

Good morning Chairman Weisz and members of the House Human Services Committee. My name is Mylynn Tufte. I serve as the State Health Officer, agency lead for the North Dakota Department of Health. I am here to provide testimony in support of Concurrent Resolution 4007, which urges Congress and the Food and Drug Administration to end the marketing and advertising of e-cigarettes to youth.

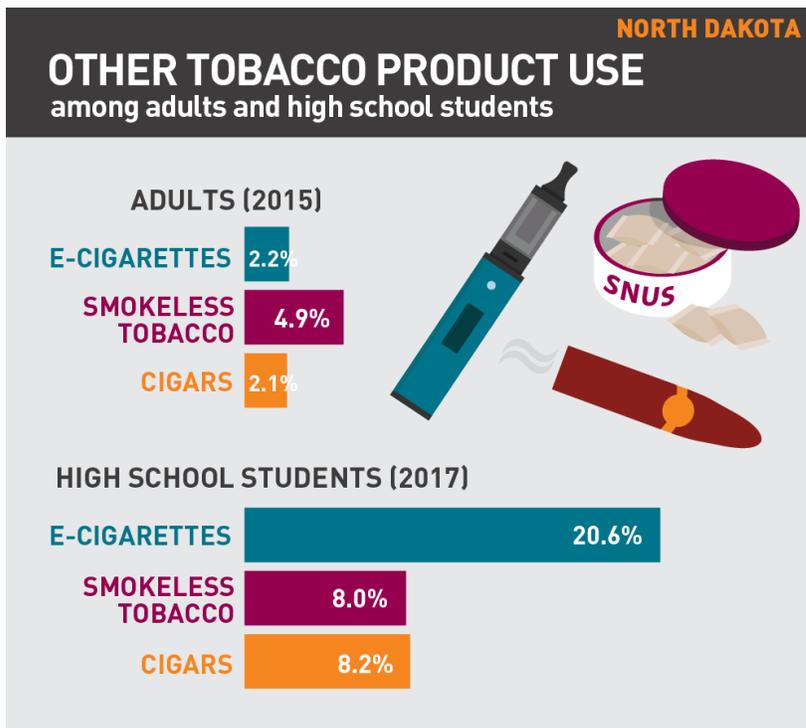
In a [March 13, 2019, statement by FDA Commissioner Dr. Scott Gottlieb, MD](#), agrees to continue implementing a comprehensive strategy that includes, *"prioritization of enforcement of unauthorized electronic nicotine delivery systems (ENDS) that are targeted to minors or likely to promote use of ENDS by minors."*

This may have been in response to the [February 5th joint press release](#) by The American Cancer Society, American Cancer Society Cancer Action Network, American Heart Association, American Lung Association, Campaign for Tobacco-Free Kids, Public Law Health Center and Truth Initiative stating the FDA hasn't done enough to protect kids and save lives. From this statement:

"The recently-released 2018 National Youth Tobacco Survey showed that current e-cigarette use among high school students soared by 78 percent in just one year (to 20.8 percent), and more than 3.6 million middle and high school students now use e-cigarettes. The annual Monitoring the Future survey found that youth vaping of nicotine nearly doubled in 2018 among 12th and 10th graders – the single largest increase in youth use of any substance in the survey's 43-year history. A growing number of studies – including a new study published February 1, 2019, in the [journal JAMA Network Open](#) – show that young people who use e-cigarettes are more likely to become smokers later, and many of these are low-risk youth who would not have otherwise used cigarettes. This is a serious public health threat that cannot be ignored. As Health and Human Services Secretary Alex Azar has stated, "These new data show that America faces an epidemic of youth e-cigarette use, which threatens to engulf a new generation in nicotine addiction."

There is also overwhelming scientific evidence to support a prohibition on menthol cigarettes. As the FDA itself concluded in a comprehensive 2013 report, the evidence shows that menthol cigarettes lead to 1) increased smoking initiation among youth and young adults; 2) greater addiction; and 3) decreased success in quitting smoking. "These findings, combined with the evidence indicating that menthol's cooling and anesthetic properties can reduce the harshness of cigarette smoke and the evidence indicating that menthol cigarettes are marketed as a smoother alternative to nonmenthol cigarettes, make it likely that menthol cigarettes pose a public health risk above that seen with nonmenthol cigarettes," the FDA's report concluded.

According to the [2017 Youth Risk Behavioral Survey](#), North Dakota data showed 20.6 percent of high school students used e-cigarettes, 8.0 percent used smokeless tobacco and 8.2 percent smoked cigars on at least one day in the past 30 days. Nationally, the rates were 13.2 percent, 5.5 percent and 8.0 percent, respectively.



For these reasons, we ask you to support passage of Concurrent Resolution 4007. This concludes my testimony. I am happy to answer any questions you may have.