



Senate Democrats blast FDA for "step backwards" on tobacco oversight

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CHICAGO – Led by U.S. Senators Dick Durbin (D-IL), Patty Murray (D-WA), and Jeff Merkley (D-OR), today 13 Senate Democrats [sent a letter](#) to FDA Commissioner Scott Gottlieb denouncing the agency’s recent move to delay oversight of newly-regulated tobacco products, including electronic cigarettes and cigars. Senate Democrats are deeply concerned this delay is a “step backwards” in FDA’s commitment to safeguard public health, especially for our youth, given that many of these tobacco products contain kid-appealing flavors and are marketed to children and teens.

“There is no reason for the Agency to delay oversight of newly-regulated tobacco products, including electronic cigarettes (e-cigarettes) and cigars that contain kid-appealing flavors and are actively marketed to children,” the senators wrote. “Last week’s announcement indicates that you intend to delay implementation of key provisions of the deeming rule, giving e-cigarette and cigar manufacturers—including flavored products—a free pass to stay on the market for years with minimal oversight and restrictions. This is a step backwards.”

Along with this delay, FDA announced it plans to consider action to lower nicotine levels in cigarettes. Senate Democrats expressed cautious optimism about this plan and urged FDA to quickly issue an Advance Notice of Proposed Rulemaking (ANPRM) and set a timeframe for expected completion of a final rule.

“While we are encouraged by the components of the new tobacco plan that could lead to reduced nicotine levels in cigarettes, we are troubled by the potentially prolonged timeframe to implement such measures...We will be continuing to monitor your agency’s actions on this initiative to ensure that you hold to your commitment to reduce the addictiveness and harms from cigarettes.”