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Attorney General Fox Calls on FDA to Regulate E-Cigarettes, Prohibit Sales to Minors

(HELENA)— Emphasizing the need for immediate regulatory oversight of electronic cigarettes (“e-cigarettes”), Attorney General Fox recently urged the U.S. Food and Drug Administration (FDA) to place restrictions on the advertising and ingredients of the popular, highly-addictive product, and prohibit its sale to minors.

In a bipartisan letter co-sponsored by Massachusetts Attorney Martha Coakley and Ohio Attorney General Mike DeWine, and joined by 38 other Attorneys General, Attorney General Fox urges the FDA to take all available measures to regulate e-cigarettes as “tobacco products” under the Tobacco Control Act. E-cigarettes, an increasingly widespread product that is growing rapidly among both youth and adults, are battery operated products that heat liquid nicotine, derived from tobacco plants, into a vapor that is inhaled by the user.

State Attorneys General have fought for years to protect people from the dangers of tobacco products. In 1998, the attorneys general of 52 states and territories signed a landmark agreement with the four largest tobacco companies in the United States to recover billions of dollars in costs associated with smoking-related illnesses, and restrict cigarette advertising to prevent youth smoking.

Unlike traditional tobacco products, there are no federal age restrictions that would prevent children from obtaining e-cigarettes. Noting the growing use of e-cigarettes, and the growing prevalence of advertising, the letter highlights the need to protect youth from becoming addicted to nicotine through these new products.

A survey conducted by the Center for Disease Control and Prevention shows that from 2011 to 2012, the percentages of youth who have tried or currently use e-cigarettes both roughly doubled. The survey estimates that nearly 1.8 million middle and high school students have tried e-cigarettes in 2012.

According to the U.S. Surgeon General, nicotine is highly addictive and has immediate bio-chemical effects on the brain and body at any dosage, and is toxic in high doses. The lack of regulation of e-

cigarettes puts youth at risk of developing a lifelong addiction to a potentially dangerous product that could also act as a gateway to using other tobacco products.

E-cigarette manufacturers are using marketing tactics similar to those big tobacco used in the last 50 to 100 years to attract new smokers. Celebrity endorsements, television advertising, cartoons, fruit flavors, attractive packaging and cheap prices all serve to encourage youth consumption of these dangerous products.

Additionally, some marketing claims that these products do not contain the same level of toxins and carcinogens found in traditional cigarettes, cigars, and other tobacco products. These claims imply that e-cigarettes are a safe alternative to smoking, when in fact nicotine is highly addictive, the health effects of e-cigarettes have not been adequately studied, and the ingredients are not regulated and may still contain carcinogens. The lack of regulation puts the public at risk because users of e-cigarettes are inhaling unknown chemicals with unknown effects.

The letter to the FDA can be found here:

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