

July 5, 2019

The Honorable Frank Pallone  
United States House  
Washington, DC 20515

Dear Representative Pallone:

We write to express our support for the Stopping Appealing Flavors in E-Cigarettes for Kids Act (SAFE Kids Act), introduced by Senator Dick Durbin and Senator Lisa Murkowski (S. 655) and Representative Diana DeGette and Representative Jamie Raskin (H.R. 1498). Tobacco companies are marketing products in a wide array of flavors and risking the decades-long progress the nation has made in reducing youth tobacco use. By curbing use of flavors, the SAFE Kids Act will help prevent many kids from starting down a path that leads to addiction and tobacco-caused disease and death.

Cracking down on flavored tobacco products is one of the most important steps Congress can take to reverse an epidemic in youth e-cigarette use and reduce youth use of other tobacco products. Between 2017 and 2018, e-cigarette use increased by an alarming 78 percent among high school students and 48 percent among middle school students. More than 3.6 million middle and high school students were e-cigarette users last year – an increase of 1.5 million students in just one year. Youth use of other tobacco products is also troubling. For example, more than one million high school students were cigar smokers last year, and high school boys smoke cigars at about the same rate as cigarettes.

Flavors are a primary reason why youth are using e-cigarettes, cigars, and other tobacco products. Flavors alter the taste and reduce the harshness of tobacco products, making them more appealing to young people and easier for them to use. Youth often start using tobacco products with a flavored product and report that they use tobacco products “because they come in flavors I like.” According to the most recent government data, 64 percent of current middle and high school tobacco users had used a flavored tobacco product in the past month. Use of flavors is particularly high for youth who use e-cigarettes. Another survey found that 97 percent of current youth e-cigarette users had used a flavored e-cigarette in the past month.

Despite the appeal of flavors among youth, manufacturers have introduced thousands of flavored tobacco products to the market in recent years, including e-cigarettes with flavors such as gummy bear, cotton candy and peanut butter cup and cigars with flavors such as watermelon, lemonade and cherry dynamite. As of 2017, researchers had identified more than 15,500 unique e-cigarette flavors available online. Between 2008 and 2015, the number of unique cigar flavor names more than doubled, from 108 to 250.

The SAFE Kids Act places common sense restrictions on the use of flavors. It will help protect kids by prohibiting flavors in e-cigarettes unless the manufacturer demonstrates that a flavor will help with smoking cessation, not increase youth initiation, and not increase the risk of harm to the user. It prohibits use of flavors in other non-cigarette tobacco products, such as cigars and smokeless tobacco.

Menthol cigarettes are also a serious public health problem. FDA and others have found that menthol cigarettes lead to increased smoking initiation among youth and young adults, greater addiction, and decreased success in quitting smoking. While the SAFE Kids Act does not address menthol cigarettes, we encourage Congress to address the substantial harm that these products cause as the bill moves through the legislative process.

Tobacco companies should not be permitted to use flavors as a marketing tool to increase their appeal to young people. We urge you to support the SAFE Kids Act.

Sincerely,