

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