



FDA adapts efforts to address evolving tobacco product landscape

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More than 2.5 million U.S. youths reported current use of e-cigarettes (sometimes called “vaping”) with nearly 28% of them using the products daily, according to the [2022 National Youth Tobacco Survey](#).

Although these data suggest the number of youths using e-cigarettes has declined in recent years, use continues at concerning levels. In addition, novel nicotine-delivery products, such as nicotine gummies, and product marketing that appeals to youths continue to challenge prevention efforts.

Tobacco companies have a history of designing and marketing tobacco products that appeal to youths, and the FDA has seen similar practices by some companies manufacturing e-cigarettes and other newer tobacco products. In November 2022, the [FDA sent warning letters to five online retailers](#) for illegally selling [e-cigarettes packaged to look like toys, food or cartoon characters](#).

“The designs of these products are an utterly flagrant attempt to target kids,” said Brian King, Ph.D., M.P.H., director of the FDA’s Center for Tobacco Products. “It’s a hard sell to suggest that adults using e-cigarettes with the goal of quitting smoking need a cartoon character emblazoned across the front of the product in

order to do so successfully.”

In addition, some companies have tried to evade FDA regulation by including nicotine derived from sources other than tobacco (“[nontobacco nicotine](#)”), such as synthetic nicotine, in their products. To close this loophole, Congress last year clarified the FDA’s authority to regulate tobacco products containing nicotine from any source, including nontobacco nicotine.

As of February 2023, the FDA had issued [more than 75 warning letters](#) to manufacturers illegally selling unauthorized nontobacco nicotine products. These warning letters included one to Puff Bar, which was the most used e-cigarette brand among youths in 2022. A warning letter also was issued to one manufacturer marketing [flavored nicotine gummies](#). This was the first warning letter for this product type, and the products were no longer available on the manufacturer’s website within hours of its issuance.

The FDA also has issued more than 650 warning letters to retailers illegally selling nontobacco nicotine products to underage buyers. As of March 2023, no nontobacco nicotine products have been authorized for sale in the United States.

The FDA encourages pediatricians to ask patients about tobacco product use, including e-cigarettes and novel products like nicotine gummies. Pediatricians also are encouraged to discuss the harms of all tobacco products to prevent youths from initiating use and to help those who use tobacco products to quit.

The FDA’s Office of Pediatric Therapeutics, Office of New Drug’s Division of Pediatrics and Maternal Health, and Center for Tobacco Products contributed to this article.

Resources

[FDA’s Vaping and E-Cigarettes: A Toolkit for Working With Youth](#)

[FDA’s The Real Cost Campaign](#)

[National Cancer Institute’s Smokefree Teen website](#)

[Vaping Prevention and Education Resource Center](#)

[Overview of FDA warning letters to tobacco retailers](#)

[Information from the AAP on tobacco control and prevention](#)

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