

April 28, 2015

The President
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Dear Mr. President:

It has been more than a year since the Food and Drug Administration (FDA) proposed a regulation to extend its authority over all unregulated tobacco products. Given the health risks of these unregulated products, particularly to children, we ask for your leadership in ensuring your Administration quickly finalizes the regulation.

In the absence of regulation, we have seen irresponsible marketing of unregulated products such as cigars and electronic cigarettes, often using tactics and sweet flavors that clearly appeal to youth. It's no wonder use of e-cigarettes by youth has skyrocketed. This process has already taken far too long. We cannot afford more delays that allow tobacco companies to target our kids with a new generation of tobacco products.

The 2009 Family Smoking Prevention and Tobacco Control Act (Tobacco Control Act) gave the FDA immediate authority over cigarettes, smokeless and roll-your-own tobacco, and authorized the Secretary of Health and Human Services to deem other tobacco products subject to FDA's jurisdiction. Until this occurs, there is no federal oversight of e-cigarettes, cigars and several other tobacco products. There are no restrictions in place to protect public health against the risks these products pose, particularly to the health of our children. For example, at present, FDA has no authority to stop manufacturers from using candy and fruit flavors in these tobacco products, and they cannot require manufacturers to disclose their ingredients or even require them to use childproof packaging for liquid nicotine containers. The unnecessary delay in regulating these products has put children at risk.

According to new data from the Centers for Disease Control and Prevention and the FDA, youth use of e-cigarettes tripled between 2013 and 2014, from 4.5 percent to 13.4 percent among high school students and from 1.1 percent to 3.9 percent among middle school students. The CDC estimates that there were 2.4 million youth e-cigarette users in 2014. E-cigarettes come in more than 7,000 flavors, including cotton candy, gummy bear, bubble gum, and other flavors that appeal to kids.

Further, poisonings involving e-cigarettes and liquid nicotine have increased dramatically. According to the American Association of Poison Control Centers, calls to poison control centers

involving exposures to e-cigarettes and liquid nicotine increased to 3,783 in 2014, more than double the number of calls in 2013, and a 13-fold increase since 2011. More than half of these calls involved children under the age of six.

The new survey data also show that hookah use more than doubled among middle school students and almost doubled among high school students in just one year, with current use among high school students rising from 5.2 percent in 2013 to 9.4 percent in 2014.

Finally, it is critical that FDA regulate all cigars. Cigars are not just smoked by adults – kids smoke them too. High school boys smoke cigars at the same rate as cigarettes (10.8 percent for cigars and 10.6 percent for cigarettes). The unregulated cigar and little cigar industry is also using candy and fruit flavors to make their products more attractive to youth.

This public health regulation is long overdue. Further delay will only serve the interests of the tobacco companies, which have a long history of using product design and marketing tactics to attract children to harmful and addictive products. We ask for your leadership in ensuring your Administration quickly finalizes the regulation.

Sincerely,

/s/

Douglas E. Henley, MD
Executive Vice President and
Chief Executive Officer
American Academy of Family Physicians

/s/

Margaret Foti
Chief Executive Officer
American Association for Cancer Research

/s/

James C. Denny III, MD
Executive Vice President and CEO
American Academy of Otolaryngologists –
Head and Neck Surgeons

/s/

Frank R. Salvatore, RRT, MBA, FAARC
President
American Association for Respiratory Care

/s/

Sandra G. Hassink, MD, FAAP
President
American Academy of Pediatric

/s/

Christopher W. Hansen
President
American Cancer Society
Cancer Action Network

/s/

Kim Allan Williams, MD, Sr., FACC, FAHA, FASNC
President
American College of Cardiology

/s/

Kathryn Mueller, MD, MPH, FACOEM
President
American College of Occupational and
Environmental Medicine

/s/

Maxine Feinberg, D.D.S.
President
American Dental Association

/s/

Nancy A. Brown
Chief Executive Officer
American Heart Association

/s/

Harold Wimmer
National President and CEO
American Lung Association

/s/

Norman Anderson, Ph.D.
Chief Executive Officer
American Psychological Association

/s/

Georges Benjamin, MD
Executive Director
American Public Health Association

/s/

Allan S. Lichter, MD, FASCO
Chief Executive Officer
American Society of Clinical Oncology

/s/

Thomas Ferkol, MD
President
American Thoracic Society

/s/

Lori Tremmel Freeman
Chief Executive Officer
Association of Maternal & Child
Health Programs

/s/

Paul E. Jarris, MD, MBA
Executive Director
Association of State and Territorial
Health Officials

/s/

Matthew L. Myers
President
Campaign for Tobacco Free Kids

/s/

Diana M. Zuckerman, Ph.D.
President
Cancer Prevention and Treatment Fund

/s/

Robin Koval
President and CEO
Legacy

/s/

Laurie Fenton Ambrose
President and Chief Executive Officer
Lung Cancer Alliance

/s/

Delmonte Jefferson
Executive Director
National African American Tobacco
Prevention Network

/s/

LaMar Hasbrouck, MD, MPH
Executive Director
National Association of County and
City Health Officials

/s/

Brenda Nevidjon, MSN, RN, FAAN
Chief Executive Officer
Oncology Nursing Society

/s/

Jordan Richland
President and Chief Executive Officer
Partnership for Prevention

/s/

Lincoln T. Smith
President and Chief Executive Officer
Altarum Institute

/s/

Carolyn Aldigé
President and Founder
Prevent Cancer Foundation

/s/

Lisa K. Olson, Ph.D.
Executive Director
Society for Cardiovascular Angiography
and Intervention

/s/

Robin J. Mermelstein, Ph.D.
President
Society for Research on Nicotine and
Tobacco

/s/

Jeffrey Levi, Ph.D.
Executive Director
Trust for America's Health

/s/

Rev. Dr. Susan T. Henry-Crowe
General Secretary
General Board of Church and Society
The United Methodist Church