



Policy Guidance Document Regarding E-Cigarettes

The American Cancer Society Cancer Action Network, American Heart Association, American Lung Association and the Campaign for Tobacco-Free Kids are very concerned about the increase in the marketing and sales of electronic cigarettes or “e-cigarettes.” Our organizations strongly support the U.S. Food and Drug Administration’s assertion that the products should be regulated as drug-delivery devices and not as tobacco products. As litigation between FDA and two e-cigarette manufacturers works through the federal court process, the importation of e-cigarettes is prohibited although sales continue online and at kiosks and stores. In the meantime, our organizations are issuing this joint policy guidance document to assist field staff and others.

- Our organizations support legislation that would prohibit all sales of e-cigarettes until these products are approved by FDA. Bans on the sale of e-cigarettes should prohibit all sales and avoid including e-cigarettes in youth access laws while at the same time allowing sales to adults to continue.
- Our organizations support including e-cigarettes in smoke-free laws but such legislation must not imply e-cigarettes are tobacco products. Our organizations recommend that new smoke-free laws, or ordinances and amendments to existing smoke-free laws, be specific in defining e-cigarettes as different from tobacco products.
- At this time, our organizations do not support including e-cigarettes in tobacco tax statutes. If states consider taxes on e-cigarettes, they should be in a separate tax statute and not included with tobacco products.
- There is **no** scientific evidence that e-cigarettes can help smokers quit. The U.S. Public Health Service has found that the seven drugs approved by the U.S. Food and Drug Administration in combination with individual or group cessation counseling is the most effective way to help smokers quit. The health claims being made by e-cigarette companies are misleading and illegal under federal law.

E-cigarettes are battery-powered nicotine inhalation devices that claim to deliver nicotine to the user through a vaporized propylene glycol solution. E-cigarette manufacturers and retailers are making unproven health claims about their products – asserting that they are safe or safer than traditional cigarettes. Companies also claim that e-cigarettes can help people to quit smoking and in one egregious press release, an e-cigarette company claimed their products were recommended for pregnant women by physicians.

The U.S. Food and Drug Administration (FDA) conducted one limited study in July of 2009 and found that the products contained carcinogens and toxic chemicals, including the ingredients found in anti-freeze. A study conducted at Virginia Commonwealth University and published in February 2010 found that e-cigarettes deliver little or no nicotine to users¹. Additional research is needed to ascertain what is in these products, what effects they have on users and how they are being used. Until the products are found to be safe and effective, they should not be on the market.

For further information about this statement, please contact the following staff at the signing organizations:

American Cancer Society Cancer Action Network: Angela Jones, (202) 585-3202, angela.jones@cancer.org

American Heart Association: Carter Headrick, (303)731-5578, carter.headrick@heart.org

American Lung Association: Erika Sward, 202-785-3355, esward@lungusa.org

Campaign for Tobacco-Free Kids: Victoria Almquist, 202-296-5469, valmquist@tobaccofreekids.org

ⁱ Eissenberg, T, "Electronic nicotine delivery devices: ineffective nicotine delivery and craving suppression after acute administration," *Tobacco Control* 19:87-88, 2010