

Congress of the United States
Washington, DC 20515

March 30, 2020

The Honorable Stephen M. Hahn
Commissioner
Food and Drug Administration
10903 New Hampshire Ave
Silver Spring, MD 20993

Dear Dr. Hahn:

We write to request your urgent attention to the matter of allowing U.S. spirit producers to immediately begin production and distribution of hand sanitizer made at their facilities.

Spirit producers are uniquely able to switch their production capabilities from their traditional products to hand sanitizer using existing supplies in their facilities. The Alcohol, Tobacco, Tax, and Trade Bureau (TTB) recently issued guidance that relaxed existing regulations to allow distillers to produce hand sanitizer to be used for these purposes through June 30, 2020.

While we are aware that current FDA guidance states that your agency will not act against facilities that prepare alcohol-based hand sanitizers, we believe it is imperative that this guidance extends to non-denatured alcohol.

During this crisis, it is critical that businesses are given necessary flexibilities to meet demand for critical sanitary products. Local first responders in our district are already suffering from shortages of products necessary to stop the spread of COVID-19. A continued lack of availability of these products puts first responders, and those they are assisting, at greater risk of contracting the disease.

The federal government has a duty to respond, and this simple, technical change to regulatory policy will have a significant impact on civilian and first responder efforts to combat COVID-19.

We have local producers ready to begin manufacturing now to fill emergency contracts for USPS and other state and local government agencies. We appreciate your attention to this urgent matter and look forward to your response.

Sincerely,

Mary Gay Scanlon
Member of Congress

Signatories:

Congressman Brendan Boyle
Congressman Mike Kelly

Congressman Glenn Thompson
Congressman Scott Perry
Congressman Fred Keller
Congressman Guy Reschenthaler
Congressman Brian Fitzpatrick
Congressman Dwight Evans