



Vapers United

Vapers United Comment on FDA's Proposed Rule Regarding Tobacco Product Flavors

Dr. Scott Gottlieb
Commissioner
U.S. Food and Drug Administration
10903 New Hampshire Avenue
Silver Spring, MD 20993

RE: Docket No. FDA-2017-N-6565: Regulation of Flavors in Tobacco Products

July 19, 2018

Dear Commissioner Gottlieb,

Vapers United is a non-profit organization that advocates on behalf of vapers, their family and friends, and all Americans who believe vaping should not be treated like smoking.

We analyze efforts at the state, local and federal level to tax and over-regulate vaping, vapor product retailers and vapor product producers.

Our perspective is informed by my personal experience of having used vaping to quit smoking—I now no longer vape, either—much like other former smokers I know.

The Need to Reduce Tobacco Product Harm

The specter of damage caused to Americans' health by smoking is well-understood, and well-evidenced by scientific data.

According to the [Centers for Disease Control and Prevention](#) (CDC), more than 16 million Americans are living with disease or illness caused by smoking—including cancer, heart disease, stroke, lung diseases, diabetes, and chronic obstructive pulmonary disease; approximately 480,000 of them die each year.

According to the same CDC factsheet, smoking is the leading cause of preventable death. If smoking continues at current rates, 5.6 million Americans currently younger than 18 years will die prematurely from a smoking-related illness.

As of 2015, nearly 70 percent of adult cigarette smokers wanted to stop smoking, and 55 percent had tried to quit in the last year.

As any casual observer, let alone scientist, could tell you, smokers tend to be poorer than many non-smokers, and yet they engage in a behavior that increases their costs both in terms of actual health and finances as a result of addiction that I believe, given my personal experience, many of them can break through vaping—provided the vapor marketplace is not regulated to its proverbial death.

As a former smoker who quit through vaping, I can speak to both health and financial harms firsthand. Thankfully, to date, I have avoided cancer, stroke, or the other major diseases cited by the CDC; however, for years, I got longer-lasting, worse colds than anyone I knew, I struggled to breathe well when running more than a mile, and I shudder to think how much money I wasted on cigarettes that could have been put into retirement savings, paying down a mortgage, or frankly any other plan to build wealth.

Switching to vaping coincided with an improvement in my personal health, and I do not believe that is an accident or statistical anomaly. Therefore, it is my personal belief and that of my organization that full toolkit of tobacco harm reduction products currently available on the market should remain to enable others to have the options, and ideally the outcomes, I personally had. Those products include flavored electronic nicotine delivery systems—including e-cigarettes, vape pens, e-cigars, e-hookahs, personal vaporizers, and other vaping devices.

Flavors, Not Nicotine Limits, Are Key Ingredients of Tobacco Harm Reduction

Nicotine is highly addictive, but it is not regarded as the primary health risk to tobacco users or people around them, according to experts including the [U.K. Royal College of Physicians](#); rather, that risk rests with tar and carbon monoxide generated by lighting cigarettes on fire and inhaling the resulting smoke.

Vaping products, by contrast, avoid these carcinogens and other dangerous substances, allowing tobacco users a safer way to intake nicotine. [As you have already acknowledged](#):

“Certain flavors may help currently addicted adult smokers switch to potentially less harmful forms of nicotine-containing tobacco products... I’ve talked to ex-smokers, who’ve told me that they quit cigarettes altogether and that they now vape. And they’ve also told me it was the flavors that helped them make that transition off combustible cigarettes. Now I know anecdotes aren’t the same as data. And the ANPRM specifically seeks data on this issue. But these personal stories are important to me as we shape our overall approach to smoking cessation.”

The data are as encouraging as the anecdotes. Public health organizations have examined electronic cigarettes extensively over several years and urged their use as a means to help smokers replace combustible cigarettes. [Public Health England \(PHE\)](#) declared the use of e-cigarettes to be “around 95% safer than smoking” in 2015. The [U.K.’s Royal College of Physicians](#) likewise found that electronic cigarette use is “unlikely to exceed 5% of the harm from smoking tobacco,” and that “e-cigarettes appear to be effective when used by smokers as an aid to quitting smoking.” The British

physicians [concluded](#) that “in the interests of public health it is important to promote the use of e-cigarettes” along with other non-tobacco nicotine products “as possible as a substitute for smoking.”

An attractive feature of many vapor products for smokers looking to quit is the wide array of flavors available. To be specific, in my case, I do not believe I would have succeeded in quitting smoking without the availability of vapor products replicating the flavor of Marlboro Light cigarettes.

Contrary to some assertions by anti-vapor activists, flavored products do not appear to encourage higher nicotine use among children. A study in the [BMJ Journal, Tobacco Control](#), found that “Among students who had ever used a vaporiser, 65–66% last used ‘just flavouring’ in 12th, in 10th and in 8th grade, more than all other responses combined.”

Perhaps more importantly, a [study published in the U.S. National Library of Medicine by Yale University’s Abigail Friedman](#) found that banning e-cigarettes sales to minors in fact led to a statistically significant rise in smoking rates among 12- to 17-year-olds.

Conclusion

It is my firm conviction based on personal experience that flavored electronic cigarettes and other vaping devices are an integral part of successful efforts to help smokers stop smoking—i.e., reducing harm. That is an imperative both in terms of public health, but also in terms of good stewardship of taxpayer dollars. It should not be undermined or set aside over concerns about underage vaping, in view of the studies referenced above.

Vapers United believes that the FDA should promote regulations that will ensure that a vibrant marketplace for vapor products, including flavored products, remains.

Sincerely,

A handwritten signature in black ink, appearing to read "Liz Mair", is written over a light gray rectangular background.

Liz Mair
Vapers United