

Dockets Management Staff (HFA-305)

ID: LFG-2018-0011

Food and Drug Administration

5630 Fishers Lane, Rm. 1061

Rockville, MD, 20852

Sent via: Mail

April 11th, 2018

Re: FDA-2017-N-6565, Docket Number

Dear Food and Drug Administration,

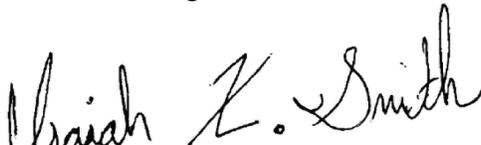
I am sending you this comment in which is in regard and pertaining to Docket Number: FDA-2017-N-6565. This docket number corresponds with the advanced notice of proposal on rulemaking to obtain information related to the role that flavors play in tobacco products. The advanced notice of proposed rulemaking is seeking comments from members of the public as to data, research results, and other information about, among other things, how tobacco flavors attract youth to initiate tobacco products use and about whether and how certain flavors may help adult cigarette smokers reduce cigarette use and switch to potentially less harmful products. Comments that the Food and Drug Administration receives as to this docket number will be used by the Food and Drug Administration to help ensure that efficient and competent regulatory actions that need to be made, with respect as to tobacco products with flavors, under the Federal Food, Drug, and Cosmetic Act, as amended by the Family Smoking Prevention and Tobacco Control Act, will occur if and when necessary.

It has been well known throughout history that tobacco companies have a procedural history of targeting children and young adults by encouraging them to smoke. This type of encouragement method has been done and is being done by tobacco companies in which are paying and running television commercials, radio and electronic media ads and commercials that show tobacco users as the cool individuals or in which are somehow glorifying tobacco users in some way, shape or form. While I do not believe there is any law that prohibits tobacco companies from being allowed to pay for or to run television commercials, radio or electronic media ads and commercials, I believe that the Food and Drug Administration needs to help regulate or to be involved in more regulations of this type of advertisement that tobacco companies are being a part of in which is appealing to children and young adults across the United States. This may include the Food and Drug Administration forcing the ads or the commercials that the tobacco companies buy and run, to include the harmful effects that smoking tobacco products will cause to the user and to other individuals that are around the user.

Another way that I believe that the Food and Drug Administration needs to get involved in this issue is by having its employees that are with its Office of Criminal Investigations and its other non-law enforcement employees, to go out to both public and private educational institutions, for the purpose as to educating students on the dangers of smoking and helping educate students on what federal law has to say on this issue and asking children and young adults at their educational institutions about the ways that the Food and Drug Administration can help combat children and young adults from being a part of the smoking epidemic. I also do believe that it would be good for employees with the Office of Criminal Investigations of the Food and Drug Administration, to go to random stores, gas stations and

other facilities that sell tobacco products, for the purpose as to helping ensure that they are selling tobacco products to individuals that are at least eighteen years of age. That is because sometimes stores, gas stations and other facilities do not check to ensure that individuals that buy tobacco products are at least eighteen years of age.

While I am aware that the Food and Drug Administration is looking for potential regulatory actions, including but not limited to, tobacco product standards and restrictions on sale and distribution of tobacco products with flavors, I do believe that the best way to combat a growing trend of children and young adults smoking or being harmed by and through second hand smoke is by being more involved in regulating television commercials, radio and electronic media ads and commercials that are payed for by tobacco companies. I know that another way to combat this epidemic is by participating in tobacco awareness events at both public and private educational institutions, by and through employees of the Food and Drug Administration, and by being involved in helping ensure that stores, gas stations and other facilities are checking to make sure that individuals purchasing tobacco products are eighteen years of age. If the Food and Drug Administration wants to help protect members of the public, including children and young adults, from being exposed to second hand smoke, I believe that the Food and Drug Administration can always reach out to cities, at the local level, for the purpose as to putting pressure on those cities to create local city ordinances that bans smoking in certain areas of the cities and helping put pressure on cities to put a tax on tobacco products that are being sold to customers, regardless as to whether or not the tobacco products have flavor.¹



Respectfully,

Isaiah X. Smith²

¹ While it may be true that some anti-smoking ordinances that cities across the United States have established and enforce are controversial, I do not believe that all anti-smoking ordinances are unconstitutional. I do not believe that there is any constitutional right for individuals to be allowed to harm the environment or to subject other individuals to the harmful effects of second hand smoke by and through smoking.

² www.isaiahxsmith.com