

**SUBSTITUTE FOR  
HOUSE BILL NO. 4251**

A bill to prohibit the sale of vapor products that contain vitamin E acetate; and to prescribe penalties.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 3. As used in this act:

2       (a) "Liquid nicotine" means a liquid containing nicotine in  
3 any concentration that is sold, marketed, or intended for use in a  
4 vapor product.

5       (b) "Vapor product" means a noncombustible product that  
6 employs a heating element, power source, electronic circuit, or  
7 other electronic, chemical, or mechanical means, regardless of  
8 shape or size, that can be used to produce vapor from liquid  
9 nicotine, and the use or inhalation of which simulates smoking.  
10 Vapor product includes an electronic cigarette, electronic cigar,

1 electronic cigarillo, electronic pipe, or similar product or device  
2 and a vapor cartridge or other container of liquid nicotine in a  
3 solution or other form that is intended to be used with or in an  
4 electronic cigarette, electronic cigar, electronic cigarillo,  
5 electronic pipe, or similar product or device. Vapor product does  
6 not include a product regulated as a drug or device by the United  
7 States Food and Drug Administration under 21 USC 351 to 360fff-7.

8 Sec. 5. (1) A person shall not sell a vapor product that  
9 contains or has been combined with any of the following:

10 (a) Vitamin E acetate.

11 (b) Any other ingredient that the United States Food and Drug  
12 Administration has, at the concentration present within the liquid  
13 nicotine, prohibited for inhalation.

14 (2) A person that violates subsection (1) is guilty of a  
15 misdemeanor punishable by a fine of not more than \$10,000.00.

16 Enacting section 1. This act does not take effect unless  
17 Senate Bill No. \_\_\_\_ or House Bill No. 4878 (request no. 03352'21)  
18 of the 101st Legislature is enacted into law.