

FDA Issues Warning Letters and Fines To 1,300 Stores Over E-Cigarette Sales To Minors

By ACSH Staff — September 12, 2018



Smoking is a pediatric disease, people who get hooked as kids are going to end up as chronic smokers, and that is why the American Council on Science and Health was the first to note it is a pediatric disease and target efforts at putting a halt to it there. We were also the earliest supporters of smoking cessation and harm reduction techniques, including e-cigarettes.

Yet children who are "nicotine naive", who have not been smokers, should not be exploited for profit by vaping corporations any more than it is ethical for cigarette or coffee or energy drink companies to do so. The recent U.S. FDA has been far more supportive of smoking cessation and harm reduction than in the past but it is right to crack down on retailers who they found illegally sold e-cigarette products to minors during nationwide, undercover visits to brick-and-mortar and online stores this summer. The vast majority of the violations were for the illegal sale of five e-cigarette products: Vuse, Blu, JUUL, MarkTen XL, and Logic. Those five brands currently comprise over 97 percent of the U.S. market for e-cigarettes, according to FDA. There is no evidence these brands encouraged sales to minors but FDA has asked for marketing documentation to try and see if they have, owing to the recent fad of e-cigarette use by young people who are not smokers trying to quit.

In total, the FDA has conducted 978,290 retail inspections, issued 77,180 warning letters to retailers for violating the law and initiated approximately 18,560 civil money penalty cases, as of Sept. 1, 2018. FDA is also currently investigating whether manufacturers introduced certain e-cigarette products to the market after Aug. 8, 2016, and may be subject to enforcement for marketing those products without premarket authorization.

Read the FDA statement [here](#) [1].

What about youths who are not nicotine naive, but are addicted to cigarettes and need smoking cessation and hard, reduction? At our White House testimony in 2016 we asked for an exemption for e-cigarette purchases if a doctor stated that the child was a smoker.

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