U.S. Senate hearing on e-cigs but "hearing" only one side

By Gil Ross — May 16, 2014

Sometimes I wonder whether our lawmakers have anything important to do? (In fact, we often wonder that). Now the Senate HELP Committee [1], chaired by Tom Harkin, Dem-IA, has taken up the burning issue (no pun intended) of how Congress can get its nose into the regulatory debate on e-cigarettes. We here at ACSH had believed that the recently-released deeming regulations proffered by the FDA had put that matter aside while public comments were being collected and the FDA had time to contemplate the destructive ramifications [2] of its planned edict.

Talk about a Kangaroo Court: there was one panel set up to testify about the risks and benefits of e-cigs for our nation, and it was comprised of two experts: the CDC’s Tim McAfee, a zealot anti-e-cig spokesman, faithfully doing the bidding of Tom Frieden, the CDC chief; and the FDA’s tobacco overlord, Mitch Zeller. Zeller (a former employee of GlaxoSmithKline, the maker of ineffective nicotine patches and other products of that ilk) has expressed science-based musings on the possible benefits for e-cigs in helping smokers quit, and in general has sounded like he appreciates the difference in health risk from combustible cigarettes and non-combustibles like e-cigs and snus. On the other hand, actions speak way louder than words in federal agency circles and Congress: remember, it was Zeller’s Center for Tobacco Products of the FDA which issued the deeming regulations which will decimate the e-cigarette industry and cost smokers their lives, eventually, by keeping them smoking. He did say to the assembled senators that e-cigs are much safer for health than cigarettes [3] a self-evident perception that still eludes McAfee and Frieden.

Not to mention Harkin and his gang of nanny-staters (or worse). He was among the Democratic senators who recently sent a letter to the FDA [4] calling for more stringent regulation of e-cigs, so his performance at his committee came as no surprise. And in what way is Harkin qualified to weigh in on such medical and public health matters? Here are a few highlights of his previous contributions:

In 1991, he was instrumental [5] in getting the National Center for Complementary and Alternative Medicine established; he did it stealthily, inserting a line in the NIH budget without seeking
comments from his colleagues, nor from actual public health experts;
in 1994, he worked with his pal Sen. Orrin Hatch to get the DSHEA passed, [6] which removed FDA oversight from so-called dietary-nutritional supplements, unleashing unregulated products onto an unsuspecting public;
and he has been a forceful advocate [7] of a nonsensical and disproven link between vaccines and autism.
So, this is the Senator who is now urging the FDA to decide on how to regulate the best hope of helping addicted adult smokers to quit. No cause for optimism, I fear.
NOTE: ACSH’s Associate Director of Public Health, Ariel Savransky, will be travelling to Trenton NJ on Monday to testify against Gov. Christie’s ill-advised plan to tax e-cigarettes at the same level as the real deadly products. Such a move will eventuate in killing smokers, and will have minimal budgetary benefit for NJ anyway.

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