

Enforcement of Illegal Tobacco Sales to Minors

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New Mexico v. Circle K Stores, Inc. et al.

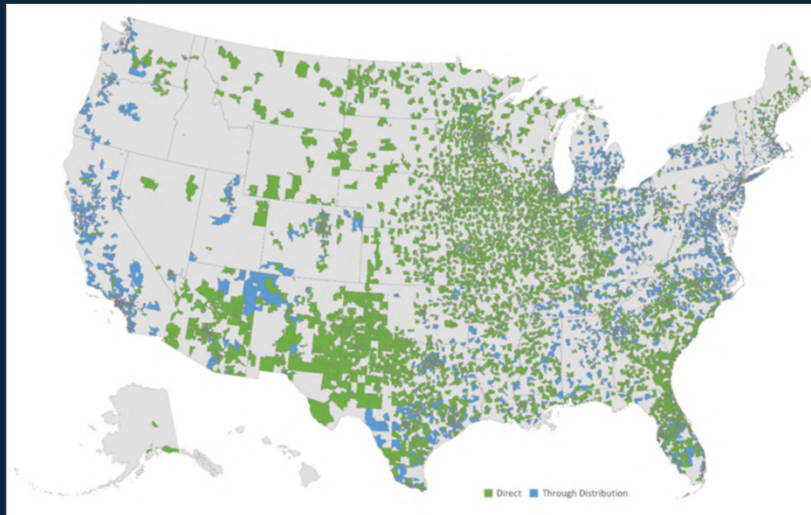
- On March 31, 2026, the State of New Mexico filed litigation against prominent retailers and distributors of e-cigarettes alleging violations of the New Mexico Unfair Practices Act
- Retailer Defendants
 - Circle K Stores, Inc. / TMC Franchise Corporation
 - Operate approx. 97 convenience stores in NM
 - Alon Brands, Inc. / Dalek US Holdings, Inc. / Southwest Convenience Stores, LLC / Emprex Proximity LLC
 - Operate 249 convenience stores and 244 fuel stations, including stores and stations in NM



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● Distributor Defendants

- Alexander Stearns, LLC aka MAX Distributing
 - Ships disposable e-cigarettes and related ENDS products throughout the US, including NM.



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● Distributor Defendants

- J&M Distributors, Inc.
 - Supplies convenience stores across the United States with flavored, disposable e-cigarettes.
 - Its website notes that disposable vapes are “especially popular among new vapers” while acknowledging that “authorities maintain that fruit-flavored flavors attract teenage users . . .”



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Key Allegations:

- E-Cigarettes are highly addictive – Average nicotine concentration more than doubled from 2013 to 2018
- E-Cigarettes contain toxic chemicals – testing indicates e-cigarettes contain chemicals like zinc, nickel, and selenium
- E-Cigarettes cause health problems – e-cigarette use has been associated with increased risk of diseases like COPD and high blood pressure.
- Defendants market e-cigarettes toward youth – product selection, product placement, and store locations encourage youth consumption



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Impact on New Mexico:

- New Mexico Department of Health reports have highlighted the predominance of flavored e-cigarette use among youth.
- New Mexico schools have been required to install vape detectors.
- New Mexico's Poison and Drug Information Center has received calls involving youth who ingested, inhaled, or were exposed to flavored e-cigarettes.
- New Mexico youth are exposed to the risks of life-long health problems and addiction.



Other Recent Actions

- On May 21, 2026 the Attorney General joined a bipartisan coalition of 21 attorneys general in urging the FDA to abandon draft guidance that would ease approvals for flavored e-cigarettes.
- On April 28, 2026 the Attorney General joined a bipartisan coalition of 25 attorneys general in urging the major credit card companies and payment processors to take action to prevent their payment networks from being used to facilitate youth purchases of dangerous e-cigarettes.

Questions?