

# U.S. Sen. Baldwin: Joins bipartisan, bicameral group to hold E-cigarette companies accountable for youth vaping crisis

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Washington, D.C. – Senator Tammy Baldwin (D-WI) joined a bipartisan, bicameral group in introducing legislation to protect young people from the dangers of e-cigarettes. The Resources to Prevent Youth Vaping Act would require that e-cigarette manufacturers pay user fees to the Food and Drug Administration (FDA) to help to fund more activity at the FDA to conduct stronger oversight of the e-cigarette industry and increase awareness for the danger of e-cigarettes. U.S. Senators Jeanne Shaheen (D-NH), Lisa Murkowski (R-AK), Richard Durbin (D-IL), Susan Collins (R-ME) and Mitt Romney (R-UT) also helped to introduce the bill.

Companion legislation will be introduced in the House by Representatives Cheri Bustos (D-IL) and Brian Fitzpatrick (R-PA).

“The rise of teen vaping is an epidemic and we must take action to protect young people from the dangers of e-cigarettes and prevent them from using harmful tobacco products,” **said Senator Baldwin.** “This legislation is an important step forward to fund stronger oversight of the e-cigarette industry and increase our prevention and youth awareness efforts.”

“Two years ago, Children’s Wisconsin sounded the alarm on lung injuries in teens that were caused by vaping. While progress has been made to limit youth access to these products, we remain very concerned about the prevalence of use among

young people and the harmful impact of all tobacco products on kids' health and development. We applaud Senator Baldwin for her continued leadership in addressing this important public health issue and are encouraged by the Resources to Prevent Youth Vaping Act. This legislation will help educate teens and their families about the dangers of vaping and enhance efforts to keep these harmful tobacco products out of our kids' hands," **said Mike Gutzeit, MD, Chief Medical Officer of Children's Wisconsin.**

"New Hampshire is acutely experiencing the youth vaping crisis - and has one of the nation's highest rates of e-cigarette use among high school students. It's outrageous that e-cigarette manufacturers are directly marketing their harmful products to young people with no consequences," **said Senator Shaheen.** "That's why I'm leading bipartisan legislation to respond to this crisis by holding these companies accountable and closing a loophole that allowed them to avoid paying fees to the FDA to help fund the agency's crackdown on youth vaping. There's no excuse not to act - we must stop this exploitation of kids and teens before another generation falls victim to the nicotine addiction epidemic."

"As we face alarming increases in youth vaping, it is crucial that we continue work to prevent another generation of Americans from becoming addicted to nicotine. While we have made progress in reducing the number of teens who use cigarettes, we know the numbers—more and more teens and high school students are using vaping products. I've worked with my colleagues to remove flavored products from the market that were clearly designed to target kids, but there is a lot more that needs to be done. This bill supports the agencies that can hold e-cigarette companies accountable while also raising awareness about the dangers of vaping," **said Senator Murkowski.**

"Big Vape has hooked nearly four million kids on e-cigarettes, creating a vaping epidemic that is threatening our next generation with a lifetime of nicotine addiction and disease," **said Senator Durbin.** "The FDA needs to clear the shelves of these dangerous and addictive products, and Congress needs to pass the Resources to Prevent Youth Vaping Act, which will help provide FDA with the resources to better regulate this market. Enough is a enough. The health of our children cannot wait any longer."

“The use of e-cigarettes by our young people threatens the progress we have made to reduce overall tobacco use. I have heard from teachers across Maine about the issue of vaping in our high schools and middle schools,” **said Senator Collins.** “Although we have taken important steps that are already making a difference in reducing the rate of youth vaping, more work remains to be done. This legislation would impose fees on e-cigarette manufacturers similar to fees for other tobacco products, which could be used to support youth education and prevention initiatives.”

“Electronic nicotine devices should be subject to the same user fees that the FDA assesses on the manufacturers and importers of cigarettes and other forms of tobacco,” **said Senator Romney.** “By granting the FDA the authorization to collect user fees on e-cigarettes, our legislation will further efforts to tackle the vaping crisis and protect the lives of children in Utah and across the country.”

“From our small towns to big cities, vaping among students has soared – we’ve even heard stories of third graders using e-cigarettes in my district,” **said Rep. Bustos.** “When it comes to youth vaping, we must fight for our children’s future and that’s why I’m proud to join this bicameral, bipartisan group of lawmakers to help the FDA enforce the law, educate the public and regulate vaping companies.”

“The rate of vaping amongst our nation’s youth has risen at an alarming rate over the last few years,” **said Rep. Fitzpatrick.** “I am proud to support the bipartisan Resources to Prevent Youth Vaping Act, which will combat this crisis and help mitigate the risk of addiction and disease for this generation of young people.”

In recent years, the use of e-cigarettes and other electronic nicotine delivery systems (ENDS) products has skyrocketed, particularly among teens. The Centers for Disease Control and Prevention (CDC) recently reported that:

- E-cigarette use among high school students rose from 1.5 percent of students in 2011 to 27.5 percent of students in 2019.
- E-cigarette use among middle school students also grew, from 0.6 percent of students in 2011 to 10.5 percent of students in 2019.
- The availability of flavored e-cigarettes, and easily-concealable vaping

products, like JUUL, have made e-cigarettes more popular among youth.

The Resources to Prevent Youth Vaping Act increases the total amount that will be collected in tobacco user fees by \$100 million in Fiscal Year (FY) 2022 and indexes that amount to inflation for future years. Critically, the bill also authorizes FDA to collect user fees from all manufacturers of products that have been deemed as tobacco products by FDA, including e-cigarettes. Currently, manufacturers of traditional combustible tobacco products pay into FDA user fees, but e-cigarette companies are exempt due to a loophole in the law. The amount collected from individual e-cigarette manufacturers will be proportional to their share of the overall tobacco market, as determined by FDA. FDA would be able to use this additional revenue from e-cigarette user fees to conduct safety review of vaping products, prevent sales of e-cigarettes to minors, help support efforts to educate youth on the dangers of e-cigarettes and increase the agency's oversight and enforcement capabilities.

An online version of this release is available [here](#).