

Statement of

Jason Healy, Founder and President, blu eCigs

To the U.S. Senate Committee on
Commerce, Science and Transportation

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Chairman Rockefeller, Ranking Member Thune and members of the Senate Commerce Committee, I am Jason Healy, founder and President of blu eCigs.

It is a privilege to come here today to speak about a new product that has tremendous potential to reduce tobacco-related harm and disease, and hopefully play a role in eliminating traditional cigarettes.

Back in 2008 I tried my first electronic cigarette. As a smoker I saw tremendous opportunity for myself and other smokers. I immediately saw that this innovative product could provide an alternative to smokers who enjoy smoking or who struggle to quit, like myself, but don't want the negative effects of traditional cigarettes on their health.

I became convinced that e-cigs are just as much a disruptive force in tobacco as digital cameras once were to the film industry. Today, every time I use an e-cig instead of a combustible cigarette, it is a good decision.

I am not alone in seeing the potential. Public health experts have long considered harm reduction an effective approach to the reduction of risks caused by various behaviors. Harm reduction policies applied to tobacco will make great progress because we desperately need an alternative policy that complements prevention and cessation.

Different types of nicotine use occupy different points along what FDA calls a continuum of risk. Some activities carry less risk than others. Lacking combustion, e-cigs fall dramatically lower on this continuum compared to traditional cigarettes.

That is only logical because traditional cigarettes are very different.

As one example of their significant difference, a recent study by our researchers found that harmful constituents present in cigarette smoke were at or near non-detectable levels in the vapor of blu e-cigs -- and similar to that found in room air. Our findings are consistent with other third party research. I have included a summary of this analysis in my submission.

We support science-based FDA regulation of e-cigs, and we are committed to working with the FDA. Manufacturing standards to ensure safety, age-of-purchase to ensure this is an adult-only product, content and nicotine labeling to ensure the consumer is informed are supported by responsible manufacturers like blu.

We are encouraged that FDA's preamble to the proposed regulations seems to acknowledge that regulation should be proportional to harm and a one size fits all approach is not appropriate. We agree with Mitch Zeller, FDA's director of the Center for Tobacco Products, when he said, "We have to have an open mind on the potential for these emerging technologies to benefit public health."

blu, however, has not waited for FDA action to address youth access. We have actively advocated for and supported state legislation to prevent minors from purchasing electronic cigarettes and we require third-party age verification for on-line sales.

blu began as a small entrepreneurial company, marketing a product in an emerging market with a challenge of introducing a product that did not effectively exist in the U.S. With the help of our parent company, we adopted strict and responsible marketing restrictions that reflect a clear focus on adult smokers while also substantially reducing youth exposure to blu ads and promotions. Our voluntary restrictions, such as limiting ad placement to media and events where the target audience is at least 85 percent adult, match or exceed restrictions adopted by comparable adult consumer product companies. As an industry leader we believe these marketing restrictions demonstrate responsibility.

To reiterate, our marketing focus is to communicate to adult smokers that e-cigs are a viable alternative to cigarettes. We previously provided you with an explanation of the voluntary marketing restrictions that we adopted. We have included this explanation in the submission I have provided to the Committee.

E-cigs have a tremendous untapped potential to positively change the lives of adult smokers of traditional cigarettes. Reaching this ambitious goal requires a new way of thinking and involves compelling marketing to normalize this behavior, and as a result to denormalize smoking, so adult smokers know it is a viable alternative worth their trial. Further, we believe that using a variety of flavors is critical to keeping adult smokers who have switched to e-cigs from returning to more harmful combustible cigarettes.

E-cigs are likely the most significant tobacco harm reduction product ever. Making less harmful products available as soon as possible should be a top priority.

Thank you.

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