

LEGAL NOTICE



**TOWN OF WILMINGTON  
BOARD OF HEALTH**

**PUBLIC HEARING**

Notice is hereby given that a Public Hearing will be held in Town Hall, Room 9, 121 Glen Road, Wilmington MA, 01887 on Tuesday, January 17, 2023, at 5:45 p.m. to review and hear comments relative to the Board of Health Regulations, Section 8.00 (definitions) smoking and tobacco products. The proposed addition to the regulations is as follows:

Electronic Nicotine Delivery System means an electronic device, whether for one-time use or reusable, that can be used to deliver nicotine or **another substance** to a person inhaling from the device including, but not limited to, electronic cigarettes, electronic cigars, electronic cigarillos, electronic pipes, vaping pens, hookah pens and other similar devices that rely on vaporization or aerosolization. This term shall include such devices whether they are manufactured or marketed and sold as e-cigarettes, e-cigars, e-pipes or under any other product name provided, however, that "electronic nicotine delivery system" shall also include any non-combustible liquid or gel that is manufactured into a finished product for use in such electronic device; provided further, that "electronic nicotine delivery system" shall also include any component, part, or accessory of a device used during the operation of the device even if the part or accessory was sold separately; provided further, that "electronic nicotine delivery system" shall not include a product that has been approved by the United States Food and Drug Administration for the sale of or use as a tobacco cessation product or for other medical purposes and is marketed and sold or prescribed exclusively for that approved 105 CMR: DEPARTMENT OF PUBLIC HEALTH purpose.

For a full rendering of the draft regulations please see the Board of Health website.  
<https://www.wilmingtonma.gov/health-department>

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