

United States Senate

WASHINGTON, DC 20510

April 21, 2010

The Honorable Margaret Hamburg
Commissioner
Food and Drug Administration
10903 New Hampshire Avenue
Silver Spring, MD 20993

Dear Commissioner Hamburg:

We are writing to urge you to use the FDA's authority, provided in the Family Smoking Prevention and Tobacco Control Act which was signed into law on June 22, 2009, to require the immediate removal of dissolvable tobacco products from the market. A research study published April 19 by the medical journal *Pediatrics* found that dissolvable tobacco products, including Camel Orbs, Sticks, and Strips, can poison and ultimately cause death in children. These dissolvable tobacco products, which have a candy-like appearance and taste, are packaged in attractively colored containers. They are currently being test-marketed in Portland, Oregon and Columbus, Ohio, as well as Indianapolis, Indiana.

The Indiana Poison Center estimates that dissolvable tobacco products like Camel Orbs contain between 60 to 300 percent of the nicotine found in one cigarette. That amount of nicotine can cause noticeable health effects in both adult and youth users. The Poison Center warns that "children who ingest this dose of nicotine typically become pale, shaky, sweaty, and vomit." Medical experts estimate that ingesting 10 to 17 Orbs could kill an infant.

As you may know, we authored an amendment to the Family Smoking Prevention and Tobacco Control Act which requires the newly established Tobacco Products Scientific Advisory Committee to issue a report on of the nature and impact of the use of dissolvable tobacco products on the public health, including such use among children. The FDA has expressed to the manufacturers of dissolvable tobacco products in a letter last month their concern that children and adolescents may find dissolvable tobacco products particularly appealing, given the brightly colored packaging, candy-like appearance and easily concealable size of many of these products. FDA also acknowledged that the use of the products could lead to nicotine addiction and could cause significant health problems from the ingestion of too much nicotine.

As we have shared in previous correspondence, we are gravely concerned about the threat these products pose. Dissolvable tobacco products are being used to hook youth and sustain nicotine addiction. Given the compelling new evidence published in this study that these new tobacco products pose an immediate and significant health risk to children, we urge the FDA to take action right away to keep tobacco candy products off store shelves and out of the hands of

children. We must not allow companies to use these dissolvable tobacco products to poison our children, addict our youth, and keep smokers hooked.

Thank you for your consideration and we look forward to hearing from you.

Sincerely,



Jeff Merkley
U.S. Senator



Sherrod Brown
U.S. Senator