Public health experts rally to support US legislative initiative on vaping

written by Clive Bates | 13 March 2018



Experts send a message to Congress – do the right thing on vaping and pass the Cole-Bishop language

Just out, a statement from the National Tobacco Reform Initiative – a group of senior figures and experts in public health and tobacco control – supporting a substantial change to the legislation governing vaping products in the United States. This statement supports what is known as the Cole-Bishop rider to the Agricultural Appropriations Bill (the rider is at section 753). This language has the following main effects:

1. Allows all vaping products that were on the US market in 2016 to stay on the market by waiving the requirement for 'pre-market review' (s.910), the most onerous and damaging regulatory burden – the same kind of grandfathering that was offered to cigarettes in 2009, when the Tobacco Control Act come into effect
2. It does not waive other requirements under the Tobacco Control Act – for example, submission of health information, ingredients and harmful constituents (s.904), misbranding (s.903) etc.
3. Requires FDA to develop standards for flavors and batteries
4. Places additional restrictions on sales and marketing

5. Requires certain warning labels and accurate labelling of nicotine content

It is very important that this passes as it solves part of the problem of establishing a proportionate regulatory system for low-risk products like vapor.

Here is the statement from NTRI and its membership.

National Tobacco Reform Initiative statement

National Tobacco Reform Initiative

March 13, 2018

Following is the Position Statement from the National Tobacco Reform Initiative in support of the Cole-Bishop Amendment.

Composed of ten (10) distinguished, exemplary and independent senior national public health leaders, the TRI is dedicated to substantially expanding cessation services to help the current 38 million adult smokers in the U.S. to quit smoking combustible cigarettes at the earliest possible time.

> ***The National Tobacco Reform Initiative supports the Cole-Bishop Amendment which is Section 753 of the 2018 House Agricultural Appropriations Bill. In the very same way cigarettes were grandfathered in through 2009, under this new law, e-cigarettes would be grandfathered in as long as they were on the market in 2016. This approach will do more to shore up e-cigarettes as a viable alternative to combustible cigarettes than the FDA's current position of deferring current law until 2022. Cole-Bishop also requires FDA to set product standards, including on flavors and batteries; the FDA would need to propose rules in 21 months and finalize them within three (3) years.***
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> ***Today's e-cigarettes are technologically light years ahead of products that were on the market in 2007, and it is critical that these significantly lower-risk products continue to be made readily available to adult smokers. Fundamentally, this is a question of whether we should move e-cigarettes closer to regulatory equity with cigarettes, rather than continuing to give a leg-up to combustible tobacco products that have been grand-fathered in.***

> ***Cole-Bishop would accomplish that, while setting up a process to adequately regulate e-cigarettes and protect consumers and kids.***

For questions about the NTRI Position Statement, please contact Iowa Attorney General, Tom Miller, at 515-707-3675, or Scott Ballin at 202-258-2419. Both Miller and Ballin are members of the TRI Team.

If you have questions about the National Tobacco Reform Initiative, please check out the TRI Web Site at –http://www.tobaccoreform.org.

Tobacco Reform Initiative – the members

- **David B. Abrams, Ph.D. –** Professor, Department of Social & Behavioral Sciences, College of Global Public Health, New York University
- **Scott Ballin, JD. –** Health Policy Consultant; Former Vice President and Legislative Counsel to the American Heart Association; Former Member and Chair of the Coalition on Smoking OR Health; Advisor to the University of Virginia 'Morven' Tobacco Dialogues
- **Aaron Biebert –** Former President and CEO, Clear Medical Solutions; Director, Attention Era Media, Film Production Company; Produced "A Billion Lives" documentary seen by millions worldwide
- **Michael Cummings, Ph.D. –** Professor, Department of Psychiatry & Behavioral Sciences, Medical University of South Carolina; Co-leader, Tobacco Research Program, Hollings Cancer Center
- **Allan C. Erickson –** Former Vice President for Public Education & Tobacco Control, American Cancer Society; Staff Director Latin American Coordinating Committee for Tobacco Control, International Union Against Cancer
- **Thomas Miller –** Attorney General, State of Iowa
- **Ray Niaura, Ph.D. –** Professor, School of Public Health Global Studies, New York University
- **John R. Seffrin, Ph.D. –** Professor of Practice, School of Public Health, Indiana University at Bloomington
- **Daniel Wikler, Ph.D., —** Mary B. Saltonstall Professor of Ethics & Population Health, Department of Global Health and Populations, Harvard T.H. Chan School of Public Health

- **Derek Yach –** Founder and President Designate, Foundation for a Smoke-Free World; Former Executive Director, Framework Convention for Tobacco Control, World Health Organization (WHO)

Tobacco Reform Initiative – advisory group

- **Clive Bates –** Director, Counterfactual Consulting Limited (UK)
- **Lawrence (Larry) Green –** Professor Emeritus; Former Professor, Department of Epidemiology and Biostatistics, School of Medicine, University of California at San Francisco
- **Michael McGinnis, M.D. —** Senior Scholar and Executive Director, National Academy of Medicine (NAM)
- **Ken Warner, Ph.D. –** Avedia Donabedian Distinguished University Professor of Public Heath, University of Michigan School of Public Health