

**A Petition for the American Academy of Pediatrics, American Cancer Society Cancer Action Network, American Heart Association, American Legacy Foundation, American Lung Association, American Medical Association, Action on Smoking and Health, the U.S. Food and Drug Administration, Public Citizen and Campaign for Tobacco-Free Kids to change their policy and support the sale and use of electronic cigarettes as a reduced harm option for committed adult smokers.**

There are 46 million U.S. adults who smoke and approximately 400,000 people who die each year from their own cigarette smoking. (Source: TobaccoFreeKids.org) <http://www.tobaccofreekids.org/research/factsheets/pdf/0072.pdf>

“Cigarette smoke contains over 4,800 chemicals, 69 of which are known to cause cancer. Smoking is directly responsible for approximately 90 percent of lung cancer deaths and approximately 80-90 percent of COPD (emphysema and chronic bronchitis) deaths” (Source: American Lung Association) <http://www.lungusa.org/stop-smoking/about-smoking/facts-figures/general-smoking-facts.html>

“Despite overwhelming evidence of tobacco's harmful effects and pressure from anti-smoking advocates, current surveys show that about one-quarter of all adults in the United States are smokers.” (Source: Committee to Assess the Science Base for Tobacco Harm Reduction, Board on Health Promotion and Disease Prevention) [http://www.nap.edu/catalog.php?record\\_id=10029](http://www.nap.edu/catalog.php?record_id=10029)

“Health-concerned smokers gravitate toward “reduced-harm” cigarettes through a motivation to protect themselves from health risks.” (Source: Center for Tobacco Control Research and Education) [http://apha.confex.com/apha/134am/techprogram/paper\\_139199.htm](http://apha.confex.com/apha/134am/techprogram/paper_139199.htm)

“Electronic cigarettes are marketed and used as a less hazardous alternative to traditional cigarettes, not as a cure for nicotine dependency.” (Source: Michal Douglas, Consumer Advocates for Smoke-free Alternatives Association) <http://www.casaa.org/news/article.asp?articleID=94&l=a&p>

“Nicotine isn't the bad guy. The bad guy is the smoke in tobacco.” (Source: Dr. Daniel F. Seidman, American Medical Association News) <http://www.ama-assn.org/amednews/2008/08/04/hlsa0804.htm>

“E-cigarettes use the same nicotine, with about the same level of trace contaminants as FDA approved NRT products. There are a large number of studies and reviews that demonstrate the safety of E-cigarettes in comparison with pharmaceutical NRT products and conventional cigarettes.” (Source: American Association of Public Health Physicians) <http://www.aaphp.org/special/joelstobac/2010/Petition/20100207FDAPetition2.pdf>

In a survey of over 1,100 survey respondents, as of 4/29/2010:

- 82.5% of electronic cigarette users reported they are over the age of 30 years old and only 2.1% are 18-21 years old
- 84.4% stated that they smoked cigarettes for over 10 years before switching to electronic cigarettes
- 75.2% report that they have ceased smoking traditional cigarettes completely.
- 83.1% report they use electronic cigarettes as an alternative to tobacco cigarettes and not as a way to treat nicotine addiction
- 56% report that they “regularly,” “often” or “always” use non-tobacco flavors such as chocolate and strawberry
- 91.4% report “better lung function/easier breathing” and 80.2% report “increased lung capacity”
- 89.6% stated they would be “very likely” or “likely” to “buy electronic cigarette supplies directly from China or the black market,” should electronic cigarettes become unavailable and 72.1% stated they would be “likely” or “very likely” to return to smoking cigarettes. Only 7.6% reported that they would attempt to quit smoking using

an NRT or through complete abstinence i.e. cold turkey (Source: CASAA Electronic Cigarette User Survey)  
[https://www.surveymonkey.com/sr.aspx?sm=HrpzL8PN5cP366RWhWvCTjggiZM\\_2b8yQJHfwE9UXRNhE\\_3d](https://www.surveymonkey.com/sr.aspx?sm=HrpzL8PN5cP366RWhWvCTjggiZM_2b8yQJHfwE9UXRNhE_3d)

"The AAPHP Task Force, on the basis of extensive literature review and analysis, has concluded that a national harm reduction initiative, based partly on the potential attractiveness of E-cigarettes to current smokers, could save the lives of 4 million of the 8 million current adult American smokers who will otherwise die of a tobacco-related illness over the next 20 years."

(Source: Joel L. Nitzkin, MD, AAPHP White Paper: The E-Cigarette in the Context of Overall Tobacco Control)  
<http://www.aaphp.org/special/joelstobac/ecigcontext.pdf>

FACT: There is NO evidence of any harm or illness, due to electronic cigarettes, during the five years they have been on the world market.

FACT: Testing by the FDA and independent labs has shown that electronic cigarettes have no more toxic chemicals or carcinogens than FDA-approved smoking cessation products

FACT: Electronic cigarettes are advertised to and largely used by ADULT committed smokers, the majority of whom have no intention of quitting nicotine use in the near future

FACT: There is no verifiable evidence to show that children/teens are attracted to electronic cigarettes

FACT: Accusations that electronic cigarette advertising is targeting children is based entirely on the false assumption that adult smokers would not be attracted to candy flavors or electronic "gadgets"

FACT: The overwhelming majority of electronic cigarette retailers already have implemented policies against sales to minors and anecdotal reports of minors purchasing electronic cigarettes are extremely rare

FACT: Electronic cigarettes have been shown to be tens of thousands of times less toxic and less carcinogenic than traditional cigarettes

FACT: The majority of electronic cigarettes users discontinue smoking traditional tobacco

FACT: If electronic cigarettes are removed from the U.S. market, the majority of electronic cigarette owners will turn to ordering the devices from China or worse, return to smoking traditional cigarettes

FACT: Electronic cigarettes pose little, if any, risk to the general public, yet their removal from the market would have a huge, negative impact on the hundreds of thousands of actual users of the devices

While there is still a need for regulation of electronic cigarette sales to minors, addressing false advertising claims by a small number of retailers and consistent manufacturing standards; given the above facts, the American Academy of Pediatrics, American Cancer Society Cancer Action Network, American Heart Association, American Legacy Foundation, American Lung Association, American Medical Association, Action on Smoking and Health, the U.S. Food and Drug Administration, Public Citizen and Campaign for Tobacco-Free Kids have a duty to discontinue their campaign for the removal of electronic cigarettes from the market and support the availability and use for the primary consumer benefiting from these products – adult committed smokers. Therefore, any further actions by these organizations to bar access to electronic cigarettes for adult smokers is in direct conflict of their stated missions to protect public health.

**We ask that the above-named groups cease and desist all efforts to remove electronic cigarettes from the market and instead encourage committed smokers to switch to these reduced harm products, while additional testing is done and fair and proper regulations are established. Until this is done, we pledge to withdraw our support and stop any and all**

**financial contributions to your organizations and our friends, families and co-workers will be strongly encouraged to do the same.**

**Signed,**

**Delivered to:**

**Judith S. Palfrey, MD**

President

Department of Federal Affairs

601 13th Street, NW

Suite 400 North

Washington, DC 20005 USA

**John R. Seffrin, PhD**

CEO

American Cancer Society Cancer Action Network

901 E St NW, Ste 500,

Washington, DC 20004

**Clyde Yancy, M.D.**

President

American Heart Association

7272 Greenville Avenue

Dallas, TX 75231

**Cheryl Heulton**

President and CEO

American Legacy Foundation

1724 Massachusetts Ave NW

Washington, DC 20036

**Robert C. Fellmeth**

Chair

Public Citizen

1600 20th Street, NW

Washington, D.C. 20009

**Charles Dean Connor**

President and CEO

American Lung Association

1301 Pennsylvania Ave. NW, Suite 800

Washington, DC 20004

**J. James Rohack, MD**

President

American Medical Association

515 N. State Street

Chicago, IL 60654

**John F. Banzhaf**

Executive Director

Action on Smoking and Health

2013 H St, NW

Washington, D.C. 20006

**Matthew L. Myers**

President

Campaign for Tobacco-Free Kids

1400 Eye Street, NW, Suite 1200

Washington DC 20005

**Margaret A. Hamburg, M.D.**

Food and Drug Administration

10903 New Hampshire Ave

Silver Spring, MD 20993-0002