



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Services

Food and Drug Administration
10903 New Hampshire Ave
Silver Spring, MD 20993

November 17, 2015

Matthew L. Myers
President
Campaign for Tobacco-Free Kids
1400 Eye Street, NW
Suite 1200
Washington, DC 20005

Dear Mr. Myers:

Thank you for your letter on October 14, cosigned by several other health advocacy organizations, urging the U.S. Food and Drug Administration (FDA or the Agency) to investigate the marketing claims being made by manufacturers and retailers of electronic cigarettes, also known as e-cigarettes. We share your concerns regarding the proliferation of claims being made for e-cigarettes.

Your letter highlights the recently published results of a survey that Truth in Advertising (TINA) conducted of over 150 websites that sell e-cigarettes. On its website, TINA explains that each of the surveyed websites were reviewed for claims that an e-cigarette product can help individuals “quit tobacco/cigarettes;” “testimonials about quitting tobacco” and “personal anecdotes about stopping smoking;” and statements indicating that “many people have stopped/lessened smoking” with an e-cigarette product, among other things. TINA found that roughly one-third of the websites it surveyed contained a claim, testimonial, anecdote, or statement of this sort.

We appreciate you bringing these survey results to our attention. The marketing of e-cigarettes for smoking cessation is an issue of great concern to the Agency. Cigarette smoking is estimated to cause more than 480,000 deaths annually, so helping people quit smoking is a top public health priority. To maximize their chances of a successful quit attempt, it is important that smokers use a product that has been approved by the FDA as safe and effective for use as a smoking cessation aid. At the present time, no e-cigarette product is approved by the FDA for use as a smoking cessation aid.

The FDA has initiated a review of the websites included in TINA’s survey. The Agency is reviewing these websites for claims that e-cigarettes can be used to quit smoking or for other

therapeutic purposes (e.g., to treat depression, schizophrenia, etc.). Upon completing this review, we intend to take regulatory action as appropriate.

Thank you for contacting us concerning this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Janet Woodcock', with a stylized, flowing script.

Janet Woodcock, M.D.

Director

Center for Drug Evaluation and Research

Cc: Mitchell Zeller
Director
Center for Tobacco Products