



Rhode Island Department of Revenue

Division of Taxation

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Tax Administration

ADVISORY FOR TAXPAYERS AND TAX PROFESSIONALS
December 3, 2025

Reminder: flavored ENDS Products banned and new tax on nicotine products

PROVIDENCE, R.I. – The Rhode Island Division of Taxation reminds taxpayers of changes to state law related to Other Tobacco Products (OTP) and Electronic Nicotine-Delivery System (ENDS) products (commonly known as vapes). Over the last two sessions of the Rhode Island General Assembly, several legislative changes have been made regarding ENDS products and OTP.

Recent Changes to Statutes		
Change	Effective date	Statute
ENDS tax implemented	January 1, 2025	R.I. Gen. Laws § 44-20-13.2
Flavored ENDS prohibited	January 1, 2025	R.I. Gen. Laws § 44-20-61
OTP & ENDS purchase only from licensed distributors implemented ¹	January 1, 2025	R.I. Gen. Laws § 44-20-13.2
OTP definition expanded to include nicotine products (including nicotine pouches)	October 1, 2025	R.I. Gen. Laws § 44-20-13.2

ENDS Products

As of January 1, 2025, a tax on ENDS products, also commonly known as vapes, went into effect in Rhode Island. At that time, a statutory ban on flavored ENDS products in Rhode Island also became effective.

The sale, or offer for sale of, or the possession with intent to sell or to offer for sale, flavored ENDS products to individuals in Rhode Island is prohibited by law. “Flavored [ENDS] products” means any ENDS product that imparts a characterizing flavor or aroma. The taste or aroma of tobacco or menthol are not considered characterizing flavors and are allowable by law. However, if the tobacco or menthol flavoring is combined with other flavors, including natural or artificial flavors, then the product is banned.

Examples of characterizing flavors include, but are not limited to, any fruit, mint, chocolate, honey, or spice, or which impart a cooling or numbing sensation. This includes products that have a taste, aroma, or are labeled or marketed as flavored in any way, including natural or artificial flavors. Such products are considered contraband and will be seized as contraband. Products seized as contraband are also subject to penalties.

¹ Except for the purchase of cigars.

Licensing

Licensing for ENDS, cigarettes, and OTP dealers/retailers in Rhode Island has been streamlined into a unified Cigarette, Tobacco, and ENDS products (CTE) Dealer's License. Licensing has similarly been streamlined for CTE distributors, manufacturers, and importers.

In Rhode Island, for a CTE distributor to obtain and maintain their licensure, they must obtain and maintain a list of 40 or more RI licensed CTE dealers. These distributors must also note that they may sell only for resale.

All RI cigarettes, ENDS products, and OTP, except cigars, sold at retail by RI licensed dealers must be purchased from RI licensed distributors. While RI licensed dealers/retailers may still purchase cigars from distributors other than those with a Rhode Island license, they must comply with all laws for remitting the tax and maintaining records for such purchases.

OTP

As of 12:01 a.m. on October 1, 2025, the definition of OTP expanded to include nicotine products. Generally, **products that contain nicotine will be taxed as OTP**, whether the nicotine is natural or artificial; these products include nicotine pouches.² All distributors and dealers selling nicotine products, including pouches, must be licensed in Rhode Island and all purchases by dealers must be from licensed RI distributors.³

The update to the definition of OTP will generally expand the range of products classified as OTP. An example of such products is nicotine pouches, which did not meet the previous definition of OTP, but are included in the definition of OTP on and after October 1, 2025. Like the majority of OTP, the tax rate for these products is 80% of the wholesale cost of the product.

Electronic Filing and Payment

Cigarette, ENDS, and OTP taxes are subject to Rhode Island's Electronic Filing Mandate and are only available for filing and payment on the Division's Taxpayer Portal. If you do not have a Taxpayer Portal account, visit the Division's [Taxpayer Portal](#) to create a Portal user account. As a first-time user you must link your Portal account(s) to any information on file with the Division. This is done by using your FEIN or SSN and a PIN supplied by the Division of Taxation via postal mail. Once this process is completed, you can file and pay your required tax returns through the Portal. Instructions, including helpful videos are available at www.taxportal.ri.gov.

For questions about the taxation of ENDS products and OTP, contact the Rhode Island Division of Taxation's Excise Tax Section by email at Tax.Excise@tax.ri.gov, or by phone at (401) 574-8955 between 8:30 a.m. and 3:30 p.m. on business days.

² "Other tobacco products" does not include any product that has been approved by the United States Food and Drug Administration for the sale of or use as a tobacco or nicotine cessation product.

³ Except for the purchase of cigars, as detailed in the previous section.

The Rhode Island Division of Taxation, part of the Rhode Island Department of Revenue, is open to the public from 8:30 a.m. to 3:30 p.m. business days. For more information, contact the Division of Taxation at (401) 574-8829 or see <https://tax.ri.gov/about-us/contact-us>.
