

THE HILL

LEADING THE NEWS

Why I'm backing the Family Smoking Prevention and Tobacco Control Act

By Rep. Henry Waxman (D-Calif.)

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In the 110th Congress, we face a full agenda of public health challenges. Among these, one of our greatest opportunities — and one of my chief priorities — is to bring tobacco products under the authority of the Food and Drug Administration. Passage of legislation that I recently re-introduced with Rep. Tom Davis of Virginia — the Family Smoking Prevention and Tobacco Control Act (H.R. 1108) — would help protect children from one of the greatest threats to their health and survival.

Tobacco exacts a tragic, and avoidable, toll on our society each year, killing over 400,000 and costing hundreds of billions of dollars in taxpayer-funded health care and lost productivity. Tobacco is also extraordinarily addictive. Nicotine addiction can be harder to break than addiction to even cocaine and heroin. This super-addictiveness is the primary reason why tens of millions of Americans currently use tobacco, despite its dangers. Most users start when they are too young to appreciate the risks, and once addicted, most users want to quit but are unable.

What can we do to reverse this deadly trend? Prohibition is not an option; it didn't work with alcohol, and it won't work with tobacco.

One important step is to impose meaningful oversight on the manufacture, promotion and sale of tobacco. Tobacco products despite their overwhelming dangers currently receive less regulation than lollipops. Passage of H.R. 1108 would close this loophole and accomplish several critical public health goals.

First, the bill would clamp down on tobacco industry targeting of children. Addiction to tobacco begins almost universally in childhood and adolescence. Tobacco companies have exploited this vulnerability for decades, targeting children with cartoon advertisements, free tobacco-themed merchandise that appeals to kids, and sponsorship of sports and entertainment events. This legislation would specifically prohibit such tactics.

Second, the bill would prohibit tobacco companies from making express or implied claims about reduced risks or safer products unless they submit extensive scientific evidence proving their claims to FDA. The history of low-tar cigarettes illustrates the grave danger to public health of fooling consumers into believing unsubstantiated claims that one kind of cigarette is safer than another. When low-tar cigarettes were introduced, millions of Americans switched to low-tar cigarettes, believing that they were reducing their risk of lung cancer. It was only decades later that we learned that consumers inhaled more deeply when smoking low-tar cigarettes, making them just as

dangerous as — if not more dangerous than — other cigarettes.

The bill also would empower FDA to set standards for new and existing tobacco products. FDA could require changes in the content or design of a product as necessary to protect the public health, taking into account the effect on both current users and non-users. For example, FDA could require the removal, increase, or reduction of certain ingredients, such as nicotine or ammonia, where these changes would benefit the public health.

There is no perfect answer to halting the terrible toll on health wrought by tobacco products, and this legislation alone will not end the death and disease caused by tobacco. But the bill reflects a careful and comprehensive approach to addressing the tobacco epidemic, and it is the only responsible action to take. The alternative is unacceptable: every day that we fail to act, another 4,000 kids will try their first cigarette; 1,000 of these will become regular smokers, and most of them will suffer disease or early death as a result.

I have worked for over 30 years to lessen the toll exacted by tobacco. As a father, a grandfather, a former smoker and a lifetime advocate for the public health, I hope that others will join me in taking this critical step toward improving the lives and health of millions of Americans.

Waxman is chairman of the Committee on Oversight and Government Reform.