

President Donald J. Trump  
The White House  
1600 Pennsylvania Avenue, Northwest  
Washington, D.C. 20500

Dear Mr. President:

Over two months ago, you, along with Department of Health and Human Services (HHS) Secretary Alex Azar and former Food and Drug Administration (FDA) Acting Commissioner Ned Sharpless, made an encouraging announcement that your administration would be issuing a compliance policy designed to clear the market of all flavored e-cigarettes, including mint and menthol flavors.

With nearly 28% of American high schoolers and 5% of middle schoolers vaping, this announcement was an important step in the right direction in order to protect our children and end this public health crisis. Unfortunately, this guidance has yet to be finalized. This is particularly concerning because nicotine exposure can harm adolescent brain development, and using nicotine during adolescence can increase the risk of future addiction to cigarettes and other drugs.

Our children should not be used as guinea pigs by the tobacco industry. As members of the Congressional Caucus to End the Youth Vaping Epidemic and elected officials concerned about youth health and safety, we have made it a priority to tackle the most pressing public health needs facing our country. We have heard from countless parents, teachers, and health professionals in our districts who are concerned about skyrocketing youth e-cigarette use.

We urge you to finalize the removal of all flavors from the market pending product reviews by FDA in a complete and expedited fashion. Importantly, any guidance on flavored e-cigarettes must include mint and menthol, which have been proven popular with youth, and apply to all retailers. In fact, former FDA Acting Commissioner Sharpless stated this year that the FDA “must act swiftly against flavored e-cigarette products that are especially attractive to children.” Further, Dr. Anne Schuchat, Principal Deputy Director of the CDC, testified before the House Oversight Subcommittee on Economic and Consumer Policy that for the removal of flavored products from the market to be effective mint and menthol must be included. Finally, as members of the bipartisan caucus to combat youth vaping, we request our inclusion in future conversations regarding this compliance policy.

The meteoric rise in youth vaping is a public health crisis threatening the health and safety of American youth. In order to end it, we need a bold, bipartisan solution such as a comprehensive e-cigarette flavor guidance in accordance to your original promise on September 11, 2019. We hope you will take this request into consideration and thank you for your time.

Sincerely,