



June 22, 2016

Senator Jerry Moran
Chairman, Agriculture, Rural Development,
FDA & Related Agencies Subcommittee
Senate Committee on Appropriations
United States Senate
Washington, DC 20510

Senator Jeff Merkley
Ranking Member, Agriculture, Rural Development,
FDA & Related Agencies Subcommittee
Senate Committee on Appropriations
United States Senate
Washington, DC 20510

Dear Senators Moran and Merkley:

As you prepare to bring the agriculture spending bill for fiscal year 2017 (S 2956) before the full Senate, I write to you on behalf of the American Academy of Family Physicians (AAFP), representing 124,900 family physicians and medical students nationwide, to urge you to oppose any provisions that would weaken the authority of the Food and Drug Administration (FDA) to regulate tobacco products, including all cigars and e-cigarettes.

Tobacco use is the leading preventable cause of death in the United States. In addition, tobacco use is a known cause of cancer, heart disease, stroke and chronic obstructive pulmonary disease. America's family physicians are committed to improving the health of patients, families, and communities, and for this reason we fiercely oppose any legislation that would exempt any tobacco products from FDA oversight.

Nicotine, a key ingredient in tobacco products, is an addictive drug over which the FDA must have full regulatory jurisdiction. The AAFP has published and reaffirmed the policies outlined in the [position paper](#) entitled *Tobacco: Preventing and Treating Nicotine Dependence and Tobacco Use*. The paper details the AAFP's position on prevention and treatment of tobacco use and nicotine dependence.

We were disappointed that on April 19, the House Appropriations Committee approved the FY2017 agriculture appropriations bill (HR 5054) which included two tobacco provisions which the AAFP opposes. The first provision blocks the FDA from implementing the final rule ["Deeming Tobacco Products To Be Subject to the Federal Food, Drug, and Cosmetic Act, as Amended by the Family Smoking Prevention and Tobacco Control Act"](#) unless it exempts certain cigars from FDA oversight. The second provision would change the "grandfather date" for exempting e-cigarettes, cigars, and other unregulated tobacco products from an important product review requirement in the *Tobacco Control Act* effectively weakening the FDA's ability to protect the public health from a new generation of tobacco products.

The AAFP commends the Senate Appropriations Committee for keeping these damaging tobacco riders off the FY2017 agriculture spending bill. We appreciate your leadership on preserving the Senate position through floor consideration and conference with the House.

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Senators Moran and Merkley
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If you have any questions or would like to discuss this issue further, please contact Teresa Baker, Senior Government Relations Representative, at 202-232-9033 or tbaker@aafp.org.

Sincerely,

A handwritten signature in black ink that reads "Robert Wergin MD". The signature is written in a cursive style with a large initial "R" and "W".

Robert Wergin, MD, FAAFP
Board Chair