

DIVISION OF ALCOHOL AND TOBACCO CONTROL

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Vending Machines for Nicotine/Vape/Oral Nicotine/Tobacco Sales

The Division of Alcohol and Tobacco Control has seen a recent increase in inquiries regarding the use of vending machines to sell tobacco, nicotine, and/or vapor products (popularly referred to as “vapes”) in Missouri. A common question on this subject is what state permits or licenses are required to sell these products. Regardless of whether it is sold in a vending machine or otherwise, Missouri statutes require any person selling tobacco, nicotine, or vape products to obtain a retail sales tax license from the Department of Revenue. At the state level, no separate tobacco license is required, but many local governments (counties, cities, municipalities, etc.) have their own, more restrictive licensing requirements. Always check with your local officials to ensure compliance with local licensing laws.

Regarding the use of vending machines, specifically, Missouri statute does provide for the use of such machines under [§ 407.931.2, RSMo.](#)¹ It is very important to note, however, that both federal and local laws on this subject are often significantly more restrictive than state laws and regulations. This is true not only as it applies to the use of vending machines, but to sales practices in general.

Information and resources about federal rules governing the use of vending machines, and tobacco regulation generally, can be found on the Food and Drug Administration’s [Center for Tobacco Products \(CTP\) website](#) or by calling 1-877-287-1373. Many local bodies are also likely to have their own relevant sales ordinances. For those using (or seeking to use) vending machines to sell tobacco, nicotine, and/or vape products, **we highly encourage contacting both CTP and your local jurisdictions** to fully inform yourself on existing restrictions against vending machines, local licensing requirements, and other laws which may be more stringent than state statutes and regulations.

¹ State statutes applicable to all tobacco and nicotine sales can be found on the Division of Alcohol and Tobacco Control’s website at <https://atc.dps.mo.gov/regulations/>.