POLICIES TO REDUCE DEATH AND DISEASE RELATED TO THE USE OF TOBACCO PRODUCTS AND ADDRESS THE E-CIGARETTE EPIDEMIC

Joint principles of the following organizations representing frontline physicians:

American Academy of Family Physicians
American Academy of Pediatrics
American College of Physicians
American College of Obstetricians and Gynecologists
American Osteopathic Association
American Psychiatric Association

On behalf of the more than 597,000 physicians and medical students represented by the combined memberships of the above organizations, we adopt the following principles regarding policies to reduce death and disease related to the use of tobacco products and to address the recent epidemic in youth use of e-cigarettes.

While the implementation of evidence-based policies by federal, state, and local governments to reduce tobacco use is considered one of the great public health achievements of the 20th century, tobacco use remains the leading cause of preventable death. Every year, almost a half million adults in the United States die prematurely as a result of smoking.

Recent reductions in the use of tobacco products, however, are being threatened by a surge in use of e-cigarettes, especially by young people. From 2017 to 2019, current e-cigarette use increased by 135% among high school students. Sleek and compact new e-cigarette products that contain high levels of nicotine and come in youth appealing flavors are causing a vaping epidemic in children, leading to increasing nicotine addiction, and resulting in cases of severe lung illness. Additionally, one in 14 women who gave birth in the United States in 2016 reported smoking during pregnancy. Despite the many known significant health risks for women and fetuses, many tobacco manufacturers target women with specific marketing that "feminizes" tobacco products. The tobacco industry also has a long history of using discriminatory marketing practices that target the Black community and other communities of color, leading to a disproportionate burden of tobacco-related disease and death in these communities. Urgent action is needed to stop these trends before the historic progress that has been made toward reducing youth tobacco use is undone. Despite marketing from tobacco companies designed to convince consumers otherwise, no e-cigarette products have been approved by the Food and Drug Administration (FDA) for smoking cessation. Policies should support the use of—and development of more effective—FDA-approved smoking cessation therapies.

Strengthening FDA regulation and enforcing premarket review. The Tobacco Control Act gave the FDA strong authority to regulate tobacco products. Among other provisions, it requires new tobacco products to receive marketing authorization from the FDA based on data sufficient to show that the product is appropriate for the protection of public health. On September 9, 2020, e-cigarette companies faced a deadline to submit premarket review applications or risk removal from the market. This deadline was imposed by a federal court after it found that FDA's failure to review these products helped fuel the youth vaping epidemic. We now urge FDA to conduct comprehensive public health reviews of e-cigarettes and to reject applications for flavored products and those with a high abuse liability for youth

and other nicotine-naïve individuals. The FDA must also make transparent the tobacco products that submitted an application by the September 9 deadline and act swiftly to remove from the market all products that failed to meet that deadline.

Prohibiting flavored tobacco products. Decades of research make clear that flavored tobacco products attract children and are a significant contributor to the development of lifelong tobacco addiction. Youth consistently report that they begin using tobacco products because they come in flavors they like, and the vast majority of adolescents and young adults who use tobacco products reported use of a flavored product. Additionally, the majority of young people who smoke use menthol cigarettes, and the tobacco industry has a long history of discriminatory marketing practices that have made these deadly products especially popular with Black Americans. Current evidence does not support that flavored products can be marketed to adults without attracting children nor that flavored e-cigarettes are necessary to help adults stop use of combustible cigarettes. Congress and FDA should act to eliminate flavored tobacco products, including menthol cigarettes, from the marketplace.

Enforcing Tobacco 21 nationwide. More than 90% of adult smokers begin smoking before the age of 18 and 95% begin before the age of 21. It is therefore essential that the nationwide purchase age of 21 for all tobacco products be enforced vigorously by the FDA, states, and localities to reduce tobacco use and prevent deaths from tobacco-related disease.

Preserving smoke-free environments. Tobacco use harms not only individual tobacco users but also others who are exposed through secondhand and thirdhand tobacco smoke and vapor exposure. We support continued work to strengthen tobacco-free environments (indoors and public places).

Preventing harmful tobacco marketing. Tobacco product marketing has historically misrepresented the health risks associated with tobacco use and targeted youth and vulnerable populations. FDA must vigilantly enforce restrictions on the use of health claims in tobacco marketing. Marketing tactics that appeal to children must be strictly prohibited.

Funding tobacco prevention, research, and treatment efforts. Effective tobacco prevention efforts at the state and federal levels must be appropriately funded. In addition, tobacco cessation treatment and counseling should be covered by payers without cost sharing. Additional research is needed to better advance tobacco regulatory science and the health impacts of e-cigarette use. Tobacco taxes have been shown to significantly reduce tobacco use and can be used to fund tobacco prevention programs.