



December 3, 2019

The Honorable Raja Krishnamoorthi
Chairman, Subcommittee on Economic
and Consumer Policy
Committee on Oversight and Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Thank you for your letter about the Food and Drug Administration's (FDA) guidance document, "Enforcement Priorities for Electronic Nicotine Delivery Systems (ENDS) and Other Deemed Products on the Market Without Premarket Authorization." Your letter included questions about the review of the FDA guidance document by the Office of Information and Regulatory Affairs, and our responses are below.

On October 25, 2019, the Food and Drug Administration submitted a draft of its guidance document to the Office of Management and Budget (OMB). OMB concluded review on November 4, 2019. The Administration continues to consider the vaping policy in an ongoing deliberative process. The Administration is committed to preventing youth use of tobacco products.

Thank you again for sharing your important perspective on this important policy matter. If you or your staff have any questions, please contact OMB's Legislative Affairs office at LegislativeAffairs@omb.eop.gov.

Dominic J. Mancini
Acting Administrator
Office of Information and Regulatory Affairs

Sincerely,

Brett P. Giroir
Acting Commissioner
Food and Drug Administration

cc: The Honorable Michael Cloud, Ranking Member