September 24, 2020

The Honorable Kamala Harris
112 Hart Senate Office Building
Washington, DC 20510

RE: Support for H.R. 2339, Protecting American Lungs and Reversing the Youth Tobacco Epidemic Act of 2020

Dear Senator Harris:

The City of Beverly Hills SUPPORTS H.R. 2339, Protecting American Lungs and Reversing the Youth Tobacco Epidemic Act of 2020, as passed by the House of Representatives on February 28, 2020. The bill amends the Federal Food, Drug, and Cosmetic Act (FFDCA) to strengthen the authority of the Food and Drug Administration (FDA) over tobacco products and provides a comprehensive approach to address the alarming rate of tobacco use, in particular electronic cigarettes, by America’s youth.

According to the Centers for Disease Control and Prevention (CDC) and the Food and Drug Administration (FDA), electronic cigarettes (e-cigarettes) are the most commonly used tobacco products among middle and high school students. During 2017 and 2018, the CDC and FDA reported e-cigarette use by high school students increased by 78 percent.

More recently, the CDC has found an overall drop of vaping by high school students (from 28 percent to 20 percent) which is certainly good news. However, on a more troubling note, the federal agency also found that the percent of youths who appear deeply addicted to vaping has increased. It is a known fact that tobacco use remains one of the leading cause of preventable deaths, disability and disease in the United States. This is why it is so important to discourage teenagers from taking up smoking in the first place and to prevent the tobacco/vaping industry from targeting minors with flavored products like candy, gum, and menthol. In recognition of the need to fight this alarming trend, the City of Beverly Hills prohibited the sale of flavored tobacco products in 2018 and continues to support efforts to end the sale of these deadly products.

The City of Beverly Hills supports the mandate of H.R. 2339 to prohibit the manufacture and sale of all flavored tobacco products and to require the removal of all flavored electronic nicotine delivery system products from the market within 30 days of enactment of the bill. The City also supports other aspects of the measure, including:

- How it directs the FDA to prohibit non-face-to-face sales of certain tobacco products;
- Grants the FDA the authority to collect user fees from all classes of tobacco products, including electronic nicotine delivery system (ENDS) products, and increases the annual user fees collected for tobacco products; and
- Requires the Federal Trade Commission (FTC) to issue an annual report to Congress on the domestic sales, advertising, and promotional activities of cigarette, cigar, smokeless tobacco, and ENDS manufacturers.
Finally, the City of Beverly Hills supports H.R. 2339 because it takes the necessary steps to prevent the loss of a new generation to a lifetime of nicotine addiction by enhancing FDA’s regulatory authority to restrict the marketing and sale of tobacco products that appeal to young people.

Thank you for your consideration and leadership in Congress.

Sincerely,

Lester J. Friedman
Mayor, City of Beverly Hills