



Tobacco Control and Prevention

For decades, tobacco companies have marketed their deadly products to children, deceived consumers about the harm their products cause and failed to take any meaningful action to make their products less harmful or less addictive. On June 22, 2009, President Barack Obama signed the Family Smoking Prevention and Tobacco Control Act into law, giving the U.S. Food and Drug Administration the authority to effectively regulate the manufacturing, marketing, labeling, distribution and sale of tobacco products and ending special protections enjoyed by the tobacco industry. FDA took immediate action to initiate a ban on fruit- or candy-flavored cigarettes and shortly thereafter prohibited the labeling of products with the misleading terms such as “light”, “low” and “mild” to protect Americans from the uniquely addictive and deadly nature of tobacco products.

The harmful effects of toxins and carcinogens found in tobacco products endanger the health of users and, in the case of secondhand smoke, non-users as well. Tobacco use remains the leading preventable cause of death in the United States, causing more than 480,000 premature deaths annually and costing the nation over \$289 billion in health care expenses and other economic losses every year.

GET THE FACTS

- More than 20 million people in the U.S. have died from tobacco since 1964.
- Tobacco use accounts for 6 million deaths around the world every year.
- One out of every 13 children alive today – 5.6 million in total – will die early from smoking.
- Nine out of 10 smokers start by age 18 or younger.
- Seven thousand chemical compounds exist in tobacco smoke, 70 of which can cause cancer.
- Tobacco use is responsible for nearly one in three cancer deaths.
- More than 3,200 youth smoke their first cigarette every day.
- Cigars are not a safe alternative to cigarettes.
- Cigar sales increased 123 percent between 2000 and 2011, while cigarette sales decreased 33 percent.
- E-cigarettes have not been well studied and may contain unknown toxins.
- Hookah smoking is at least as harmful as cigarette smoking.
- Tobacco companies spent \$8.37 billion on advertisement and promotion of cigarettes in 2011 – or about \$23 million per day.

APHA SUPPORTS

EXPANSION AND IMPLEMENTATION OF FDA'S REGULATORY AUTHORITY. While the Tobacco Control Act grants FDA regulatory authority over all tobacco products, Congress only required FDA to regulate cigarettes, smokeless tobacco and roll-your-own tobacco. FDA must issue a final rule to close loopholes and assert authority over the other tobacco and similar products.

- APHA supports FDA's proposed rule that would extend their authority to include all tobacco and similar products such as cigars, dissolvable tobacco products, electronic cigarettes and hookahs, and [calls](#) on FDA to swiftly issue a final deeming rule.
- Tobacco companies challenged the cigarette pack graphic warning label requirement in two separate legal cases, interrupting the application of the warning labels and requiring FDA to conduct further research and propose an alternative approach. APHA calls on FDA to quickly issue a new graphic warning rule and labels.
- APHA urges federal action requiring child-proof packaging of liquid nicotine, a highly toxic substance that is used to refill electronic cigarettes.
- APHA supports the strongest possible tobacco control measures in trade agreements to prevent tobacco companies from influencing, undermining and subverting effective tobacco control policies.

ELIMINATION OF TOBACCO MARKETING TO YOUTH. According to the 2014 surgeon general's report, "the evidence is sufficient to conclude that advertising and promotional activities by the tobacco companies cause the onset and continuation of smoking among adolescents and young adults."

- APHA calls for the elimination of tobacco product placement in feature films below an R-rating.
- APHA urges FDA to establish regulations that hold e-cigarettes to the same marketing and advertising rules as conventional tobacco cigarettes.

TOBACCO-FREE INITIATIVES. There is no safe level of exposure to secondhand smoke. Secondhand smoke causes more than 7,300 lung cancer deaths among non-smoking adults each year in the U.S. Many states have recognized the public health benefits of smoke-free laws – 24 states, the District of Columbia and Puerto Rico have smoke-free laws in effect that require 100 percent smoke-free workplaces, restaurants and bars. The Pro-Children Act of 1994, now part of the No Child Left Behind Act, prohibits smoking in indoor facilities regularly used for kindergarten, elementary, or secondary schools, or library services. In recognizing that tobacco products do not have a place in a setting that serves as a health care resource, Target, Wegmans and CVS Health have all removed tobacco products from their shelves, and a number of localities have passed ordinances to prohibit the sale of tobacco products in pharmacies.

- APHA encourages all states to adopt and implement comprehensive clean air laws that prohibit all indoor use of tobacco products, including electronic nicotine delivery systems.
- APHA calls on Congress to strengthen the Pro-Children Act by expanding the ban on smoking within school environments to apply to all tobacco products.
- APHA supports local and state efforts to prohibit the sale of tobacco products in pharmacies and urges all retailers that operate pharmacies or clinics in their stores to discontinue the sale of tobacco products.

EVIDENCE-BASED TOBACCO PREVENTION AND CESSATION PROGRAMS. Ensuring access to cessation programs is a top priority. Smoking by women of reproductive age is a major cause of reproductive health problems and is associated with a higher risk of infertility and pregnancy complications. The Affordable Care Act requires insurance companies to provide tobacco cessation coverage; however, treatment coverage varies significantly across private health care plans.

- APHA calls on the Department of Health and Human Services to clearly define a comprehensive tobacco cessation benefit in regulations or supplemental information to ensure that health insurance plans provide the appropriate coverage.

COST AS A FORM OF REGULATION. Price has a significant impact on the number of people who start using tobacco products, the intensity of tobacco use and the number of tobacco users who quit. The 2009 federal tobacco tax increase resulted in a substantial and immediate impact on youth smoking and smokeless tobacco use.

- APHA supports tobacco tax equity that would increase the federal tax rate for snuff, smokeless tobacco, cigars, chewing tobacco and other processed tobacco.

Sources: Centers for Disease Control and Prevention, U.S. Census Bureau, American Cancer Society, U.S. Department of Health and Human Services, Campaign for Tobacco-Free Kids, Substance Abuse and Mental Health Services Administration, U.S. Federal Trade Commission, American Lung Association, Public Health Law Center