

Durbin Statement On FDA Review Of E-cigarette Products

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SPRINGFIELD – U.S. Senate Majority Whip Dick Durbin (D-IL) today released the following statement after the Food and Drug Administration (FDA) announced it would delay a final decision on whether or not e-cigarette top sellers – like JUUL – can remain on the market:

“While I am pleased FDA has rejected all e-cigarette applications to date for failing to show a health benefit, it is unacceptable to delay evaluation of e-cigarettes most responsible for hooking children, like JUUL. FDA’s years-long failure to regulate e-

cigarettes has led millions of kids who never would have picked up a tobacco product to begin vaping. Each day we wait for FDA’s decision on products peddled by the biggest vape and tobacco companies, more children get hooked.”

In July, Durbin and Congressional colleagues introduced the [*Resources to Prevent Youth Vaping Act*](#), which would hold e-cigarette companies accountable for the youth vaping crisis by requiring e-cigarette manufacturers to pay user fees to the FDA. These fees would provide the agency with additional resources to conduct stronger oversight of the e-cigarette industry and increase awareness of the danger of e-cigarettes. In June, Durbin [testified](#) at a House Oversight and Government Reform Subcommittee on Economic and Consumer Policy hearing focused on the role of FDA in regulating e-cigarette products.

In October 2020, Durbin [urged](#) the FDA to strongly enforce its own regulations to protect kids from addictive e-cigarettes by publishing a list of products that submitted premarket tobacco product applications (PMTAs), and remove products that did not submit PMTAs.

In 2019, Durbin and U.S. Senator Lisa Murkowski (R-AK) introduced bipartisan, bicameral legislation to crack down on kid-friendly flavorings in highly-addictive e-cigarettes and cigars. The [*Stopping Appealing Flavors in E-Cigarettes for Kids \(SAFE Kids\) Act*](#) would place strong restrictions on e-cigarette flavorings and ban cigar flavorings altogether.

For decades, Durbin has led Congressional efforts to investigate and regulate tobacco products, especially vaping and other e-cigarette devices. In 2019, Durbin sent a series of [letters](#) to JUUL and Altria – which bought a majority stake in JUUL – about its marketing practices and product popularity amongst America’s youth.