

SB 1571 A STAFF MEASURE SUMMARY

Carrier: Sen. Reynolds

Senate Committee On Judiciary

Action Date: 02/16/26

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 6-0-0-0

Yea: 6 - Broadman, Gelser Blouin, Manning Jr, McLane, Prozanski, Thatcher

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

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Meeting Dates: 2/11, 2/16

WHAT THE MEASURE DOES:

The measure expands the definition of “tobacco products” to include any product that contains or comes from tobacco or nicotine and is likely to be used for human consumption by any means, and adds oral nicotine pouches and lozenges to the list of examples of tobacco products in the definition. It excludes food that contains no more than trace amounts of naturally occurring nicotine from the definition. The measure takes effect on the 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Provisions of the measure

EFFECT OF AMENDMENT:

The amendment replaces the measure and adds oral nicotine products and products that contain nicotine intended for human consumption to the definition of tobacco products, excluding foods that contain no more than trace amounts of nicotine. It removes provisions for greater rulemaking authority by the Oregon Health Authority, and it removes the prohibition on selling any tobacco products online.

BACKGROUND:

The federal government regulates nicotine products through the Federal Food, Drug, and Cosmetics Act, defining “tobacco product” to include “any tobacco product containing nicotine that is not made or derived from tobacco.” Regulations refer to these as “non-tobacco nicotine” (NTN). Because federal law treats NTN the same as tobacco-derived tobacco products, the sale of NTN to people under age 21 is prohibited. In February 2026, a [search of civil monetary penalty complaints](#) for the unlawful sale of oral nicotine products to minors yielded 3,003 results for brick-and-mortar stores nationwide, including 170 in Oregon, and 12 results for online retailers. Oregon law currently authorizes the Oregon Health Authority to assist in monitoring and enforcing federal laws and regulations related to tobacco products and inhalant delivery systems (see ORS 431A.183). It is a violation offense under Oregon law to distribute or sell tobacco products or inhalant delivery systems to people under age 21 (see ORS 167.755).