

May 14, 2015

The Honorable Elizabeth Esty  
United States House of Representatives  
Washington, DC 20515

Dear Representative Esty:

On behalf of the undersigned organizations dedicated to improving the health and safety of children, we write to offer strong support for the *Child Nicotine Poisoning Prevention Act of 2015* (H.R. 1375). Small children are currently at unnecessary risk of injury and death from easily accessed liquid nicotine used to refill electronic cigarettes. Children should be protected against exposure to these highly concentrated, potentially lethal substances that are available for adult use. The *Child Nicotine Poisoning Prevention Act of 2015* is a common-sense, narrowly-tailored legislation that would give the U.S. Consumer Product Safety Commission (CPSC) the authority to require the use of child-resistant packaging on liquid nicotine containers sold to consumers.

Recent data from the American Association of Poison Control Centers (AAPCC) showed nearly 4,000 adverse incidents related to e-cigarette exposures in 2014, an over **250%** increase from 2013. Liquid nicotine is highly toxic and sold in a highly concentrated form. It is common to find liquid nicotine containing upwards of 36 mg of nicotine per milliliter of liquid. At this concentration, a small 15 mL dropper bottle of liquid nicotine could be enough to kill four toddlers.

In addition, these products come in bright colors and candy flavors that make these substances attractive to young children. Alarming, these products are often sold in containers without child-resistant packaging, and there are currently no federal requirements for child-resistant packaging for liquid nicotine despite the highly toxic nature of these products. Given that liquid nicotine may also be absorbed quickly through the skin as well as ingested, children are in extreme danger of being poisoned without simple safeguards to ensure that these liquids stay sealed in their containers. **Tragically, a one-year-old boy in Fort Plain, New York died of liquid nicotine exposure this past December, the first confirmed, preventable death associated with liquid nicotine poisoning.**

CPSC has the expertise to quickly ensure that liquid nicotine is sold in child-resistant packaging if given the authority by Congress. The Commission currently requires such packaging on many common toxic household substances like bleach, as well as Food and Drug Administration (FDA)-regulated products like prescription drugs. Parents have come to expect that household products that can cause serious harm to children come in child-resistant packaging. Liquid nicotine should be no different.

The FDA is in the process of extending its regulatory authority to include additional types of tobacco products, including e-cigarettes and liquid nicotine. H.R. 1375 preserves FDA's authority to regulate the manufacture, marketing, sale, and distribution of tobacco products and the packages and containers in which they are sold. We also encourage action by the FDA to protect children from child poisoning and other dangers posed by tobacco products and their containers. However, urgent action is needed to prevent another child death from liquid nicotine poisoning.

H.R. 1375 is a common-sense solution to help ensure that no more children die from liquid nicotine poisoning. We look forward to working with you to pass this important legislation.

Sincerely,

American Academy of Otolaryngology – Head and Neck Surgery  
American Academy of Pediatrics  
American Association of Poison Control Centers  
American Association for Respiratory Care  
American College of Cardiology  
American College of Physicians  
American College of Preventive Medicine  
American Congress of Obstetricians and Gynecologists  
American Heart Association  
American Public Health Association  
Association of Maternal & Child Health Programs  
Campaign for Tobacco-Free Kids  
Consumer Assistance Council, Inc.  
Consumer Federation of America  
Consumer Federation of the South East  
Consumers Union  
First Focus Campaign for Children  
Keiki Injury Prevention Coalition  
Kids in Danger  
March of Dimes  
National Association of County and City Health Officials  
National Center for Health Research  
Nemours Children's Health System  
Oncology Nursing Society  
Public Citizen  
Safe States Alliance  
U.S PIRG  
Virginia Citizens Consumer Council