



## Tell the FDA to Regulate All Tobacco Products

The Family Smoking Prevention and Tobacco Control Act of 2009 granted the U.S. Food and Drug Administration (FDA) the authority to regulate all tobacco products, including all tobacco products currently marketed in the United States. However, in its charge to the FDA, Congress only required the FDA to regulate cigarettes, cigarette tobacco, smokeless tobacco and roll-your-own tobacco. For all other products, the FDA is required to take an affirmative step and promulgate a rule that asserts jurisdiction over those products.

In the four years since the passage of the Act, the FDA has repeatedly stated its intention to regulate other products but it has yet to attempt to do so. This means that e-cigarettes, cigars, “little cigars,” dissolvable products, hookah and other products remain totally free of federal regulation. On September 9, 2013, the Tobacco Control Legal Consortium, together with state and local health departments and other health organizations, filed a [Citizen Petition](#) asking the FDA to assert jurisdiction over and regulate all tobacco products as stringently as it regulates cigarettes and smokeless tobacco.

The FDA has now opened a docket for public comments on the OTP Citizen Petition. You can [submit comments on this new docket](#), including scientific data, local survey data, and evidence of the public health impact of other tobacco products. There is no deadline to submit comments to this petition. However, as soon as the FDA takes action, it will stop accepting public comments. It is therefore critically important to submit comments as soon as possible.

We hope you will add your voice to the chorus urging the FDA to act now. If you need some help getting started, take a look take a look at the [Citizen Petition Highlights](#) and the [suggested talking points](#). If you have any questions or need assistance with the commenting process, please do not hesitate to contact our staff attorneys:

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