



NEW YORK STATE SENATOR

Timothy M. Kennedy

## In Final Days of Legislative Session, Senate Passes Kennedy-Sponsored Bill to Keep Powdered Caffeine Off Shelves; Bill to Curb Overdoses Now Awaits Assembly Approval

TIMOTHY M. KENNEDY June 16, 2015

| ISSUE: **HEALTH, CONTROLLED SUBSTANCES**

*After At Least 18 Deaths Reported in Connection With Powdered Caffeine Overdoses, New York Cannot Wait for FDA to Take Action*

*One Teaspoon of Unregulated Powder May Contain Caffeine Equivalent of 25 Cups of Coffee*

BUFFALO, NY – Senator Tim Kennedy (D-Buffalo) announced today that the New York State Senate has taken steps to ban powdered caffeine from store shelves statewide by passing (S.1641), which now moves to the Assembly for consideration. With increasing reports of overdoses involving pure, powdered caffeine, and the substance remaining unregulated by the Food and Drug Administration, Kennedy urged Assemblymembers to act immediately on (A.8144) before legislative session draws to a close this week.

In May 2014, Ohio honor student and prom king Logan Stiner was found dead after using caffeine powder his friend had purchased online. His family said he was simply looking for a way to boost his energy while working to finish a few final school projects. Neither he nor his parents were aware of the dangers of the substance, and his miscalculated dosage proved to be fatal. To date, at least 18 deaths have been reported in connection to the usage of pure, powdered caffeine.

“Unfortunately, stories like Logan’s are becoming far too common- instances where this mis-marketed, misunderstood substance is being inadvertently overused by teens and adults alike,” said Senator Tim Kennedy. “While the FDA has issued a safety alert about the product, it is unacceptable that no further action has been taken. We cannot sit idly by, waiting for change, when it comes to protecting the health and public safety of New Yorkers. The Senate has done its part to ensure no parent or family has to endure the same loss the Stiner’s suffered; now it’s up to the Assembly to do the same.”

Currently, powdered caffeine is sold as a dietary supplement and marketed as a tool to boost energy levels and metabolism. Often distributed in 100-gram packages retailing at just \$10, this substance is cheap and easily accessible, but many users are unaware of just how powerful it is. One package of the powder can contain as much caffeine as 1,250 Red Bulls or 3,000 cans of Coke. Furthermore, one teaspoon of the powdered substance can equate to roughly 25 cups of coffee, causing users looking for a quick energy fix to easily overdose and experience rapid, erratic heartbeats, seizures or worse.

New York is not alone in taking action against the harmful substance. Illinois and Ohio’s Senates passed bills banning the sale of caffeine powder in April, while similar bills have been introduced in Maryland and New Jersey. In 2014, Suffolk County become the first region in the nation to adopt a local ban on the sale of powdered caffeine to those under 18.

The Center for Science in the Public Interest, a consumer advocacy organization, has also rallied behind this legislation. Just this winter, members petitioned the FDA to ban retail sales. While no federal action has been taken, a spokeswoman for the FDA has said the agency is considering taking regulatory action.

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