

Opening Statement  
Chairman Frank Pallone, Jr.  
Committee on Energy and Commerce  
Subcommittee on Health  
Hearing on “Legislation to Reverse the Youth Tobacco Epidemic”  
October 16, 2019

Today, this Committee takes another important step in protecting our youth from a life of chronic disease, disability, and death from tobacco products and nicotine addiction. We will consider H.R. 2339, the “Reversing the Youth Tobacco Epidemic Act of 2019”, a bipartisan bill that I introduced with Representative Donna Shalala aimed at reducing the number of kids using tobacco products in the United States.

Fifty-five years ago, the Surgeon General warned of the dangerous health effects of smoking cigarettes. Yet, five decades later smoking remains the leading cause of preventable death.

The use of tobacco and nicotine has evolved since that first Surgeon General’s report. A quick Google search will lead you to an array of products online, including cigarettes, cigars, smoking pipes, and the most recent addition — e-cigarettes. These e-cigarettes are now available in many flavors and studies show that flavor choices like mint, candy, fruit, or chocolate draw the interest of teens in middle school and high school.

Unfortunately, while combustible cigarette use among teens has declined over the past two decades, there is a widespread – and false – perception that e-cigarettes are safe. This false belief threatens the progress we have made in combatting this public health threat. Compounding this alarming reality is the fact that nearly all tobacco use begins during youth and young adulthood—which is a crucial period for the development of the human brain. Recent data shows that over 3.6 million youth used e-cigarettes in 2018, making this product the most commonly used tobacco product on the market.

Last month, our Oversight and Investigations Subcommittee held a hearing on the public health threats of e-cigarettes. I remain deeply concerned about the outbreak of lung illnesses associated with e-cigarette use and vaping products. The most recent report from the CDC confirmed 26 deaths in 21 states, and at our oversight hearing, CDC stated that they expect the number of cases to increase “by the hundreds.”

I firmly believe that the youth vaping epidemic we face today could have been addressed if the FDA had moved forward with reviewing all e-cigarettes on the market when the agency first had the chance two years ago. And while I appreciated the Administration’s announcement to ban flavored vaping products, we have yet to see that promise come to fruition.

Ten years ago, Congress took significant bipartisan action when we passed the Family Smoking Prevention and Tobacco Control Act, which gave FDA regulatory authority to regulate tobacco products. That was a strong step, but now, given the shocking increases in the number of teens and young people using e-cigarette, my bill takes this authority a step forward. It extends FDA regulation on the sale and distribution of tobacco products, including e-cigarettes. My bill raises the minimum age for purchasing tobacco to 21 and makes it unlawful for any retailer to sell a tobacco product to any person younger than 21 years of age. My bill also prohibits non-face-to-face sales of all tobacco products. It also bans all flavors of tobacco products, including mint and menthol.

This bipartisan bill has widespread support from groups like the African American Tobacco Control Leadership Council, American Academy of Pediatrics, American Cancer Society Cancer Action Network, American College of Cardiology, American Heart Association, American Lung Association, American Thoracic Society, Campaign for Tobacco-Free Kids, March of Dimes, and National African American Tobacco Prevention Network.

These groups say loud and clear: we are facing a serious problem that needs a comprehensive solution. As the Committee responsible for protecting the nation's public health, we must act. It is my intention to advance this legislation this fall, and I hope we can do so with strong bipartisan support.

We simply cannot lose another generation to a lifetime of nicotine addiction.

I thank the witnesses for being here today and I look forward to our Committee's discussion on this important bill.

Thank you, and I yield back.