



May 10, 2017

**Re: OPPOSE SB 37**

Dear Chair Rocca:

Please oppose SB 37. These bills are not about protecting kids from e-cigarettes, they are about protecting tobacco company profits. Defining e-cigarettes as “vapor products” rather than “tobacco products” exempts e-cigarettes from laws regarding the illegal sale of tobacco products to children.

We agree with the sponsors’ intent that the sale of electronic cigarettes to children should be prohibited, but electronic cigarette laws should mirror tobacco product laws, not circumvent them.

The tobacco industry’s bottom line stands to gain by setting up a precedent where e-cigarettes and other vapor devices are not regulated the way that tobacco products are. The tobacco industry has a long history of supporting youth-access restrictions in an attempt to avoid additional regulations that have a proven track record of reducing youth tobacco use.

Forty Attorneys General from across the country, including Michigan Attorney General Bill Schuette, submitted a letter to the FDA on September 24, 2013, calling on them “to regulate electronic cigarettes as ‘tobacco products’.....as they are products ‘made or derived from tobacco’”.

The Food and Drug Administration (FDA) deeming rule was finalized and becomes effective nationwide on August 8, 2016. Under this rule, the FDA exerts its authority to regulate additional tobacco products. This recent action by FDA regulates all tobacco products, including e-cigarettes by prohibiting sales of these products to those under 18 and requiring manufacturers to disclose their ingredients to the FDA.

Michigan should not regulate e-cigarettes in a manner conflicting with the FDA’s regulation. As introduced, SB 37 is in clear conflict with federal regulations.

Our organizations have serious concerns about the potential public health effects of e-cigarettes and significant additional research is needed on these products and how they are used. Until more research is conducted we strongly recommend Michigan treat e-cigarettes like all other tobacco products. This could be accomplished

by mirroring the proposed FDA rules. Michigan should simply regulate new and emerging tobacco and nicotine products under Michigan's definition of "tobacco products."

Michigan should regulate e-cigarettes on public health terms, not tobacco company terms. E-cigarettes look and behave like cigarettes and there is no reason we should treat them any differently.

Again, please oppose SB 37.

If you have questions, please contact Peter Ruddell at [ruddellp@rwca.com](mailto:ruddellp@rwca.com) or (517) 374-2703.

Most respectfully,



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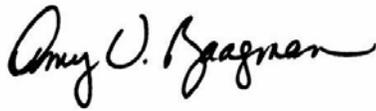
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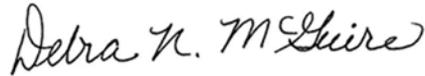
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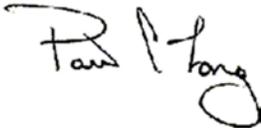
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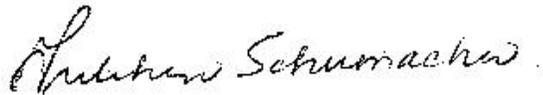
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