

October 9, 2014

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

Dear Representative Esty:

On behalf of organizations dedicated to improving the health and safety of children, we write to express our support for the *Child Nicotine Poisoning Prevention Act of 2014* (H.R. 5486). This legislation recognizes the danger that liquid nicotine used to refill electronic cigarettes poses to small children and gives the U.S. Consumer Product Safety Commission (CPSC) the authority to require the use of child-proof packaging on liquid nicotine containers sold to consumers.

Recent data from the Centers for Disease Control and Prevention (CDC) indicate that there were 215 calls to poison control centers related to e-cigarettes in February 2014 alone, up from only one call per month in 2010. 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 would contain over 500 mg of nicotine. Given that the estimated lethal dose of nicotine is 1 to 13 mg per kilogram of body weight, even at the high end of this range a bottle of liquid nicotine at this size and concentration would be enough to kill four toddlers.

In addition, these products come in bright colors and candy flavors that make these substances likely candidates for ingestion by young children. Alarming, these products are often sold in containers without any child-proofing, and there are currently no federal requirements for child-proof 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.

CPSC has the expertise to quickly require child-proof packaging for liquid nicotine if given the authority by Congress. The Commission currently requires such packaging on 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. 5486 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.

This is an urgent public health danger and quick action is needed to ensure that child poisoning from liquid nicotine is addressed as soon as possible. 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 Public Health Association

Association of Maternal and Child Health Programs

Association of State and Territorial Health Officials

Campaign for Tobacco-Free Kids

Cancer Prevention and Treatment Fund

Chicago Consumer Coalition

Consumer Federation of America

Consumer Federation of California

Consumer Federation of the Southeast

Consumers Union

Everthrive Illinois

Keiki Injury Prevention Coalition

Kids in Danger

March of Dimes

National Association of County and City Health Officials

Nemours Children's Health System

Oncology Nursing Society

Oregon Consumer League

Partnership for Prevention

Public Citizen

U.S. PIRG

Virginia Citizens Consumer Council