

October 15, 2019

The Honorable Anna Eshoo  
Chairwoman, Energy and Commerce  
Subcommittee on Health  
2125 Rayburn House Office Building  
Washington, DC 20515

The Honorable Michael Burgess  
Ranking Member, Energy and Commerce  
Subcommittee on Health  
2125 Rayburn House Office Building  
Washington, DC 20515

Dear Chairwoman Eshoo and Ranking Member Burgess:

On behalf of our 163,000 dentist members, we respectfully ask your subcommittee to favorably report H.R. 2339, the Reversing the Youth Tobacco Epidemic Act of 2019. Among other things, this bill would:

- Require Food and Drug Administration (FDA) to implement the graphic health warnings for cigarette packages (including an oral cancer image) within 12 months.
- Extend the federal tobacco advertising and sales requirements to other types of nicotine products, such as vaping devices.
- Regulate products the FDA deems to be covered by the Tobacco Control Act, such as vaping devices, in the same manner as cigarettes and smokeless tobacco.
- Raise the minimum age for purchasing non-tobacco nicotine products (e.g., e-cigarettes, snus, etc.) to 21.
- Prohibit non-face-to-face sales of all tobacco products, including e-cigarettes and e-cigarette accessories.
- Prohibit all characterizing flavors of tobacco products, including menthol.

Tobacco use is causally associated with higher rates of tooth decay, receding gums, periodontal disease, mucosal lesions, bone damage, tooth loss, jaw bone loss and more.<sup>1</sup> About 9 out of 10 people who are diagnosed with oral cavity and oropharyngeal cancers use (or used) tobacco products.<sup>2</sup> Even more alarming, about 40 percent will survive no more than five years.<sup>3</sup>

We are alarmed by recent efforts to characterize some nicotine-containing products as less harmful than cigarettes, particularly electronic nicotine delivery systems (ENDS) (also called vapes, vaporizers, vape pens, hookah pens, e-cigarettes and e-pipes). While the oral health effects of vaping are not fully studied, there is some evidence that vaping is associated with first-time and continuing tobacco use.<sup>4</sup>

The ADA supports regulating vaping devices and liquids in the same way that FDA regulates cigarettes, smokeless tobacco and other tobacco-containing nicotine products. H.R. 2339 provides an avenue for doing that.

We applaud Energy and Commerce Committee Chairman Frank Pallone for introducing this meaningful legislation and are pleased to offer our enthusiastic support. If you have any questions, please contact Ms. Natalie Hales at 202-898-2404 or [halesn@ada.org](mailto:halesn@ada.org). Information is also available at [ADA.org/tobacco](http://ADA.org/tobacco).

Sincerely,

Handwritten signature of Chad P. Gehani in black ink.

Chad P. Gehani, D.D.S.  
President

Handwritten signature of Kathleen T. O'Loughlin in black ink.

Kathleen T. O'Loughlin, D.M.D., M.P.H.  
Executive Director

CPG:KTO:rjb

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<sup>1</sup> Couch ET, Chaffee BW, Gansky SA, Walsh MM. The changing tobacco landscape: What dental professionals need to know. J Am Dent Assoc 2016;147(7):561-9.

<sup>2</sup> American Cancer Society, Detailed Guide: Oral Cavity and Oropharyngeal Cancer (2007).

<sup>3</sup> Surveillance, Epidemiology, and End Results (SEER) Program, National Cancer Institute Surveillance Research Program, based on November 2006 submission of SEER Series 9 (1996-2003).

<sup>4</sup> National Academies of Sciences Engineering and Medicine. Public Health Consequences of E-Cigarettes. Washington (DC): National Academies Press (US) Copyright 2018 by the National Academy of Sciences. All rights reserved; 2018.