

Troutman Pepper State Attorneys General Monitor — January 25, 2024

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State Attorneys General Monitor analyzes regulatory actions by state AGs and other state administrative agencies throughout the nation. Contributors to this newsletter and related [blog](#) include attorneys experienced in regulatory enforcement, litigation, and compliance.

Contact our State AG Team at StateAG@troutman.com.

State AG Updates

AGS URGE THE FEDERAL GOVERNMENT TO REGULATE AI IN TELEMARKETING

By [Troutman Pepper State Attorneys General Team](#) on January 24, 2024

North Carolina Attorney General (AG) Josh Stein led a bipartisan effort urging the federal government to impose stricter regulations on the use of artificial intelligence (AI) in telemarketing. The collective push involved 26 state AGs who jointly submitted a letter in response to the Federal Communication Commission (FCC's) Notice of Inquiry (NOI) for "Implications of Artificial Intelligence Technologies on Protecting Consumers from Unwanted Robocalls and Robotexts. The FCC's NOI furthers efforts by the Federal Government to better understand the impact of emerging AI technologies as it aims to protect consumers from unwanted and illegal telephone calls and text messages, as stipulated under Telephone Consumer Protection Act (TCPA)."

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MASSACHUSETTS AG SETTLES \$3.5M COVID-19 DELIVERY FEE CASE WITH GRUBHUB

By [Troutman Pepper State Attorneys General Team](#) on January 24, 2024

On January 12, Massachusetts Attorney General (AG) Andrea Joy Campbell announced [a settlement](#) with Grubhub Holdings Inc. and Grubhub, Inc., (Grubhub) for allegedly repeatedly violating a statutory limit on the fees

that third-party delivery companies could charge during the COVID-19 state of emergency.

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AMID ONGOING REGULATORY SCRUTINY, WASHINGTON AG FILES FIRST LAWSUIT TO BLOCK MERGER OF STATE'S LARGEST SUPERMARKETS

By [Troutman Pepper State Attorneys General Team](#) and [Zie Alere](#) on January 23, 2024

On January 15, Washington Attorney General (AG) Bob Ferguson filed a [complaint](#) in King County Superior Court, seeking to block the merger of The Kroger Co. (Kroger) with its supermarket competitor, Albertsons Companies, Inc. (Albertsons).

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MULTIPLE STATES CONSIDER ESTABLISHING VAPOR PRODUCT DIRECTORIES

By [Bryan Haynes](#), [Agustin Rodriguez](#), and [Zie Alere](#) on January 22, 2024

This year, several state legislatures will consider bills to establish vapor product directories. Amid heightened scrutiny of illicit vapor products by the U.S. Food and Drug Administration (FDA), these product directory bills would create a mechanism for states to bar the sale of products that are not FDA-authorized or subject to a pending premarket application. Like state cigarette directories implemented in connection with the tobacco Master Settlement Agreement, these directories would specify which vapor products are permitted to be sold in the state.

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Stephanie Kozol, Senior Government Relations Manager – State Attorneys General, also contributed to this newsletter.

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