



Statement of the American Cancer Society Cancer Action Network, the American Heart Association, the American Lung Association and the Campaign for Tobacco-Free Kids

March 5, 2008

The U.S. House of Representatives' Energy and Commerce Subcommittee on Health has a historic opportunity to improve public health, protect the health of children and save countless lives as it considers the Family Smoking Prevention and Tobacco Control Act. The Subcommittee mark-up is a critical step toward enactment of this legislation into law.

The American Cancer Society Cancer Action Network, the American Heart Association, the American Lung Association and the Campaign for Tobacco-Free Kids thank Chairmen John Dingell, Frank Pallone and Henry Waxman for their tireless efforts on behalf of this legislation and commend them for the Chairman's Mark. The Chairman's Mark will ensure the FDA has ample resources and effective authority to bring about fundamental change that will protect public health. It preserves the full range of authority over tobacco manufacturing and marketing that public health advocates believe the FDA must have in order to reduce the death and disease caused by tobacco products.

While our organizations support the passage of the Chairman's Mark, we are strongly opposed to any provision that allows tobacco companies to give away their deadly products in any venue. Although the companies claim these giveaways are for adults, all too often these products find their way into the hands of children and youth – subjecting them to a life of addiction, disease and premature death. We remain hopeful that the provision allowing free sampling of smokeless products will be removed from the legislation by the end of the process.

While virtually every other consumer product is regulated, tobacco products continue to be exempt from the most basic oversight. Legislation providing FDA the authority to regulate the manufacture, distribution and sale of tobacco products is needed to protect the public health. FDA oversight is especially required to crack down on illegal sales of tobacco products to children and to restrict advertising and marketing that appeal to children. The tobacco industry is aggressively marketing a new generation of products with unproven claims that they are less harmful. This continued deception of consumers makes ever more urgent the need for FDA oversight.

Tobacco products take an enormous toll on the public health. This legislation is long overdue and must be enacted this year. We urge Members of the Health Subcommittee to support the Chairman's Mark, oppose any weakening amendments to the Chairman's Mark and work for swift passage of this legislation by the full House of Representatives.