Reply: E-Cigarette, or Vaping, Product Use–associated Lung Injury: A Response to Perez and Crotty Alexander

From the Authors:

We want to thank Dr. Gunasakeran and colleagues for providing further clarity on our editorial published earlier in this journal (1). We concur that the recent regulatory framework for e-cigarettes approved by the Trump administration does not go far enough. As of February 6th of this year, the sales of any flavored cartridge-based electronic nicotine delivery system (ENDS) product (other than tobacco or menthol flavor ENDS) has been banned (2). This feeble ban does not affect the sales of e-liquid solutions and/or disposable e-cigarettes, which continue to be marketed and sold in many convenience stores around the country, enticing many of our children to become nicotine addicts longing their next dopamine release while increasing the revenues of the tobacco and e-cigarette industry. This is evidenced by the large surge in the popularity of Mango flavored PUFF Bar disposable devices, and JUUL-compatible PUFF Bar Mango flavored pods, in adolescent users. The "ban" also fails to address the doctoring of e-liquids by the addition of tetrahydrocannabinol, which is legal for recreational use in many states and is the fastest growing way in which adolescents are exposed to this psychoactive substance (3). We are also particularly disappointed that the U.S. Food and Drug Administration (FDA) did not ban menthol because the FDA itself has reported that menthol increases nicotine addiction and is favored by younger populations, women, and black Americans (4).

Since our original submission, another important piece of federal legislation was implemented. As of December 20, 2019, the legal age to buy tobacco products, including e-cigarettes, was raised from 18 to 21 years old (5). However, many cities across the nation and almost 20 states had already enacted this age limit, commonly known as Tobacco 21. The FDA now needs to present a plan for implementation and enforcement of this law on the national level.

As we in the United States and the entire world fight the current coronavirus disease (COVID-19) pandemic, we are concerned that a lackadaisical federal response to e-cigarettes will have significant deleterious consequences for the health of our nation. However, we continue to be hopeful knowing that, as of today, no ENDS products have been officially authorized by the FDA, meaning that all ENDS products currently on the market are considered illegally marketed and are subject to enforcement at the FDA's discretion. Furthermore, May 12th of this year marks the deadline for e-cigarette manufacturers to apply to the FDA and submit their products for public health review. We urge the FDA to carefully review these applications and regulate for the public good.

Author disclosures are available with the text of this letter at www.atsjournals.org.

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