

TO: The Honorable Peter A. Hammen, Chairman
Members, House Health & Government Operations Committee
The Honorable Elizabeth Bobo

FROM: Joseph A. Schwartz, III
Pamela Metz Kasemeyer
J. Steven Wise

DATE: March 9, 2010

RE: **SUPPORT** – House Bill 720 – *Public Health – Nontobacco Nicotine Products*

On behalf of MedChi, the Maryland State Medical Society and the Maryland Chapter of the American Academy of Pediatrics, we support House Bill 720.

House Bill 720 prohibits a person from selling products, other than tobacco products, that contain or deliver nicotine intended for human consumption and are not approved by the U.S. Food and Drug Administration (FDA). The bill is aimed at prohibiting what are commonly referred to as “e-cigarettes” which are battery-operated devices which contain nicotine cartridges and other chemicals to mimic flavors such as chocolate, mint, or strawberry. When a person sucks on an e-cigarette it glows like a real cigarette and emits smoke but the smoke dissipates and does not have the odor of tobacco.

E-cigarettes are particularly attractive to minors because of the flavors that are incorporated into the devices. However, these devices have not been shown to be safe and the American Lung Association, American Cancer Society, American Heart Association, and Campaign for Tobacco-Free Kids have called for e-cigarettes to be removed from the market.

In July 2009, the FDA announced that laboratory analysis had determined that e-cigarettes contain carcinogens and toxic chemicals such as diethylene glycol, an ingredient used in antifreeze. Manufacturers however maintain that their products are safe. Despite the FDA’s findings, in February 2010, a federal judge ruled that FDA could regulate electronic cigarettes as drug-delivery devices. Consequently, because the FDA is unable to regulate these devices to assure that they meet health and safety standards, there is no alternative but to ban them from the marketplace. MedChi and MDAAP request a favorable report.

For more information call:

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