

FOR IMMEDIATE RELEASE

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## **SAFE Glen Cove Coalition: Breaking News for Parents: The U.S. Supreme Court Agrees to Hear Case Involving FDA Marketing Denial Orders for Flavored E-Cigarettes**

The SAFE Glen Cove Coalition and Coalition partner, Tobacco Action Coalition of LI, in our continuing efforts to advance a substance free, tobacco free City will dedicate the summer to inform parents of statistics, emerging trends and products regarding tobacco and its negative consequences to youth health.

Youth e-cigarette use remains a serious public health problem in the United States. Per the 2023 National Youth Tobacco Survey, 2.1 million kids use e-cigarettes and nearly 90% of them use flavored products, with the most-reported flavors including fruit, candy/desserts/other sweets, mint and menthol. If the Fifth Circuit's decision is allowed to stand, it would significantly undermine FDA's efforts to protect the health of children from the harms of flavored e-cigarettes.

The U.S. Supreme Court today granted the FDA's request to review a decision by the U.S. Court of Appeals for the Fifth Circuit that struck down FDA marketing denial orders for certain flavored e-liquids. The Campaign for Tobacco-Free Kids and eight other national public health, medical and community organizations filed a brief in support of the FDA's request.

It is most prudent that the Supreme Court should overturn the Fifth Circuit decision, if left to stand, it would cause significant harm to public health and especially to the health of youth. This decision is also in direct conflict with the decisions of seven other federal courts of appeals that have upheld FDA marketing denial orders for flavored e-cigarettes.

The case involves products with flavors including "Jimmy the Juice Man Peachy Strawberry," "Suicide Bunny Mother's Milk and Cookies," "Blackberry Lemonade," "Iced Pineapple Express" and "Killer Kustard Blueberry." These flavors clearly are intended to appeal to youth, and the FDA acted correctly in denying the marketing applications for these products. Their petition to the Supreme Court, the FDA argues persuasively that it followed the law in reviewing these marketing applications and found that the manufacturers had not provided sufficient evidence that marketing of the products would be appropriate for the protection of the public health, as required by law.

The FDA pointed out the "known and substantial risks" that flavored products pose to youth and found there was "insufficient evidence that the benefits provided by the flavored e-cigarette products outweighed the risks they posed."

SAFE, Inc. is the only alcohol and substance abuse prevention, intervention, and education agency in the City of Glen Cove. The Coalition is concerned about all combustible and electronic products with marijuana and tobacco and youth consumption. The Agency is employing environmental strategies to educate and update the community regarding the negative consequences in collaboration with Carol Meschkow, Manager- Tobacco Action Coalition of Long Island. To learn more about the SAFE Glen Cove Coalition please follow [www.facebook.com/safeglencovecoalition](https://www.facebook.com/safeglencovecoalition) or to learn more about electronic products visit the Vaping Facts and Myths Page of SAFE's website to learn more about how vaping is detrimental to your health [www.safeglencove.org](http://www.safeglencove.org).