



1300 I STREET, SUITE 125
P.O. BOX 944255
SACRAMENTO, CA 94244-2550

Public: (510) 879-1300
Telephone: (510) 879-3310
Facsimile: (510) 622-2170
E-Mail: TaylorAnn.Whittemore@doj.ca.gov

November 12, 2024

DC&CF Services DBA Swft USA Distribution
20709 W. Beech Cir.
Porter Ranch, CA 91326
support@swftbar.com
sales@swftbar.com

RE: California Flavor Ban, Health & Safety Code § 104559.5
Notice of Determination 24-11-A3-1

To Whom It May Concern:

Since December 21, 2022, California has restricted retailer possession, distribution, and sale of flavored tobacco products. *See* Cal. Health & Saf. § 104559.5. This California “flavor ban” law establishes a rebuttable presumption that a tobacco product is flavored where its manufacturer “has made a statement or claim directed to consumers or to the public that the tobacco product has or produces a characterizing flavor, including, but not limited to, text, color, images, or all, on the product’s labeling or packaging that are used to explicitly or implicitly communicate that the tobacco product has a characterizing flavor.” *Id.* at § 104559.5(b)(2).

This letter is to advise you that the Tobacco Unit of the California Department of Justice has reviewed referred packaging and promotional materials for the product(s) below and determined that they are presumptively **FLAVORED** under the California flavor ban law. *Id.*

Determination Number	Reviewed Product(s)	UPC(s)	Determination
24-11-A3-1	SWFT Mod Clear	Various	FLAVORED

We specifically conclude:

- (1) Statements on your website communicate that the Reviewed Products(s) impart a menthol flavor. *See* TAB B.

The California flavor ban law restricts the retail distribution and sale of flavored tobacco products to California consumers. Under the California flavor ban law, retailers and their agents are subject to fines for the possession and sale of such flavored tobacco products. *See* Cal. Health & Saf. § 104559.5(f). Other state statutes and local ordinances may impose additional penalties on retailers or other vendors as well. *Id.* at § 104559.5(g); *see also* Cal. Bus. & Prof. § 17200. To

encourage uniform application of the California flavor ban law, this Notice of Determination will be posted on the California Department of Justice's public website.

You are encouraged to provide a copy to your California distributor and retailer customers as well.

If you believe these determinations or conclusions are in error, or if you believe any Reviewed Product(s) is properly classified as UNFLAVORED, we encourage you to submit a response with any supporting materials to the mailing or email address below on or before December 12, 2024, identifying the Notice of Determination number in your response. The Tobacco Unit will review any such submission and may, in its discretion, update, modify, or rescind this determination in response. In such case, an updated Notice of Determination will be issued.

Flavor Determination [Determination Number(s)]

**Office of the Attorney General
California Department of Justice
1300 "I" Street, PO Box 944255
Sacramento, California 94244-2550
Tobacco@doj.ca.gov**

<https://oag.ca.gov/tobacco/contact>

Sincerely,

/s/ Taylor Ann Whittemore

TAYLOR ANN WHITTEMORE
Deputy Attorney General

For **ROB BONTA**
Attorney General

TAB A – PACKAGING IMAGES

REVIEWED PRODUCT(S)

Swift, Swift Mod Clear,
<<https://swiftbar.com/products/clear>>
(as of Oct. 10, 2024).



Roll over image to zoom in



Light mouthfeel on the exhale. Ideal for vapers.

PRECAUTION SALES!
A. Code: 1102008
B. Code: 1102009
C. Code: 1102010
and D. Code: 1102011
with other precautions!

and a light mouthfeel. Great for those

of vaping session,
powering sweetness,
if go or those who prefer a low-maintenance
performance wherever you are.

TAB B – WEBSITE IMAGES

REVIEWED PRODUCT(S)

Swift, Swift Mod Clear,
<<https://swiftbar.com/products/clear>>
(as of Oct. 10, 2024).

Clear
SWIFT MOD

\$14.99
QUANTITY: 1

Description
Clear offers pure clarity, with a refreshing light menthol on the exhale. Ideal for vapers that prefer no sweetness and subtle menthol.

CUSTOMER APPRECIATION SALE!
40% OFF META (Code: **TM02040**)
20% OFF ICIM (Code: **TM02020**)
20% OFF MOD (Code: **TM02020**)
Valid October 1 - October 15
Does not stack with other promotions

30% OFF!

Device Specifications

- Nicotine Salt: 5%
- Clear Disposable Device - No Maintenance - No Refilling
- Liquid Capacity: 1.5ml
- Battery Capacity: 410mAh (Rechargeable)
- Puff Count: ~1000
- Draw Activated Firing Mechanism
- [Back](#)

SWIFT MOD
RECHARGEABLE

We have our Clear Disposable Vape. It is slim and easy for vapers who want a pure and refreshing vaping experience. This vape has a clear design and a light menthol flavor. It is great for those who like a clean and simple vaping experience.

Product Features

- **Clarity in Design and Flavor:** The Clear Disposable Vape offers pure clarity both in its aesthetics and taste, providing a clean and straightforward vaping session.
- **Subtle Menthol Refreshment:** With a refreshing light menthol flavor on the exhale, this vape provides a subtle cooling sensation without overpowering sweetness.
- **No Messy Refilling or Recharging:** Engineered as a disposable device, this vape requires no refill or recharging, making it perfect for vapers on the go or those who prefer a low-maintenance option.
- **Portable and Convenient:** The Clear Disposable Vape's compact and portable design makes it easy to carry and discreetly enjoy your vaping experience wherever you are.

Try the Clear Disposable Vape for a clean and simple experience. Enjoy the refreshing menthol flavor and convenience of a disposable device.