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12 Days of Regulatory Insights: Day 7 – Tobacco and Nicotine Regulatory Roundup

SPEAKERS

[Christopher Carlson](#) | [Bryan M. Haynes](#) | [Agustin E. Rodriguez](#)

In this episode of our special *12 Days of Regulatory Insights* podcast series, Chris Carlson is joined by colleagues Bryan Haynes and Agustin Rodriguez — members of our Tobacco and Nicotine Practice and RISE Practice Group — to review the year's most consequential developments in the tobacco and nicotine space and what they mean heading into 2026.

The group looks at how states are quickly adopting vapor product directories to help curb illicit, unauthorized products, and discusses the wave of preemption challenges under the Food, Drug and Cosmetic Act. Bryan and Agustin explain California's new Unflavored Tobacco List and its interplay with the state's flavor ban, then turns to federal action: the unsettled status of FDA's graphic cigarette warning rule amid split court outcomes; 2025 PMTA milestones including authorizations for ZYN nicotine pouches and JUUL's tobacco/menthol products; FDA's pilot program to streamline review for nicotine pouches; NJOY's lawsuit over agency delays; and the District of Columbia Circuit's premium cigar decision and remand to define "premium cigars." Looking to 2026, Bryan and Agustin predict a quicker pace of authorizations for reduced-risk products, clearer FDA review standards, and sustained multistate enforcement against illicit products.

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