

We appreciate that every FDA appropriations bill approved by Congress since the enactment of the TCA has contained the full authorized amount of user fees. This year, we urge your Subcommittee to approve the \$712 million in user fees that the TCA authorizes FDA to collect and spend for tobacco-related activities for FY 2019.

We also appreciate that your Subcommittee did not include any restrictions on FDA's authority under the TCA in its FY 2018 bill and urge the Subcommittee to not restrict this authority in its FY 2019 bill. As you know, two policy riders in last year's House Agriculture-FDA Appropriations bill would have substantially weakened FDA's authority over certain tobacco products. One provision would have exempted thousands of e-cigarettes and cigars now on the market from a scientific review of their health risks and whether they appeal to kids. By eliminating the obligation of manufacturers to submit these products for review by FDA, the provision would have made it much harder for FDA to address concerns about tobacco companies' use of kid-friendly flavors, made the thousands of sweet-flavored products that entered the marketplace in recent years the accepted industry standard by which future products would be evaluated, and left important questions about the effect of e-cigarettes on public health unanswered. Regrettably, FDA has significantly delayed enforcement of this product review requirement. The House rider would have gone beyond this delay and permanently exempted thousands of tobacco products from a product review by FDA.

The other provision would have completely excluded "large and premium cigars" from FDA oversight. We agree with FDA's conclusion in 2016 that there is no appropriate public health justification for exempting premium cigars from FDA oversight. FDA's scientific review found that all cigars pose serious negative health risks, including about 9,000 premature deaths a year, and that all cigars are potentially addictive. We also are concerned that the rider defined "large and premium cigars" so broadly that it would have created a loophole that invited tobacco companies to modify their products to qualify for this exemption, including cheap, machine-made, flavored cigars that appeal to youth. We appreciate that the FY 2018 Consolidated Appropriations Act did not include these provisions and urge the Subcommittee to continue to not include restrictions on FDA's authority over tobacco products in its appropriations bill.

Tobacco use remains the leading preventable cause of death in the United States and is responsible for more than \$170 billion in health care costs every year. More than 16 million Americans currently suffer from smoking-caused illness and more than 480,000 die each year from cigarette smoking and exposure to secondhand smoke. With the support of your Subcommittee, the FDA will be able to continue its work to reduce tobacco use and the health and economic toll it takes on our nation.

Sincerely,

Academy of General Dentistry
Action on Smoking and Health
Allergy & Asthma Network
American Academy of Family Physicians
American Academy of Oral and Maxillofacial Pathology
American Academy of Otolaryngology—Head and Neck Surgery
American Academy of Pediatrics
American Association for Cancer Research
American Association for Respiratory Care
American Cancer Society Cancer Action Network
American College of Cardiology
American College of Obstetricians and Gynecologists
American College of Physicians
American College of Preventive Medicine
American Dental Association
American Dental Education Association
American Heart Association
American Lung Association
American Psychological Association
American Public Health Association
American School Health Association
American Society of Addiction Medicine
American Society of Clinical Oncology
American Thoracic Society
Americans for Nonsmokers' Rights
Asian Pacific Partners for Empowerment, Advocacy and Leadership
Association of Maternal & Child Health Programs
Association of Schools and Programs of Public Health
Association of State and Territorial Health Officials
Association of Women’s Health, Obstetric and Neonatal Nurses
Big Cities Health Coalition
Campaign for Tobacco-Free Kids
ClearWay MinnesotaSM
Community Anti-Drug Coalitions of America
Eta Sigma Gamma - National Health Education Honorary
International Association for the Study of Lung Cancer
Lung Cancer Alliance
March of Dimes
National African American Tobacco Prevention Network
National Association of County and City Health Officials
National Association of Pediatric Nurse Practitioners
National Association of School Nurses
National Association of Social Workers
National Hispanic Medical Association
Oncology Nursing Society
Prevention Institute
Public Health Solutions
Society for Cardiovascular Angiography and Interventions
Society for Public Health Education
Society for Research on Nicotine & Tobacco
Students Against Destructive Decisions
The Society of State Leaders of Health and Physical Education
The Society of Thoracic Surgeons
Trust for America’s Health
United Methodist Church – General Board of Church and Society

CC: United States Senate Committee on Appropriations Members