Outlook

Re: Support Needed in Northern Humboldt High Schools to Enforce Flavored Vape Ban SB793 and Protect Students from Illegal Marketing

From McMillin, Brandon <bmcmillin@co.humboldt.ca.us>
Date Wed 02/18/26 12:53 PM
To McMillin, Brandon <bmcmillin@co.humboldt.ca.us>

From: Stockton, Candy <cstockton@co.humboldt.ca.us>
Sent: Wednesday, February 18, 2026 11:44 AM
To: McMillin, Brandon <bmcmillin@co.humboldt.ca.us>
Subject: Fw: Support Needed in Northern Humboldt High Schools to Enforce Flavored Vape Ban SB793 and Protect Students from Illegal Marketing

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From: Robert Standish <standishr@eurekacityschools.org>
Sent: Monday, December 1, 2025 12:20 PM
To: governor@governor.ca.gov; gavin.newsom@gov.ca.gov; rob.bonta@doj.ca.gov; Stockton, Candy <cstockton@co.humboldt.ca.us>; District Attorney <districtattorney@co.humboldt.ca.us>
Cc: tobacco@cdph.ca.gov; khayes@co.humboldt.ca.us; Edwin Garcia <garciaedwin@eurekacityschools.org>; Tammi Wagner <wagnertammi@eurekacityschools.org>; Dusty Rossman <drossman@fuhsdistrict.net>; Ferderber, Kristin <kferderber@nohum.k12.ca.us>; Dutra, Dustin <ddutra@nohum.k12.ca.us>; Coleman, Jennifer <jcoleman@nohum.k12.ca.us>
Subject: Support Needed in Northern Humboldt High Schools to Enforce Flavored Vape Ban SB793 and Protect Students from Illegal Marketing

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12/1/2025

To:
Governor Gavin Newsom
Attorney General Rob Bonta
Superintendent of Public Instruction Tony Thurmond

California Senator 2nd District Mike McGuire Senator
Director, California Department of Public Health — Tobacco Control Branch
Director, California Department of Tax and Fee Administration
District Attorney Stacey Eads, Humboldt County
Dr. Candy Stockton, Humboldt County Health Officer
CC: Humboldt County Board of Supervisors, Eureka City Schools Board, California Tobacco Control Branch

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Subject: Support Needed in Northern Humboldt High Schools to Enforce Flavored Vape Ban SB793 and Protect Students from Illegal Marketing

Dear Governor Newsom, Attorney General Bonta, Superintendent Thurmond, and State and County Officials,

We are writing to you as Principals from Northern Humboldt County to ask for your help with an urgent and growing problem that our staff face every day: the widespread use of illegal flavored and disposable vapes among our students.

Over the past month alone, we've confiscated a large number of these devices from students on campus. The attached photo below is from Eureka High School and shows just a few examples. They include brightly colored, fruit- and candy-flavored disposable vapes that resemble everyday items such as drink cups or makeup containers. These are not products meant for adults trying to quit smoking — they're clearly designed to attract teenagers.

California's law banning the sale of flavored tobacco and nicotine products (**SB 793**) was a critical step forward, but these products are still being sold — often online, through social media, or in small retail outlets. Our school staff are not trained or equipped to police an underground market. Yet every week, we find more of these devices in backpacks, classrooms, and restrooms.

This issue is part of a much larger statewide problem. Data from the California Youth Tobacco Survey and national health studies show that disposable flavored vapes have driven a sharp rise in youth nicotine use. Despite enforcement efforts, flavored vapes remain easy to find. State leaders and agencies have taken action, but at the local level, the products just keep coming in.

We need your help. Specifically, we are asking for:

1. Stronger enforcement in Humboldt County — coordinated inspections and seizure of illegal flavored and unauthorized vape products.

2. Prosecution of manufacturers and distributors who continue to market and sell flavored nicotine or THC vapes that violate state law.

3. Local compliance checks and investigations in partnership with the California Department of Public Health's *Office of Youth Tobacco Enforcement* and the *Department of Tax and Fee Administration*.

4. Collaboration with schools — resources for prevention programs, staff training, and secure storage of confiscated items.

Every one of these devices represents a student's health at risk, and a moment lost to teaching and learning. Schools like ours are on the front lines, but we shouldn't be carrying the weight of an illegal industry that profits by targeting children. These companies know exactly who they're marketing to, and they should be held accountable under state and federal law.

We would welcome the opportunity to meet (virtually or in person) with your enforcement teams or local representatives to share what we're seeing on our campus. We can also provide incident data and retailer information that may help investigations.

Thank you for the work your offices are already doing to protect California's youth. We're asking that you extend those efforts to ensure that communities like ours get the enforcement support we need.

Sincerely,

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Attachment: Photo of a sample of recently confiscated vape devices from Eureka High School (PXL_20251105_170328622.jpg)

From Chat GPT: **All the items confiscated at EHS in the photo are illegal for minors and noncompliant with California's flavored vape ban. Several likely contain THC, which would add controlled substance violations. The presence of bright colors, fruit/candy names, and novelty shapes (like drink cups) demonstrates marketing tactics aimed at youth — a major factor in enforcement actions by health and education authorities.**

Here's a list of the brands and models that can be identified and analyzed in this photo:

1. Geek Bar (yellow and black device, far left)
    - Brand: Geek Bar (a disposable vape brand popular among youth)
    - Regulatory status: Not approved by the U.S. FDA for nicotine sale. Most Geek Bar products are imported and marketed illegally in the U.S. under current federal law.
2. OXBAR Pod Juice (Strawberry Kiwi Ice) (box-shaped device, center)
    - Brand: OXBAR/Pod Juice
    - Flavor: Strawberry Kiwi Ice (a clear "characterizing flavor")
    - Regulatory status: Violates California state law banning flavored tobacco products (SB 793) and the federal restriction on marketing unauthorized flavored e-cigarettes.
3. House of Packwoods (pink and black device)
    - Brand: House of Packwoods (known for THC vapes)
    - Regulatory status: If it contains THC, possession on a school campus violates both California Education Code §48900 (prohibiting controlled substances) and federal law. THC products are legal only for adults 21+ and cannot be possessed on school grounds.
4. Eighth Brother (purple stick-shaped device)
    - Brand: Eighth Brother (likely THC or nicotine disposable vape)
    - Regulatory status: If nicotine or THC, both are illegal for minors; THC would also be a controlled substance violation.
5. Pod King or Lost Mary (the orange and silver/black devices with LED displays)

- These look like Pod King or Lost Mary vapes — common disposable nicotine devices.
- Regulatory status: Typically flavored (mango, mint, etc.), so they would violate California's flavor ban and federal marketing restrictions.

6. Elf Bar or similar (green and red device resembling a cup)

    - Many "cup-shaped" vapes mimic drink containers to disguise themselves.
    - Regulatory status: Flavored disposable devices are illegal in California and likely not FDA-authorized for sale.

7. Panda "Apple Paradise" (black drink-shaped device, far right)

    - Brand: Apple Paradise by a company often marketing candy or fruit flavors.
    - Regulatory status: Flavored product in violation of California law.

Legal and Regulatory Summary

- Federal Law (FDA):
  Only a handful of tobacco-flavored e-cigarette products have FDA authorization. All other disposable flavored vapes (fruity, candy, dessert) are unauthorized and illegal to sell in the U.S.

- California Law (SB 793, effective 2022):
  The sale of all flavored tobacco or nicotine products, including vapes, is banned statewide.
  → All the flavored devices visible in the photo violate this law.

School and Minor Possession:
Under California Education Code §48900, possession or use of tobacco, nicotine, or controlled substances on campus is prohibited.
→ All devices in the photo violate school policy and state law for minors.

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