

December 20, 2024

Director Shalanda Young
Office of Management and Budget
1650 Pennsylvania Avenue NW
Washington, DC 20502

Administrator Richard L. Revesz
Office of Information and Regulatory Affairs
262 Old Executive Office Building
Washington, DC 20503

Dear Director Young and Administrator Revesz,

I am writing to share my support for the Food and Drug Administration's (FDA) proposed rule to establish a maximum nicotine level in cigarettes and certain other tobacco products. The implementation of a low-nicotine product standard has the potential to benefit millions of Americans, and this proposed rule is the first step in making the standard a reality. I urge the Office of Management and Budget (OMB) to move swiftly to review and release the proposed rule before the end of this presidential term and to ensure that all combusted tobacco products are covered by the proposal.

Despite significant declines over the past several decades, smoking remains a leading cause of morbidity and mortality, disproportionately affecting many marginalized and disadvantaged populations.¹ More than 490,000 Americans die prematurely from cigarette smoking and secondhand smoke exposure every year.² However, there is strong research that demonstrates that reducing nicotine levels could significantly increase the number of people who quit smoking as well as prevent people, especially youth and young adults, from becoming addicted to begin with.³

In 2009, Congress took action to protect public health by passing the Family Smoking Prevention and Tobacco Control Act which granted FDA the authority to regulate tobacco products.⁴ Specifically, the law allows the agency to require tobacco companies to reduce the

¹ Denlinger-Apte, Rachel L., and Cassidy M. White. "What to Expect from a Low-Nicotine Product Standard for Cigarettes." *The Journal of the American Medical Association*. December 9, 2024.

² "Smoking and Tobacco Use." U.S. Centers for Disease Control and Prevention. September 17, 2024. <https://www.cdc.gov/tobacco/about/index.html>

³ Denlinger-Apte, Rachel L., and Cassidy M. White. "What to Expect from a Low-Nicotine Product Standard for Cigarettes." *The Journal of the American Medical Association*. December 9, 2024

⁴ "FDA Tobacco Regulation: The Family Smoking Prevention and Tobacco Control Act of 2009." Congressional Research Service. May 28, 2009. <https://crsreports.congress.gov/product/pdf/R/R40475/7>

nicotine content of cigarettes to nonzero levels.⁵ Given the negative health impacts of nicotine addiction and the potential benefits in reducing nicotine levels in order to make them minimally or non-addictive, a standard for nicotine levels is extremely promising.

I am pleased to see FDA taking this action and urge OMB to support the proposed rule without delay while ensuring that all combusted tobacco products that could serve as alternatives for cigarettes are covered by the proposal.

Sincerely,



Richard Blumenthal
United States Senate

⁵ Bach, Laura. "Reducing Nicotine in Cigarettes will Reduce Addiction and Save Lives." Campaign for Tobacco Free Kids. April 22, 2024. <https://assets.tobaccofreekids.org/factsheets/0395.pdf>