



FDA REGULATION OF TOBACCO IS NEEDED NOW

Even though tobacco is the leading preventable cause of death in the United States, killing more than 400,000 Americans every year, tobacco products remain virtually unregulated and are exempt from basic health regulations that apply to foods, drugs, cosmetics and many other products.

Tobacco use takes an enormous health and financial toll on our nation.

- Tobacco is responsible for more than 400,000 deaths every year, including nearly 90 percent of lung cancer deaths, one-third of all cancer deaths, and one in five deaths from cardiovascular disease.^{1,2,3,4}
- Tobacco use causes 80-90 percent of all chronic obstructive pulmonary disease cases (COPD).⁵
- Every day, approximately 3,500 kids will try a cigarette for the first time, and another 1,000 will become new, regular daily smokers.⁶
- One-third of these kids will eventually die prematurely from their tobacco addiction.⁷
- Ninety percent of all adult smokers begin smoking while in their teens.⁸
- Tobacco use results in nearly \$100 billion in health care costs every year, including \$30 billion in total annual Medicaid costs.^{9,10}

Tobacco companies take advantage of the lack of regulation to market their deadly and addictive products to children, discourage current tobacco users from quitting and deceive consumers about the health risks of their products.

- Despite claiming to have changed, tobacco companies continue to market their products aggressively and in ways effective at reaching kids. Cigarette marketing and promotional expenditures have increased dramatically since the tobacco settlement, reaching \$13.1 billion per year – \$36 million a day – in 2005.¹¹ Much of this increase was focused on marketing that directly reaches kids including advertising at retail outlets, price discounts and ensuring prime retail space.¹²
- Tobacco companies continue to introduce an array of candy- and fruit-flavored tobacco products that appeal explicitly to new users, almost all of whom are children.
- Tobacco companies continue to deceive the public about the harm caused by tobacco products by marketing products with unproven and misleading claims such as “light” and “low-tar.”

Effective Food and Drug Administration (FDA) regulation would protect kids and the public health, and provide more information to consumers.

The FDA is the only agency with the scientific and regulatory expertise to effectively regulate the manufacturing, marketing, labeling and sale of tobacco products. Current legislation in Congress includes provisions that would grant FDA the authority to:

- Restrict advertising and promotions that makes products appealing to children.
- Stop illegal sales of tobacco products to kids.
- Require changes to tobacco products, such as the reduction or elimination of ingredients, to make them less harmful and less addictive.
- Prohibit unsubstantiated health claims about so-called “reduced risk” products.
- Require the disclosure of the contents of tobacco products and tobacco industry research about the health effects of their products.
- Require larger, more informative health warning labels on tobacco products.

The public health community, including the American Cancer Society Cancer Action Network, American Heart Association, American Lung Association and the Campaign for Tobacco-Free Kids, are united in support of this legislation to grant FDA strong, effective authority over tobacco products. This legislation also has the support of over 1,000 public health, faith, medical and other organizations from around the country.

¹ U.S. Centers for Disease Control and Prevention, "Annual Smoking-Attributable Mortality, Years of Potential Life Lost, and Productivity Losses – United States, 2000-2004, *Morbidity and Mortality Weekly Report (MMWR)* 57 (45), November 14, 2008. <http://www.cdc.gov/mmwr/PDF/wk/mm5745.pdf>

² Thun, M., "Mixed progress against lung cancer," *Tobacco Control* 7:223-226 (1998).

³ American Cancer Society. *Cancer Facts and Figures 2008*. Atlanta: American Cancer Society, 2008. <http://www.cancer.org/downloads/STT/2008CAFFfinalsecured.pdf>.

⁴ U.S. Department of Health and Human Services. *The Health Consequences of Smoking: A Report of the Surgeon General*. U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, Office on Smoking and Health, 2004. http://www.cdc.gov/tobacco/sqr/sqr_2004/index.htm.

⁵ U.S. Department of Health and Health Services. *The Health Consequences of Smoking: A Report of the Surgeon General*. U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, Office of Smoking and Health, 2004.

⁶ Substance Abuse and Mental Health Services Administration, (SAMHSA), HHS, Results from the 2006 National Survey on Drug Use and Health, NSDUH: Detailed Tables. <http://www.oas.samhsa.gov/nsduh/2k6nsduh/tabs/Sect4peTabs10to11.pdf>.

⁷ CDC, "Projected Smoking-Related Deaths Among Youth-United States," *MMWR*, November 8, 1996, <http://www.cdc.gov/mmwr/PDF/wk/mm4544.pdf>.

⁸ Substance Abuse and Mental Health Services Administration, (SAMHSA), HHS, Results from the 2006 National Survey on Drug Use and Health, NSDUH: Detailed Tables. <http://www.oas.samhsa.gov/nsduh/2k6nsduh/tabs/Sect4peTabs10to11.pdf>

⁹ U.S. Centers for Disease Control and Prevention, "Annual Smoking-Attributable Mortality, Years of Potential Life Lost, and Productivity Losses – United States, 2000-2004, *Morbidity and Mortality Weekly Report (MMWR)* 57 (45), November 14, 2008.

¹⁰ DC, *Sustaining State Programs for Tobacco Control: Data Highlights 2006* [and underlying CDC data and estimates, http://www.cdc.gov/tobacco/data_statistics/state_data/data_highlights/2006/index.htm

¹¹ U.S. Federal Trade Commission (FTC), *Cigarette Report for 2004 and 2005*, 2007 [data for top five manufacturers only] <http://www.ftc.gov/reports/tobacco/2007cigarette2004-2005.pdf>

¹² U.S. Federal Trade Commission (FTC), *Cigarette Report for 2004 and 2005*, 2007 [data for top five manufacturers only] <http://www.ftc.gov/reports/tobacco/2007cigarette2004-2005.pdf>