

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051

MINORITY (202) 225-5074

<http://oversight.house.gov>

Opening Statement Chairman Raja Krishnamoorthi

Hearing on “Don’t Vape: Examining the Outbreak of Lung Disease and CDC’s Urgent Warning Not to Use E-Cigarettes”

September 24, 2019

We are here to amplify the recent health warnings issued by the Centers for Disease Control related to 530 e-cigarette-related incidents of lung disease in 38 states and the U.S. Virgin Islands.

First, I want to make clear that we did not plan to have this emergency hearing at the beginning of this Congress, let alone this time last month. But on August 23rd, officials from my home state of Illinois reported the first death due to a mysterious vaping-related lung illness. And since then, a total of 8 individuals have tragically passed away due to this outbreak.

In response to this crisis, CDC is warning the American public to consider not using e-cigarettes of any kind. Because of this Subcommittee’s recent history highlighting the youth vaping epidemic, we feel that it is our duty to provide a forum for government agencies trying to warn the public and protect our health.

The long-term health effects of continued vaping is unknown, but what we do know should give us all pause.

State health departments continue to conduct retroactive analyses of patient records to better understand exactly when this outbreak began. As they do, the number of impacted people will grow.

Unfortunately, illness related to e-cigarettes is not new. The FDA has received 127 reports of seizures and other neurological conditions caused by e-cigarettes.

When a product is released onto the market without safety testing or clinical trials, this is what we fear.

This is a problem exacerbated by e-cigarette companies that make what appear to be unfounded and illegal claims that their products are safer and healthier than cigarettes. People trust and rely on those claims, even when there is no evidence to back them up.

That is why this Subcommittee wrote a detailed letter to the FDA outlining our findings about JUUL illegally marketing its product as safe, healthy, and a smoking cessation device. FDA agreed with us, and days after our letter responded with its own letter to JUUL declaring that JUUL had broken the law. JUUL's response is due next week on September 30th. After that, FDA will have the opportunity to act. I encourage all of you to follow that closely – we certainly will.

And just days after the FDA responded to our letter, the Administration, in part citing our investigation, announced that it would move to ban all e-cigarette flavors, including mint and menthol. The fact that flavors hook kids is a point this Subcommittee hammered home over our two days of hearings in July.

The Administration cited our hearings in rolling out its proposal. We should all be encouraged to see Republicans and Democrats coming together when the health of our nation's youth comes under attack.

Today, as we focus on the tragic outcomes of this lung disease outbreak, we must view it as another chance to come together to protect the public health.

At the heart of the recent vaping-related outbreak are families being blindsided. With us today is Ruby Johnson, a mother of seven from near Chicago. This August, as she prepared to drop her oldest daughter off to start college, already a stressful time, the Johnson family faced a terrifying health scare. Instead moving into a dorm room, she moved into a hospital bed far from home, where she stayed for what would have been her first week of classes. She could have died. Thankfully, she recovered enough from her bout of lung disease to be released, but she still has trouble breathing, and doctors cannot tell her how much longer that may last. Mrs. Johnson, thank you for coming to share your family's harrowing experience.

We are also joined by leaders from the public health community to provide a neutral assessment of the outbreak and provide their advice to the public they serve. We have Dr. Anne Schuchat from the CDC, Dr. Ngozi Ezike of the Illinois Department of Public Health, and Dr. Albert Rizzo of the American Lung Association. Thank you all for joining us today. We look forward to learning more about how we can avoid more preventable deaths.

Contact: Aryele Bradford, Communications Director, (202) 226-5181.