

## **Congresswoman Jackie Speier Introduces Bill to Prevent Marketing and Sales of E-Cigarettes to Minors**

**WASHINGTON, DC** – Today, Congresswoman Jackie Speier (D-San Francisco/San Mateo counties) and five original co-sponsors introduced the Stop Selling and Marketing to Our Kids E-Cigarettes (SMOKE) Act, which would ban companies from selling and marketing e-cigarettes to children, as well as direct the FDA to establish common-sense regulations for their safe packaging, doses, and labeling. The bill is supported by American Association of Cancer Research (AACR).

“E-Cigarette makers think they can take us back to the days of Joe Camel,” said Speier. “They are selling nicotine to children in flavors like gummy bear, cotton candy, and chocolate cake. Something is gravely wrong with that picture. The SMOKE Act would establish that e-cigarettes are for adults, not minors, and it would ensure they are safely regulated and packaged so that they can’t harm children.

The Centers for Disease Control and Prevention (CDC) has found that e-cigarette use by middle and high school students more than tripled from 2011 to 2013. Lack of child proof packaging has led to an escalating number of e-cigarette-related calls to Poison Control Centers, 51.1 percent of which involved young children. The American Association for Cancer Research and the American Society of Clinical Oncology have raised serious concerns about the effect of e-cigarette advertising on usage and addiction by children. E-cigarettes contain poisonous and addictive chemicals including nicotine and 5 to 15 times the level of formaldehyde present in regular cigarettes.

The SMOKE Act would direct the Federal Trade Commission (FTC) to prohibit e-cigarette advertising that increases usage of the products by children. It would designate such advertising as an unfair or deceptive practice and vest the FTC and states’ attorneys-general with authority to prosecute violators and subject them to penalties. The act would also require the FDA regulate e-cigarettes under the Federal Food, Drug, and Cosmetic Act and the Federal Cigarette Labeling and Advertising Act, authority that would enable it to ban e-cigarette sales to minors. It would require the FDA to establish childproof packaging standards, dosage limits, maximum levels of nicotine concentration, and nicotine concentration labeling requirements. And it would mandate a study on the impact that e-cigarette flavorings have on children’s use and smoking cessation, requiring the FDA to consider banning or restricting flavorings based on those findings.

“The American Association for Cancer Research (AACR) commends Representative Speier for her leadership on this important public health issue, especially her commitment to protecting youth from the potential negative health consequences of e-cigarettes and other electronic nicotine delivery systems (ENDS),” said Margaret Foti, chief executive officer of the AACR. “While these devices may have potential as smoking cessation tools, we must conduct additional research on these products, and in the meantime, take the steps necessary to prevent those under 18 from using ENDS. In fact, at the beginning of this calendar year, the AACR and the American Society of Clinical Oncology (ASCO) jointly published a policy statement calling for the immediate implementation of policies to regulate ENDS, including the restriction of the sale, distribution, marketing, and advertising of ENDS to youth.”

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