

SUBJECT: FDA issues order to stop the sale and distribution of one ITG Brands cigarette product

Today, July 14, 2016, ITG Brands received an order from the U.S. Food and Drug Administration (FDA) related to the following ITG Brands cigarette product:

Maverick Menthol Silver Box 100

<u>ITGB Item</u>	<u>Case UPC</u>	<u>Carton UPC</u>	<u>Pack UPC</u>
20008	000-90500-2008-6	0-90500-10008-9	0-90500-00056-3

**All other styles of Maverick cigarettes are NOT affected by the FDA's order and remain available for sale and distribution.**

#### **Guidance to ITG Brands Retail Customers**

- The FDA released Guidance for Enforcement Policy for Certain (Provisional) Tobacco Products Found Not Substantially Equivalent. This document provides guidance to wholesalers and retailers in the event that the FDA issues an order finding a product not substantially equivalent (NSE). Attached is a copy of the FDA Guidance For Enforcement Policy for Certain (Provisional) Tobacco Products Found Not Substantially Equivalent ("FDA Guidance").

#### **Existing Retail Inventory of Maverick Menthol Silver Box 100**

- The following FDA Guidance regarding a 30 day non-enforcement (sell-through period) applies to existing retail inventory of affected product at the time of the FDA order (included within FDA Guidance For Enforcement Policy for Certain (Provisional) Tobacco Products Found Not Substantially Equivalent):

***According to the FDA Guidance, FDA does not intend to take enforcement action for at least 30 calendar days from the date the NSE order issues for those products that are in the retailers current inventory at a specific retail location on the date FDA issues the NSE order. This policy extends only to product already in a retail store that offers the products for sale directly to consumers.***