2% of the prefilled cartridge market.
- Among youth who used flavored e-cigarettes in 2022, 26.6% used menthol flavor; 53.9% of students using prefilled cartridges used menthol (NYTS).

Relevant Issues

- The e-cigarette or vaping product use-associated lung injury (EVALI) outbreak in late 2019 and COVID-19 pandemic may have affected e-cigarette sales.
- During the period, additional flavored tobacco products continued to be marketed, such as flavored cigars; or entered the market, such as nicotine pouches.
- Units of e-cigarettes are not adjusted to account for variations in unit size. Large-format disposable e-cigarettes that allow for thousands of “puffs” are now available. Declines in unit sales may not signify declines in prevalence of use or consumption.

Conclusion

Restrictions that exempt certain flavors and product types likely shift sales to the products and flavors that remain on the market. Policies that prohibit all non-tobacco flavored e-cigarettes, including flavored disposable e-cigarettes and menthol-flavored prefilled cartridges, may reduce e-cigarette sales, reduce youth access to flavored e-cigarettes, and ultimately reduce youth e-cigarette use.

Figure 1. National E-Cigarette Unit Sales by Flavor, 4 Week Estimates 01/28/2018 – 10/30/2022*

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/28/2018</td>
<td>Menthol-flavored e-cigarette sales decreased by 22.0% (from 6.1 million units to 7.4 million units); unit share decreased from 37.0% to 32.4%.</td>
</tr>
<tr>
<td>2/23/2020</td>
<td>All other-flavored e-cigarette sales increased by 99.6% (from 4.6 million units to 9.2 million units); unit share increased from 28.0% to 40.2%.</td>
</tr>
<tr>
<td>9/2019</td>
<td>EVALI peak</td>
</tr>
<tr>
<td>11/2018</td>
<td>U.S. Surgeon General issues advisory on e-cigarette epidemic among youth</td>
</tr>
<tr>
<td>11/2019</td>
<td>JUUL removes mint-flavored products from retail stores</td>
</tr>
<tr>
<td>12/2018</td>
<td>JUUL pulls 4 flavors from retail stores</td>
</tr>
<tr>
<td>2/2020</td>
<td>Federal flavor enforcement policy becomes effective</td>
</tr>
<tr>
<td>3/2020</td>
<td>COVID-19</td>
</tr>
<tr>
<td>4/15/2022</td>
<td>FDA authority over synthetic nicotine products becomes effective</td>
</tr>
<tr>
<td>12/2019</td>
<td>Federal legislation raises legal purchase age of tobacco to 21</td>
</tr>
<tr>
<td>12/2019</td>
<td>JUUL removes mint-flavored products from retail stores</td>
</tr>
</tbody>
</table>

Trends of Unit Sales by Flavor Following FDA’s Flavor Enforcement Policy

- From February 23, 2020, to October 30, 2022, total monthly e-cigarette unit sales increased by 39.3% from 16.4 to 22.9 million units.
- From February 23, 2020, to October 30, 2022, sales of non-tobacco flavored e-cigarettes (mint, menthol and other flavors) increased by 55.4% (from 11.5 million units to 17.9 million units).
- From February 23, 2020, to October 30, 2022:
  - Menthol-flavored e-cigarette sales increased by 22.0% (from 6.1 million units to 7.4 million units); unit share decreased from 37.0% to 32.4%.
  - Tobacco-flavored e-cigarette sales decreased by 1.5% (from 4.9 million units to 4.8 million units); unit share decreased from 29.6% to 20.9%.
  - Mint-flavored e-cigarette sales increased by 54.8% (from 0.8 million units to 1.3 million units); unit share increased from 5.2% to 5.7%.
  - All other-flavored e-cigarette sales increased by 99.6% (from 4.6 million units to 9.2 million units); unit share increased from 28.0% to 40.2%.

*Sales data do not reflect sales from vape shops or online retailers; dates represent end of 4-week periods; All Other Flavors category includes fruit, clove/spice, chocolate, alcoholic drinks (such as wine, cognac, or other cocktails), candy/desserts/other sweets, some other flavor; e-cigarette accessories and devices sold without e-liquids were excluded (2.6% of total dollar sales in October 2022).
## Figure 2. National E-Cigarette Unit Sales by Product Type, 4 Week Estimates 01/28/2018 – 10/30/2022*

*Sales data do not reflect sales from vape shops or online retailers; dates represent end of 4-week periods; prefilled cartridges include tanks, cartridges, and pods used in rechargeable and reusable e-cigarette device; disposable devices include nonrechargeable and nonreusable e-cigarette devices that are not intended to be refilled with e-liquid after being depleted; e-liquids are containers of the liquid used in e-cigarette devices, which typically contains a humectant (e.g., propylene glycol), nicotine, and flavoring.

### Trends of Unit Sales by Product Following FDA’s Flavor Enforcement Policy

- Following FDA’s flavor enforcement policy, which prohibited the sale of flavored prefilled cartridges but exempted disposable devices and menthol and tobacco prefilled cartridges, between February 23, 2020, and October 30, 2022:
  - Sales of disposable devices increased by 133.5% (from 4.9 million units to 11.5 million units).
  - Sales of prefilled cartridges decreased by 1.2% (from 11.5 million units to 11.3 million units).
Figure 3. National E-Cigarette Unit Share by Product Type, 4 Week Estimates 01/28/2018 – 10/30/2022*

Trends of Unit Share by Product Following FDA’s Flavor Enforcement Policy

- Following FDA’s flavor enforcement policy, which prohibited the sale of flavored prefilled cartridges but exempted disposable devices and menthol and tobacco prefilled cartridges, between February 23, 2020, and October 30, 2022:
  - Unit share of disposable devices increased from 29.9% to 50.2%.
  - Unit share of prefilled cartridges decreased from 70.0% to 49.6%.

*Sales data do not reflect sales from vape shops or online retailers; dates represent end of 4-week periods; prefilled cartridges include tanks, cartridges, and pods used in rechargeable and reusable e-cigarette device; disposable devices include nonrechargeable and nonreusable e-cigarette devices that are not intended to be refilled with e-liquid after being depleted; e-liquids are containers of the liquid used in e-cigarette devices, which typically contains a humectant (e.g., propylene glycol), nicotine, and flavoring.
Figure 4. National E-Cigarette Unit Sales by Product Type and Flavor, 4 Week Estimates
01/28/2018 – 10/30/2022

Prefilled Cartridges

Disposable Devices
All estimates and analyses in this data brief are based on Information Resources, Inc., Multi-Outlet + Convenience data. According to IRi, new e-cigarette product coding is managed to consistently meet or exceed releasing products that cover a minimum of 95.5% of total e-cigarette dollar sales at any given time. Coding and releasing of new products are prioritized based on significance of dollar sales in order to continually comply with capturing at least 95.5% of total e-cigarette dollar sales in each period.

Figure 5. National E-Cigarette Unit Sales by Product Type and Flavor, 4 Week Estimates
01/28/2018 – 10/30/2022

Prefilled Cartridges

Disposable Devices

[Bar charts showing data for Prefilled Cartridges and Disposable Devices, with categories for Menthol, Mint, All Other Flavors, Tobacco-Flavored, and Not Available/Applicable]
Figure 6. Unit Share of National E-Cigarette Unit Sales by Flavor, Annual Estimates 2018 – 2021*

Unit Share Annual Trends by Flavor (2020 - 2021)

- From 2020 to 2021:
  - Unit share of menthol-flavored e-cigarette sales decreased from 38.0% to 35.9%;
  - Unit share of tobacco-flavored e-cigarette sales decreased from 26.2% to 23.1%;
  - Unit share of mint-flavored e-cigarette sales increased from 4.3% to 4.5%; and
  - Unit share of other-flavored e-cigarette sales increased from 31.4% to 36.3%.

*Sales data do not reflect sales from vape shops or online retailers; All Other Flavors category includes fruit, clove/spice, chocolate, alcoholic drink (such as wine, cognac, or other cocktails), candy/desserts/other sweets, some other flavor; e-cigarette accessories and devices sold without e-liquids were excluded (2.8% of total dollar sales in 2021).
Figure 7. National E-Cigarette Unit Sales by Flavor, Annual Estimates 2018 – 2021*

Unit Sales Annual Trends by Flavor (2020 - 2021)

- From 2020 to 2021:
  - Annual total e-cigarette unit sales increased by 23.9% (from 262.2 million units to 324.8 million units);
  - Unit sales of menthol-flavored e-cigarettes increased by 17.2% (from 99.5 million units to 116.6 million units);
  - Unit sales of tobacco-flavored e-cigarettes increased by 9.3% (from 68.7 million units to 75.1 million units);
  - Unit sales of mint-flavored e-cigarettes increased by 32.1% (from 11.2 million units to 14.8 million units); and
  - Unit sales of other-flavored e-cigarettes increased by 42.9% (from 82.4 million units to 117.8 million units).

*Sales data do not reflect sales from vape shops or online retailers; All Other Flavors category includes fruit, clove/spice, chocolate, alcoholic drink (such as wine, cognac, or other cocktails), candy/desserts/other sweets, some other flavor; e-cigarette accessories and devices sold without e-liquids were excluded (2.8% of total dollar sales in 2021).
Figure 8. Unit Share of National E-Cigarette Unit Sales by Product Type, Annual Estimates 2018 – 2021*

Unit Share Annual Trends by Product (2020 - 2021)

- From 2020 to 2021:
  - Unit share of disposable e-cigarette sales increased from 37.9% to 44.5%; and
  - Unit share of prefilled cartridge e-cigarette sales decreased from 62.1% to 55.5%.

*Sales data do not reflect sales from vape shops or online retailers; All Other Flavors category includes fruit, clove/spice, chocolate, alcoholic drink (such as wine, cognac, or other cocktails), candy/desserts/other sweets, some other flavor; e-cigarette accessories and devices sold without e-liquids were excluded (2.8% of total dollar sales in 2021).
Figure 9. National E-Cigarette Unit Sales by Product Type, Annual Estimates 2018 – 2021*

Unit Sales Annual Trends by Product (2020 - 2021)

- From 2020 to 2021:
  - Annual total e-cigarette unit sales increased by 23.9% (from 262.2 million units to 324.8 million units);
  - Unit sales of prefilled cartridge e-cigarettes increased by 10.7% (from 162.7 million units to 180.1 million units); and
  - Unit sales of disposable e-cigarettes increased by 45.7% (from 99.3 million units to 144.6 million units).

*Sales data do not reflect sales from vape shops or online retailers; All Other Flavors category includes fruit, clove/spice, chocolate, alcoholic drink (such as wine, cognac, or other cocktails), candy/desserts/other sweets, some other flavor; e-cigarette accessories and devices sold without e-liquids were excluded (2.8% of total dollar sales in 2021).