CAROLYN B. MALONEY
CHAIRWOMAN

ONE HUNDRED SIXTEENTH CONGRESS

JAMES COMER
RANKING MINORITY MEMBER

Congress of the United States
House of Representatives
COMMITTEE ON OVERSIGHT AND REFORM
2157 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515–6143
MAJORITY (202) 225–5051
MINORITY (202) 225–5074
https://oversight.house.gov

February 17, 2021

Mr. Ryon Calhoun
Sugar Vapor Company
110 Sugar Mountain Drive Unit A2
Banner Elk, NC 28604

Dear Mr. Calhoun:

I am requesting documents and information regarding Sugar Vapor Company's sale of electronic nicotine delivery systems (ENDS), including e-cigarettes and e-liquids.

On February 12, 2021, you received a warning letter from the Food and Drug Administration (FDA) accusing you of manufacturing and selling ENDS products without the required marketing order.[1]

In order to assist my review of this matter, please provide the following information by March 3, 2021:

1. For each ENDS product you have offered for sale:

   a. the date the product was first offered for sale; and
   b. the monthly sales data for each month from January 2016 through the present; and

2. The date you submitted a premarket tobacco product application to FDA and a list of all ENDS products covered by the application; and

3. All communications with FDA from January 1, 2020, to the present.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. An attachment to this letter provides additional instructions for responding to the Committee's request. If you have any questions regarding this request, please contact Committee staff at (202) 225-5051.

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[1] Food and Drug Administration, *Warning Letter to Sugar Vapor Company* (Feb. 12, 2021) (www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/warning-letters/sugar-vapor-company-613223-021220211).

Sincerely,

Raja Krishnamoorthi
Chairman
Subcommittee on Economic and Consumer Policy

Enclosure

cc: The Honorable Michael Cloud, Ranking Member

Responding to Oversight Committee Document Requests

1. In complying with this request, produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.

2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Committee.

3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.

4. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions.

5. Documents produced in electronic format should be organized, identified, and indexed electronically.

6. Electronic document productions should be prepared according to the following standards:

    a. The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.

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7. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

8. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.

9. When you produce documents, you should identify the paragraph(s) or request(s) in the Committee's letter to which the documents respond.

10. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.

11. The pendency of or potential for litigation shall not be a basis to withhold any information.

12. In accordance with 5 U.S.C.§ 552(d), the Freedom of Information Act (FOIA) and any statutory exemptions to FOIA shall not be a basis for withholding any information.

13. Pursuant to 5 U.S.C. § 552a(b)(9), the Privacy Act shall not be a basis for withholding information.

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16. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control.

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message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, or otherwise.

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6. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual’s complete name and title; (b) the individual’s business or personal address and phone number; and (c) any and all known aliases.

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8. The term “employee” means any past or present agent, borrowed employee, casual employee, consultant, contractor, de facto employee, detailee, fellow, independent contractor, intern, joint adventurer, loaned employee, officer, part-time employee, permanent employee, provisional employee, special government employee, subcontractor, or any other type of service provider.

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February 17, 2021

Mr. Victor Canastraro
Perfection Vapes, Inc.
5860 Transit Rd.
Depew, NY 14043
United States

Dear Mr. Canastraro:

I am requesting documents and information regarding Perfection Vapes, Inc.'s sale of electronic nicotine delivery systems (ENDS), including e-cigarettes and e-liquids.

On January 15, 2021, you received a warning letter from the Food and Drug Administration (FDA) accusing you of manufacturing and selling ENDS products without the required marketing order.[1]

In order to assist the Subcommittee in its review of this matter, please provide the following information by March 3, 2021:

1. For each ENDS product you have offered for sale:

   a. the date the product was first offered for sale; and
   b. the monthly sales data for each month from January 2016 through the present; and

2. The date you submitted a premarket tobacco product application to FDA and a list of all ENDS products covered by the application; and

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[1]Food and Drug Administration, *Warning Letter to Perfection Vapes, Inc.* (Jan. 15, 2021) (www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/warning-letters/perfection-vapes-inc-612783-01152021).

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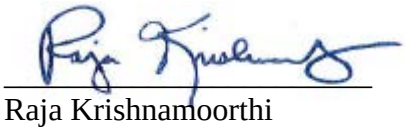

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Subcommittee on Economic and Consumer Policy

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MINORITY (202) 225–5074

https://oversight.house.gov

February 17, 2021

Mr. William Connolly
Castle Rock Vapor LLC
6075 Otis Street
Arvada, CO 80003
United States

Dear Mr. Connolly:

I am requesting documents and information regarding Castle Rock Vapor, LLC's sale of electronic nicotine delivery systems (ENDS), including e-cigarettes and e-liquids.

On January 15, 2021, you received a warning letter from the Food and Drug Administration (FDA) accusing you of manufacturing and selling ENDS products without the required marketing order.[1]

In order to assist the Subcommittee in its review of this matter, please provide the following information by March 3, 2021:

1. For each ENDS product you have offered for sale:

   a. the date the product was first offered for sale; and
   b. the monthly sales data for each month from January 2016 through the present; and

2. The date you submitted a premarket tobacco product application to FDA and a list of all ENDS products covered by the application; and

3. All communications with FDA from January 1, 2020, to the present.

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Committee's request. If you have any questions regarding this request, please contact Committee staff at (202) 225-5051.

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Chairman
Subcommittee on Economic and Consumer Policy

Enclosure

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JAMES COMER
RANKING MINORITY MEMBER

February 17, 2021

Mr. Kevin Lynch
Dr. Crimmy LLC d/b/a Dr. Crimmy's V-Liquid
2100 Thompson Bridge Rd.
Gainesville, GA 30501
United States

Dear Mr. Lynch:

I am requesting documents and information regarding Dr. Crimmy LLC d/b/a Dr. Crimmy's V-Liquid's sale of electronic nicotine delivery systems (ENDS), including e-cigarettes and e-liquids.

On January 15, 2021, you received a warning letter from the Food and Drug Administration (FDA) accusing you of manufacturing and selling ENDS products without the required marketing order.[1]

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6. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual’s complete name and title; (b) the individual’s business or personal address and phone number; and (c) any and all known aliases.

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CAROLYN B. MALONEY
CHAIRWOMAN

ONE HUNDRED SIXTEENTH CONGRESS

JAMES COMER
RANKING MINORITY MEMBER

Congress of the United States
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COMMITTEE ON OVERSIGHT AND REFORM
2157 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515–6143
MAJORITY (202) 225–5051
MINORITY (202) 225–5074
https://oversight.house.gov

February 17, 2021

Mr. Joe Cweiber
Dropsmoke, Inc.
1550 Coney Island Ave
Brooklyn, NY 11230-4716
United States

Dear Mr. Cweiber:

I am requesting documents and information regarding Dropsmoke, Inc.'s sale of electronic nicotine delivery systems (ENDS), including e-cigarettes and e-liquids.

On January 15, 2021, you received a warning letter from the Food and Drug Administration (FDA) accusing you of manufacturing and selling ENDS products without the required marketing order.[1]

In order to assist the Subcommittee in its review of this matter, please provide the following information by March 2, 2021:

1. For each ENDS product you have offered for sale:

   a. the date the product was first offered for sale; and
   b. the monthly sales data for each month from January 2016 through the present; and

2. The date you submitted a premarket tobacco product application to FDA and a list of all ENDS products covered by the application; and

3. All communications with FDA from January 1, 2020, to the present.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. An attachment to this letter provides additional instructions for responding to the

[1] Food and Drug Administration, *Warning Letter to Dropsmoke, Inc.* (Jan. 15, 2021) (www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/warning-letters/dropsmoke-inc-612782-01152021).

Committee's request. If you have any questions regarding this request, please contact Committee staff at (202) 225-5051.

Sincerely,

Raja Krishnamoorthi
Chairman
Subcommittee on Economic and Consumer Policy

Enclosure

cc: The Honorable Michael Cloud, Ranking Member

Responding to Oversight Committee Document Requests

1. In complying with this request, produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.

2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Committee.

3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.

4. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions.

5. Documents produced in electronic format should be organized, identified, and indexed electronically.

6. Electronic document productions should be prepared according to the following standards:

    a. The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.

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8. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.

9. When you produce documents, you should identify the paragraph(s) or request(s) in the Committee's letter to which the documents respond.

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11. The pendency of or potential for litigation shall not be a basis to withhold any information.

12. In accordance with 5 U.S.C.§ 552(d), the Freedom of Information Act (FOIA) and any statutory exemptions to FOIA shall not be a basis for withholding any information.

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15. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) every privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the privilege(s) asserted.

16. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control.

17. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

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February 17, 2021

Mr. Mark Goddard
Vaping Xtreme, LLC
13803 E. Independence Blvd., Suite I
Indian Trail, NC 28079

Dear Mr. Goddard:

I am requesting documents and information regarding Vaping Xtreme, LLC's sale of electronic nicotine delivery systems (ENDS), including e-cigarettes and e-liquids.

On February 12, 2021, you received a warning letter from the Food and Drug Administration (FDA) accusing you of manufacturing and selling ENDS products without the required marketing order.[1]

In order to assist my review of this matter, please provide the following information by March 3, 2021:

1. For each ENDS product you have offered for sale:

   a. the date the product was first offered for sale; and
   b. the monthly sales data for each month from January 2016 through the present; and

2. The date you submitted a premarket tobacco product application to FDA and a list of all ENDS products covered by the application; and

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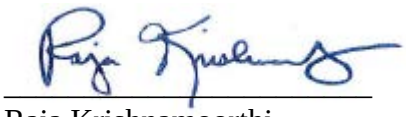
Sincerely,



Raja Krishnamoorthi
Chairman
Subcommittee on Economic and Consumer Policy

Enclosure

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JAMES COMER
RANKING MINORITY MEMBER

February 17, 2021

Mr. John Jenkins
The Vapor Spot, LLC
4553 Van Nuys Blvd
Sherman Oaks, CA 91403

Dear Mr. Jenkins:

I am requesting documents and information regarding The Vapor Spot, LLC's sale of electronic nicotine delivery systems (ENDS), including e-cigarettes and e-liquids.

On February 12, 2021, you received a warning letter from the Food and Drug Administration (FDA) accusing you of manufacturing and selling ENDS products without the required marketing order.[1]

In order to assist my review of this matter, please provide the following information by March 3, 2021:

1. For each ENDS product you have offered for sale:

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Raja Krishnamoorthi
Chairman
Subcommittee on Economic and Consumer Policy

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6. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual’s complete name and title; (b) the individual’s business or personal address and phone number; and (c) any and all known aliases.

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CAROLYN B. MALONEY
CHAIRWOMAN

ONE HUNDRED SIXTEENTH CONGRESS

JAMES COMER
RANKING MINORITY MEMBER

Congress of the United States
House of Representatives
COMMITTEE ON OVERSIGHT AND REFORM
2157 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515–6143
MAJORITY (202) 225–5051
MINORITY (202) 225–5074
https://oversight.house.gov

February 17, 2021

Mr. Dutch Knudson
Session Supply Co.
5664 N Academy Boulevard
Colorado Springs, CO 80918-3659
United States

Dear Mr. Knudson:

I am requesting documents and information regarding Session Supply Co.'s sale of electronic nicotine delivery systems (ENDS), including e-cigarettes and e-liquids.

On January 15, 2021, you received a warning letter from the Food and Drug Administration (FDA) accusing you of manufacturing and selling ENDS products without the required marketing order.[1]

In order to assist the Subcommittee in its review of this matter, please provide the following information by March 3, 2021:

1. For each ENDS product you have offered for sale:

   a. the date the product was first offered for sale; and
   b. the monthly sales data for each month from January 2016 through the present; and

2. The date you submitted a premarket tobacco product application to FDA and a list of all ENDS products covered by the application; and

3. All communications with FDA from January 1, 2020, to the present.

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[1] Food and Drug Administration, *Warning Letter to Session Supply Co.* (Jan. 15, 2021) (www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/warning-letters/session-supply-co-612797-01152021).

Committee's request. If you have any questions regarding this request, please contact Committee staff at (202) 225-5051.

Sincerely,

Raja Krishnamoorthi
Chairman
Subcommittee on Economic and Consumer Policy

Enclosure

cc: The Honorable Michael Cloud, Ranking Member

Responding to Oversight Committee Document Requests

1. In complying with this request, produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.

2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Committee.

3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.

4. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions.

5. Documents produced in electronic format should be organized, identified, and indexed electronically.

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February 17, 2021

Mr. Mark LaFontaine
Coastal E-Liquid Laboratory/GC Vapors LLC
3073 Big Ridge Rd
D'Iberville, MS 39540
United States

Dear Mr. LaFontaine:

I am requesting documents and information regarding Coastal E-Liquid Laboratory/GC Vapors LLC's sale of electronic nicotine delivery systems (ENDS), including e-cigarettes and e-liquids.

On January 15, 2021, you received a warning letter from the Food and Drug Administration (FDA) accusing you of manufacturing and selling ENDS products without the required marketing order.[1]

In order to assist the Subcommittee in its review of this matter, please provide the following information by March 3, 2021:

1. For each ENDS product you have offered for sale:

   a. the date the product was first offered for sale; and
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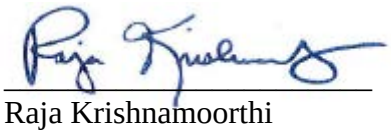

Raja Krishnamoorthi
Chairman
Subcommittee on Economic and Consumer Policy

Enclosure

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February 17, 2021

Mr. Chris Lecompte
Little House Vapes, LLC
7075 Old Nashville Highway
Murfreesboro, TN 37129
United States

Dear Mr. Lecompte:

I am requesting documents and information regarding Little House Vapes, LLC's sale of electronic nicotine delivery systems (ENDS), including e-cigarettes and e-liquids.

On January 15, 2021, you received a warning letter from the Food and Drug Administration (FDA) accusing you of manufacturing and selling ENDS products without the required marketing order.[1]

In order to assist the Subcommittee in its review of this matter, please provide the following information by March 3, 2021:

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17. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

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6. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual’s complete name and title; (b) the individual’s business or personal address and phone number; and (c) any and all known aliases.

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9. The term “individual” means all natural persons and all persons or entities acting on their behalf.

CAROLYN B. MALONEY
CHAIRWOMAN

ONE HUNDRED SIXTEENTH CONGRESS

JAMES COMER
RANKING MINORITY MEMBER

Congress of the United States
House of Representatives
COMMITTEE ON OVERSIGHT AND REFORM
2157 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515–6143
MAJORITY (202) 225–5051
MINORITY (202) 225–5074
https://oversight.house.gov

February 17, 2021

Mr. Clayton Musselman
CMM Capital, LLC d/b/a ETX Vape
2600 Ne Loop 820
Fort Worth, TX 76106
United States

Dear Mr. Musselman:

I am requesting documents and information regarding CMM Capital, LLC d/b/a ETX Vape's sale of electronic nicotine delivery systems (ENDS), including e-cigarettes and e-liquids.

On January 15, 2021, you received a warning letter from the Food and Drug Administration (FDA) accusing you of manufacturing and selling ENDS products without the required marketing order.[1]

In order to assist the Subcommittee in its review of this matter, please provide the following information by March 3, 2021:

1. For each ENDS product you have offered for sale:

   a. the date the product was first offered for sale; and
   b. the monthly sales data for each month from January 2016 through the present; and

2. The date you submitted a premarket tobacco product application to FDA and a list of all ENDS products covered by the application; and

3. All communications with FDA from January 1, 2020, to the present.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. An attachment to this letter provides additional instructions for responding to the

[1] Food and Drug Administration, *Warning Letter to CMM Capital, LLC d/b/a ETX Vape* (Jan. 15, 2021) (www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/warning-letters/cmm-capital-llc-dba-etx-vape-612793-01152021).

Committee's request. If you have any questions regarding this request, please contact Committee staff at (202) 225-5051.

Sincerely,

Raja Krishnamoorthi
Chairman
Subcommittee on Economic and Consumer Policy

Enclosure

cc: The Honorable Michael Cloud, Ranking Member

Responding to Oversight Committee Document Requests

1. In complying with this request, produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.

2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Committee.

3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.

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JAMES COMER
RANKING MINORITY MEMBER

February 17, 2021

Mr. Ghazi Mustafa
Take Off Corp
3846 Linden Ave.
Dayton, OH 45432

Dear Mr. Mustafa:

I am requesting documents and information regarding Take Off Corp's sale of electronic nicotine delivery systems (ENDS), including e-cigarettes and e-liquids.

On February 12, 2021, you received a warning letter from the Food and Drug Administration (FDA) accusing you of manufacturing and selling ENDS products without the required marketing order.[1]

In order to assist my review of this matter, please provide the following information by March 3, 2021:

1. For each ENDS product you have offered for sale:

   a. the date the product was first offered for sale; and
   b. the monthly sales data for each month from January 2016 through the present; and

2. The date you submitted a premarket tobacco product application to FDA and a list of all ENDS products covered by the application; and

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[1] Food and Drug Administration, *Warning Letter to Take Off Corp* (Feb. 12, 2021) (www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/warning-letters/take-corp-613224-02122021).

Sincerely,

Raja Krishnamoorthi
Chairman
Subcommittee on Economic and Consumer Policy

Enclosure

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February 17, 2021

Mr. Travis Pinkerton
Premium Vapor Technologies LLC
300 Brushy Creek Road Ste 304
Cedar Park, TX 78613

Dear Mr. Pinkerton:

I am requesting documents and information regarding Premium Vapor Technologies LLC's sale of electronic nicotine delivery systems (ENDS), including e-cigarettes and e-liquids.

On February 12, 2021, you received a warning letter from the Food and Drug Administration (FDA) accusing you of manufacturing and selling ENDS products without the required marketing order.[1]

In order to assist my review of this matter, please provide the following information by March 3, 2021:

1. For each ENDS product you have offered for sale:

   a. the date the product was first offered for sale; and
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Sincerely,

Raja Krishnamoorthi
Chairman
Subcommittee on Economic and Consumer Policy

Enclosure

cc: The Honorable Michael Cloud, Ranking Member

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17. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

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6. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual’s complete name and title; (b) the individual’s business or personal address and phone number; and (c) any and all known aliases.

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MAJORITY (202) 225–5051
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https://oversight.house.gov

February 17, 2021

Mr. Vincent Roxas
Vapeoholic LLC
23409 Main Street
Carson, CA 90745

Dear Mr. Roxas:

I am requesting documents and information regarding Vapeoholic LLC's sale of electronic nicotine delivery systems (ENDS), including e-cigarettes and e-liquids.

On February 12, 2021, you received a warning letter from the Food and Drug Administration (FDA) accusing you of manufacturing and selling ENDS products without the required marketing order.[1]

In order to assist my review of this matter, please provide the following information by March 3, 2021:

1. For each ENDS product you have offered for sale:

   a. the date the product was first offered for sale; and
   b. the monthly sales data for each month from January 2016 through the present; and

2. The date you submitted a premarket tobacco product application to FDA and a list of all ENDS products covered by the application; and

3. All communications with FDA from January 1, 2020, to the present.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. An attachment to this letter provides additional instructions for responding to the Committee's request. If you have any questions regarding this request, please contact Committee staff at (202) 225-5051.

[1] Food and Drug Administration, *Warning Letter to Vapeoholic LLC* (Feb. 12, 2021) (www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/warning-letters/vapeoholic-llc-613226-02122021).

Sincerely,

Raja Krishnamoorthi
Chairman
Subcommittee on Economic and Consumer Policy

Enclosure

cc: The Honorable Michael Cloud, Ranking Member

Responding to Oversight Committee Document Requests

1. In complying with this request, produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.

2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Committee.

3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.

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5. Documents produced in electronic format should be organized, identified, and indexed electronically.

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February 17, 2021

Mr. Chris Snuffer
CLS Trading, LLC d/b/a Vape Dudes HQ
777 N. Grove Rd. #101
Richardson, TX 75081
United States

Dear Mr. Snuffer:

I am requesting documents and information regarding CLS Trading, LLC d/b/a Vape Dudes HQ's sale of electronic nicotine delivery systems (ENDS), including e-cigarettes and e-liquids.

On January 15, 2021, you received a warning letter from the Food and Drug Administration (FDA) accusing you of manufacturing and selling ENDS products without the required marketing order.[1]

In order to assist the Subcommittee in its review of this matter, please provide the following information by March 3, 2021:

1. For each ENDS product you have offered for sale:

   a. the date the product was first offered for sale; and
   b. the monthly sales data for each month from January 2016 through the present; and

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[1] Food and Drug Administration, *Warning Letter to CLS Trading, LLC d/b/a Vape Dudes HQ* (Jan. 15, 2021) (www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/warning-letters/cls-trading-llc-dba-vape-dudes-hq-612798-01152021).

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Raja Krishnamoorthi
Chairman
Subcommittee on Economic and Consumer Policy

Enclosure

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February 17, 2021

Mr. Trent Struck
Vapes Gone Wild Juice, LLC
244 Bullsboro Dr., Suite C
Newnan, GA 30263

Dear Mr. Struck:

I am requesting documents and information regarding Vapes Gone Wild Juice, LLC's sale of electronic nicotine delivery systems (ENDS), including e-cigarettes and e-liquids.

On February 12, 2021, you received a warning letter from the Food and Drug Administration (FDA) accusing you of manufacturing and selling ENDS products without the required marketing order.[1]

In order to assist my review of this matter, please provide the following information by March 3, 2021:

1. For each ENDS product you have offered for sale:

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6. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual’s complete name and title; (b) the individual’s business or personal address and phone number; and (c) any and all known aliases.

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CAROLYN B. MALONEY
CHAIRWOMAN

ONE HUNDRED SIXTEENTH CONGRESS

JAMES COMER
RANKING MINORITY MEMBER

Congress of the United States
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COMMITTEE ON OVERSIGHT AND REFORM
2157 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515–6143
MAJORITY (202) 225–5051
MINORITY (202) 225–5074
https://oversight.house.gov

February 17, 2021

Mr. Nicholas Van Burren
Owner
Elemental Vapor Bar
8821 Harlan Street
Westminster, CO 80031

Dear Mr. Van Burren:

I am requesting documents and information regarding Elemental Vapor Bar's sale of electronic nicotine delivery systems (ENDS), including e-cigarettes and e-liquids.

On February 12, 2021, you received a warning letter from the Food and Drug Administration (FDA) accusing you of manufacturing and selling ENDS products without the required marketing order.[1]

In order to assist my review of this matter, please provide the following information by March 3, 2021:

1. For each ENDS product you have offered for sale:

   a. the date the product was first offered for sale; and
   b. the monthly sales data for each month from January 2016 through the present; and

2. The date you submitted a premarket tobacco product application to FDA and a list of all ENDS products covered by the application; and

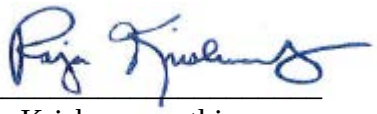
3. All communications with FDA from January 1, 2020, to the present.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. An attachment to this letter provides additional instructions for responding to the

[1] Food and Drug Administration, *Warning Letter to Elemental Vapor Bar* (Feb. 12, 2021) (www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/warning-letters/elemental-vapor-bar-613022-02122021).

Committee's request. If you have any questions regarding this request, please contact Committee staff at (202) 225-5051.

Sincerely,



Raja Krishnamoorthi
Chairman
Subcommittee on Economic and Consumer Policy

Enclosure

cc: The Honorable Michael Cloud, Ranking Member

Responding to Oversight Committee Document Requests

1. In complying with this request, produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.

2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Committee.

3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.

4. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions.

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https://oversight.house.gov

February 17, 2021

Mr. Barry Vuong
DC Vapor, Inc.
687 Lofstrand Lane, Suite H
Rockville, MD 20850-1361

Dear Mr. Vuong:

I am requesting documents and information regarding DC Vapor, Inc.'s sale of electronic nicotine delivery systems (ENDS), including e-cigarettes and e-liquids.

On February 12, 2021, you received a warning letter from the Food and Drug Administration (FDA) accusing you of manufacturing and selling ENDS products without the required marketing order.[1]

In order to assist my review of this matter, please provide the following information by March 3, 2021:

1. For each ENDS product you have offered for sale:

   a. the date the product was first offered for sale; and
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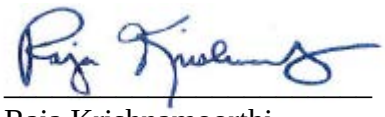

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Chairman
Subcommittee on Economic and Consumer Policy

Enclosure

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February 17, 2021

Mr. Maan Yousef
Jojo's Smokeless World Inc. d/b/a: Mod Shield
3450 West 140th Street
Cleveland, OH 44111

Dear Mr. Yousef:

I am requesting documents and information regarding Jojo's Smokeless World Inc. d/b/a Mod Shield's sale of electronic nicotine delivery systems (ENDS), including e-cigarettes and e-liquids.

On February 12, 2021, you received a warning letter from the Food and Drug Administration (FDA) accusing you of manufacturing and selling ENDS products without the required marketing order.[1]

In order to assist my review of this matter, please provide the following information by March 3, 2021:

1. For each ENDS product you have offered for sale:

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[1] Food and Drug Administration, *Warning Letter to Jojo's Smokeless World Inc. d/b/a: Mod Shield* (Feb. 12, 2021) (www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/warning-letters/jojos-smokeless-world-inc-dba-mod-shield-613210-02122021).

Committee's request. If you have any questions regarding this request, please contact Committee staff at (202) 225-5051.

Sincerely,

Raja Krishnamoorthi
Chairman
Subcommittee on Economic and Consumer Policy

Enclosure

cc: The Honorable Michael Cloud, Ranking Member

Responding to Oversight Committee Document Requests

1. In complying with this request, produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.

2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Committee.

3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.

4. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions.

5. Documents produced in electronic format should be organized, identified, and indexed electronically.

6. Electronic document productions should be prepared according to the following standards:

    a. The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.

    b. Document numbers in the load file should match document Bates numbers and TIF file names.

    c. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.

    d. All electronic documents produced to the Committee should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

        BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD,

INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

7. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

8. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.

9. When you produce documents, you should identify the paragraph(s) or request(s) in the Committee's letter to which the documents respond.

10. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.

11. The pendency of or potential for litigation shall not be a basis to withhold any information.

12. In accordance with 5 U.S.C.§ 552(d), the Freedom of Information Act (FOIA) and any statutory exemptions to FOIA shall not be a basis for withholding any information.

13. Pursuant to 5 U.S.C. § 552a(b)(9), the Privacy Act shall not be a basis for withholding information.

14. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production.

15. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) every privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the privilege(s) asserted.

16. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control.

17. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

18. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.

19. All documents shall be Bates-stamped sequentially and produced sequentially.

20. Two sets of each production shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee, production sets shall be delivered to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2105 of the Rayburn House Office Building.

21. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

Definitions

1. The term "document" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

2. The term "communication" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic

message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, or otherwise.

3. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information that might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neutral genders.

4. The term “including” shall be construed broadly to mean “including, but not limited to.”

5. The term “Company” means the named legal entity as well as any units, firms, partnerships, associations, corporations, limited liability companies, trusts, subsidiaries, affiliates, divisions, departments, branches, joint ventures, proprietorships, syndicates, or other legal, business or government entities over which the named legal entity exercises control or in which the named entity has any ownership whatsoever.

6. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual’s complete name and title; (b) the individual’s business or personal address and phone number; and (c) any and all known aliases.

7. The term “related to” or “referring or relating to,” with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is pertinent to that subject in any manner whatsoever.

8. The term “employee” means any past or present agent, borrowed employee, casual employee, consultant, contractor, de facto employee, detailee, fellow, independent contractor, intern, joint adventurer, loaned employee, officer, part-time employee, permanent employee, provisional employee, special government employee, subcontractor, or any other type of service provider.

9. The term “individual” means all natural persons and all persons or entities acting on their behalf.

CAROLYN B. MALONEY
CHAIRWOMAN

ONE HUNDRED SIXTEENTH CONGRESS

JAMES COMER
RANKING MINORITY MEMBER

Congress of the United States
House of Representatives
COMMITTEE ON OVERSIGHT AND REFORM
2157 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515–6143
MAJORITY (202) 225–5051
MINORITY (202) 225–5074
https://oversight.house.gov

February 17, 2021

Ms. Carla Castner
Vaporescence LLC d/b/a Vape King USA
1025 Shady Oaks Drive #101
Denton, TX 76205

Dear Ms. Castner:

I am requesting documents and information regarding Vaporescence LLC d/b/a Vape King USA's sale of electronic nicotine delivery systems (ENDS), including e-cigarettes and e-liquids.

On February 12, 2021, you received a warning letter from the Food and Drug Administration (FDA) accusing you of manufacturing and selling ENDS products without the required marketing order.[1]

In order to assist my review of this matter, please provide the following information by March 3, 2021:

1. For each ENDS product you have offered for sale:

   a. the date the product was first offered for sale; and
   b. the monthly sales data for each month from January 2016 through the present; and

2. The date you submitted a premarket tobacco product application to FDA and a list of all ENDS products covered by the application; and

3. All communications with FDA from January 1, 2020, to the present.

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[1] Food and Drug Administration, *Warning Letter to Vaporescence LLC d/b/a Vape King USA* (Feb. 12, 2021) (www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/warning-letters/vaporescence-llc-dba-vape-king-usa-613228-02122021).

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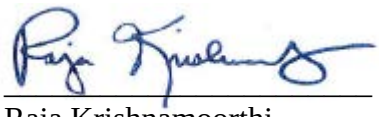

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Subcommittee on Economic and Consumer Policy

Enclosure

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