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General Counsel

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July 27, 2026

Dear Mr. Spross, Mr. Kantor, Mr. Underwood and Mr. Owen,

We appreciate you reaching out to share your views and questions regarding the use of Mastercard products to purchase vape/e-cigarettes/Electronic Nicotine Delivery Systems (ENDS) products. Your letter provides us with an opportunity to clarify a few points.

Our May 2026 update to acquirers simply reminded them to be aware and mindful of U.S. Food, and Drug Administration (FDA) and other jurisdictions' requirements regarding legal vaping and ENDS products and implement robust controls.

The update specifically notes "Merchants selling products that do not have the required authorization to be sold in the United States or are in violation of state laws, are in violation of Mastercard Standards and will be investigated under the BRAM Program." We did not request any acquirer to alter their relationship or support of merchants selling lawful vaping/ENDS products in the United States.

Our payment network follows standards based on the rule of law. Put simply, we allow lawful purchases on our network. Our standards also require that acquirers ensure their merchants have appropriate controls to ensure Mastercard cards are only used for lawful purchases.

Mastercard's compliance programs are designed to ensure adherence to applicable laws and our network standards.

It is with that in mind – and in light of additional information being provided to Mastercard regarding the acquirers' specific merchant customers – we have decided to temporarily pause any assessments to provide customers additional time to execute their remediation plans and ensure compliance.

As there is an update to share, we will provide it to our customers and you. Should you have any further questions, please let us know.

Sincerely,

Tiffany Hall

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