

# Child-Resistant Packaging Requirements

## What You Need to Know for Tobacco Retail License Compliance Inspections

### Did you know?

**It is a federal and Oregon state law that inhalant delivery systems (IDS), also known as e-cigarettes, must be sold in child-resistant packaging.**

Child-resistant packaging can save lives. As a retailer, your community depends on you to ensure these products are being sold according to the law. The Oregon Health Authority (OHA) Tobacco Retail License program started enforcing this law January 1, 2024, through compliance inspections.

### How to comply with child-resistant packaging laws

See Oregon Administrative Rule [\(OAR\) 333-015-0360](#):

- E-cigarettes, liquid nicotine containers, non-nicotine liquid containers, and fillable inhalant delivery system(s) that are packaged with liquid nicotine container(s) must be in child-resistant packaging from the manufacturer. See [OAR 333-015-0305](#) for full definition of products.
- There should be documentation from the manufacturer of the product or products that fit the description, verifying that the packaging is child resistant by the standards set forth in the Code of Federal Regulations ([16 CFR 1700.20](#)). This documentation is often referred to as the manufacturer's written laboratory testing report or a letter of conformity. Use the QR code on the right to see an example of the letter.
- During a compliance inspection (on or after January 1, 2024), you may be asked to show this documentation for any e-cigarette that meets the criteria for requiring child-resistant packaging. Failure to show this documentation to an inspector may result in a violation and a civil penalty.



# Answers to frequently asked questions

**Q:** What if I don't have the documentation required to show that my product or products are being sold in child-resistant packaging?

**A:** Failure to provide this documentation means that you are out of compliance with the tobacco retail license regulations. It may result in a violation and civil penalty.

**Q:** How do I get the required documentation showing that the product or products I'm selling are in child-resistant packaging?

**A:** Contact your e-cigarette manufacturer or manufacturers. Ask for documentation of proof that the products sold in your retail location are in child-resistant packaging that meets the standards in the Code of Federal Regulations ([16 CFR 1700.20](#)).

**Q:** My manufacturer does not have child-resistant packaging for their products. How can they fix this so the products in my store are in compliance?

**A:** There are testing firms that offer child-resistant package testing. Use the QR code to the right or [click here](#) for a list from the Consumer Product Safety Commission. (OHA does not approve, certify or endorse these firms.)



## Connect with us

OHA wants to make sure all retailers have the information they need to successfully follow the law. Reach out to us using the contact information provided below and be on the lookout for future updates and announcements related to IDS packaging in your [Tobacco Retail License Newsletter](#).

For questions about OHA compliance inspections and enforcement, email [tobacco.inspections@odhsoha.oregon.gov](mailto:tobacco.inspections@odhsoha.oregon.gov) or call 971-673-2283. For more information and access to resources for retailers, visit [healthoregon.org/tobaccoretailsales](http://healthoregon.org/tobaccoretailsales).

You can get this document in other languages, large print, braille or a format you prefer free of charge. Contact the Tobacco Retail License program at [tobacco.inspections@odhsoha.oregon.gov](mailto:tobacco.inspections@odhsoha.oregon.gov) or 971-673-2283. (voice/text). We accept all relay calls.

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