



July 1, 2002

«FullProperName»

U.S. Senate

«Street»

Washington, D.C. 20510

3 PAGES SENT VIA FACSIMILE: «Fax»

Dear Senator «LastName»:

We are writing to urge you to cosponsor S. 2626, the Youth Smoking Prevention and Public Health Protection Act, introduced by Senators Kennedy and DeWine. This legislation would provide the U.S. Food and Drug Administration (FDA) with meaningful authority to regulate the manufacturing, marketing and sale of tobacco products.

Unlike other products we consume, tobacco products are not subject to basic oversight or commonsense health regulations. S. 2626 would grant FDA authority over tobacco, allowing the agency to:

- restrict advertising and other marketing that appeals to kids
- crack down on illegal sales of tobacco products to children
- require disclosure of the ingredients and additives in tobacco products
- require more visible and more informative warning labels
- require independent scientific testing of products and health claims
- require manufacturers to adopt technologies that are feasible and proven to reduce the harm of the product.

FDA oversight of tobacco products would help reduce the toll of tobacco. Every day, 5,000 kids try their first cigarettes; another 2,000 kids become addicted smokers, one-third of whom will die prematurely as a result. Tobacco use is the leading preventable cause of death in the United States, killing more than 400,000 Americans every year. Nearly 90 percent of lung cancer cases, nearly one in three cancer deaths and one in five of deaths from heart disease are tobacco-caused.

The need for legislation granting FDA the authority to regulate tobacco products is a direct result of the Supreme Court's March 2000 decision holding that, under current law, the FDA does not have authority to regulate traditional tobacco products as ordinarily marketed. As a result of the Court's ruling, it is now up to Congress to grant the FDA the authority it needs to regulate tobacco products and to protect consumers of all ages.

The evidence is clear that the tobacco companies have not kept the promise they made in the 1998 state tobacco settlement to stop targeting our children. In the two years after the settlement, the cigarette manufacturers increased their marketing expenditures by 42 percent,

reaching a record \$9.57 billion – \$26.2 million a day – in 2000, according to the Federal Trade Commission's annual report on cigarette marketing released just last month. Much of the

increased expenditures is in marketing that is effective at attracting kids, such as two-for-one promotions that make cigarettes more affordable to children, free bonus items such as lighters and cameras, and high-visibility displays in convenience stores which are visited once a week by 3 out of 4 teens.

The tobacco companies also continue their deception about the harm caused by tobacco use. For decades, they have marketed so-called "low-tar" or "light" cigarettes with clearly implied claims that they are less risky than regular cigarettes. But a recent report by the National Cancer Institute found that these products are just as harmful and that the tobacco companies have known this all along.

Today, history may be repeating itself as the tobacco companies market a host of new products with unproven claims that they are not as dangerous. Their latest gimmick is to market "reduced risk products" such as Advance and Omni cigarettes claiming "All of the taste, less of the toxins" and "Reduced carcinogens. Premium taste." Unfortunately, there is no way to determine if these products actually reduce harm without FDA oversight and regulation.

The FDA should have the authority to stop tobacco marketing and sales to our children and to subject tobacco products to the same consumer protections, such as ingredient disclosure, product regulation and truthful packaging and advertising, applied to other products. Ironically, these common sense protections apply to food products made by tobacco giant Philip Morris, such as Kraft Macaroni and Cheese, but not to Marlboro cigarettes made by the same company. In other words, FDA has to approve every ingredient in Macaroni and Cheese but the ammonia, formaldehyde and arsenic found in cigarettes are unregulated.

Congress can reduce the terrible toll of tobacco and prevent the tobacco companies from marketing to children by granting the FDA effective, meaningful authority over tobacco products. We urge you to cosponsor S. 2626 and join this bipartisan effort to enact legislation that would grant the FDA authority to regulate tobacco and protect America's children. It's time for Congress to end Big Tobacco's special protection.

Sincerely,

American Cancer Society
American Heart Association
American Lung Association
American Medical Association
American Academy of Child and Adolescent Psychiatry
American Academy of Nurse Practitioners
American Academy of Otolaryngology – Head & Neck Surgery
American Academy of Pediatrics
American College of Cardiology
American College of Chest Physicians
American College of Physicians-American Society of Internal Medicine

American College of Preventive Medicine
American Dental Association
American Psychological Association
American Public Health Association
American School Health Association
American Society of Clinical Oncology
Campaign for Tobacco-Free Kids
Community Anti-Drug Coalitions of America (CADCA)
Hadassah, the Women's Zionist Organization of America
Interreligious Coalition on Smoking or Health
National Association of County and City Health Officials
National Association of Local Boards of Health
National Center for Policy Research for Women & Families
National Latino Council on Alcohol and Tobacco Prevention
Oncology Nursing Society
Oral Health America, National Spit Tobacco Education Program
Partnership for Prevention
Society of Public Health Education