

Tobacco use is the leading cause of preventable death and disease in the United States. More than 480,000 Americans die from tobacco use each year, and more than 16 million Americans are currently living with a tobacco-caused disease. Yet, prior to 2009, tobacco products were virtually unregulated by

the federal government. Congress, on a bipartisan basis, recognized that tobacco products should be overseen by an agency with expertise in assessing health risks and experience promulgating science-based regulation. The Family Smoking Prevention and Tobacco Control Act (TCA) gave the Center for Tobacco Products at FDA the authority to oversee the manufacture, marketing, distribution and sale of tobacco products in a manner appropriate for the protection of public health.

The dramatic increase in youth use of e-cigarettes underscores the need for appropriate oversight by FDA. Between 2017 and 2018, use of e-cigarettes soared by 78 percent among high school students and by 48 percent among middle school students. More than 3.6 million middle and high school students are now e-cigarette users – an alarming increase of 1.5 million students in just one year. The Commissioner of the FDA and the Surgeon General have called youth use of e-cigarettes an “epidemic.” This escalation in e-cigarette use is largely attributable to Juul, an e-cigarette with a sleek design that is easily concealable, comes in a variety of flavors, and delivers a high level of nicotine.

Other tobacco products remain a serious public health concern. While youth use of cigarettes has declined since the late 1990s, progress has stalled. The high school smoking rate went from 7.6 percent in 2017 to 8.1 percent in 2018. An estimated 5.6 million children alive today will die prematurely from smoking if current smoking rates persist. More than 34 million adults currently smoke cigarettes; virtually all of them started smoking during their teenage years, or earlier, and most of them want to quit. While cigar smoking is often perceived as an activity of older adults, cigars are popular among youth, particularly high school boys. Cigars are marketed in a wide variety of flavors and are often inexpensive (e.g., 3 cigars for 99 cents), making them particularly appealing to youth.

FDA has the tools to meet these challenges, including the authority to review new tobacco products and set rules for how tobacco products are made and marketed to protect kids and public health. We appreciate that your Subcommittee has recognized the important role FDA has to play and has always approved the authorized amount of user fees for FDA’s oversight of tobacco products. We also appreciate that your Subcommittee has not included any restrictions on FDA’s authority under the TCA in previous appropriations bills. FDA should continue to be permitted to make science-based decisions about which tobacco products to oversee and how to apply its authority.

We urge the Subcommittee to approve the \$712 million in user fees that the TCA authorized FDA to collect and spend for tobacco-related activities for FY 2020. Tobacco products are addictive and harmful. With the support of your Subcommittee, FDA will continue to have the tools necessary to reduce tobacco use and the health and economic toll it takes on our nation.

Sincerely,

Academy of General Dentistry
 Action on Smoking & Health
 Allergy & Asthma Network
 American Academy of Family Physicians
 American Academy of Oral and Maxillofacial
 Pathology
 American Academy of Otolaryngology—Head
 and Neck Surgery
 American Academy of Pediatrics
 American Association for Cancer Research
 American Association for Respiratory Care
 American Cancer Society Cancer Action
 Network
 American College of Obstetricians and
 Gynecologists
 American College of Physicians
 American College of Preventive Medicine
 American Heart Association
 American Lung Association
 American Psychological Association
 American Public Health Association
 American School Health Association
 American Society of Addiction Medicine
 American Society of Clinical Oncology
 American Thoracic Society
 Asian Pacific Partners for Empowerment,
 Advocacy and Leadership (APPEAL)
 Association of Maternal & Child Health
 Programs
 Association of Schools and Programs of Public
 Health
 Association of State and Territorial Health
 Officials
 Big Cities Health Coalition

Campaign for Tobacco-Free Kids
 ClearWay Minnesota
 Community Anti-Drug Coalitions of America
 Counter Tools
 Eta Sigma Gamma – National Health Education
 Honorary
 Lung Cancer Alliance
 March of Dimes
 National African American Tobacco Prevention
 Network
 National Association of County & City Health
 Officials
 National Association of Pediatric Nurse
 Practitioners
 National Association of School Nurses
 National Association of Social Workers
 National Center for Health Research
 National Hispanic Medical Association
 National Network of Public Health Institutes
 Oncology Nursing Society
 Prevent Cancer Foundation
 Prevention Institute
 Public Health Solutions
 Society for Cardiovascular Angiography and
 Interventions
 Society for Public Health Education
 Society for Research on Nicotine & Tobacco
 Students Against Destructive Decisions
 The Society of State Leaders of Health and
 Physical Education
 The Society of Thoracic Surgeons
 Trust for America's Health

CC: United States Senate Committee on Appropriations Members