

FDA Now Has the Authority to Regulate Tobacco Products

In this Issue:

- Congress approves bill that gives FDA regulatory authority over tobacco products; President Obama expected signed the bill into law on June 22, 2009
- Phillip Morris USA releases new menthol cigarette: Blend No. 54

In the Last Issue:

- Maine prohibits the sale of flavored cigarettes and cigars starting July 1
- RJ Reynolds identifies Camel and Pall Mall as company's growth brands

Please contact Betsy Brock with questions or comments: 651-646-3005 or bb@ansrmn.org

President Obama recently signed the Family Smoking Prevention and Tobacco Control Act. This legislation provides the Food and Drug Administration (FDA) with the authority to regulate tobacco products.

This act restricts tobacco sales and marketing to youth by:

- Banning tobacco sponsorship of sports and entertainment venues;
- Banning free giveaways of any non-tobacco items with the purchase of tobacco;
- Limiting point-of-sale tobacco advertising (except in adult-only facilities) to black and white text only;
- Banning outdoor tobacco advertising near schools and playgrounds;
- Requiring tobacco retailers to verify age for all over-the-counter sales— this bill makes the sale of tobacco to minors a federal issue with federal enforcement and penalties;
- Restricting tobacco vending

machines and self-service tobacco displays to adult-only facilities.

The law also grants the FDA the authority to require changes to tobacco products in order to protect public health and requires the tobacco companies to disclose the ingredients and nicotine levels found in their products to the FDA.

Graphic warning labels, developed by the FDA, that take up at least 50% of packaging and 20% of advertising space will also be required.

The law also bans the use of perceived "harm-reduction" terms such as "light," "mild," and "low-tar."

Finally, the law removes the preemption that previously made it difficult to restrict point-of-sale tobacco advertising. This preemption, which was imposed by the 1965 Cigarette Labeling Act, made it near impossible for local units of government to regulate tobacco advertising at the point-of-sale. Although preemption is no longer an issue, local units of government will still need to deal with First Amendment issues

when regulating point-of-sale tobacco advertising.

We are encouraged by this federal effort to further regulate tobacco advertising and our hope is that this will be a positive step in reducing youth exposure to tobacco influences; however, we are still in the process of investigating all of the details of the legislation and believe we have a lot farther to go in reducing youth tobacco use. As we work to learn more, we will continue to collaborate with youth, parents, local community leaders and retailers to educate people to start noticing the tobacco advertising in our communities. ♦



Graphic Warning Label from Canada

Source: Campaign for Tobacco-Free Kids:

<http://www.tobaccofreekids.org/research/factsheets/pdf/0352.pdf> (6/22/2009)

Phillip Morris Tries to Increase Menthol Market Share with "Blend No. 54"



Phillip Morris USA plans to release a new menthol cigarette called "Blend No. 54" in late June of this year. Blend No. 54 is designed to compete with Newport, Kool, and Camel Crush. Currently, Phillip Morris USA only has 18% of the menthol market share— a market that is expected to increase. Lorillard, the company which makes the most popular menthol cigarette brand Newport, has seen sales of

menthol cigarettes rise for the past four years straight despite the fact that total U.S. cigarette sales were down during this period.

Blend No. 54 cigarettes will have a "richer, bolder" taste than regular Marlboro menthols. ♦

Source: <http://snus-news.blogspot.com/> (6/22/2009)

Ramsey Tobacco Coalition

Jóvenes de Salud Visit Mankato State University!

Earlier this month, eleven Jóvenes from South St. Paul High School and one from Dunwoody High School in Minneapolis (see picture above) attended the "Ethnic Heritage Pre-College Summer Institute" at Mankato State University. During the Institute, the Jóvenes received training in tobacco issues, physical activity, and preparing and applying for college. One Jóvenes had this to say about her time at the Institute: "I had a great time and I got more motivated to go to college and follow my dreams to become a teacher or a psychologist or a dental assistant." Thank you so much to CLUES and Mankato State University for making it possible for the Jóvenes to attend the Institute! ♦



From left to right: Medina Mohamed, Guadalupe Quintero, Yazmin Vazquez, Tania Vazquez, Alicia Moriera, Valeria Valverde, Melissa Vasquez, Star Rivera, Lluvia Rivera, Gracie Lopez, Mecca Mohamed, Carla Santos, Yessica Bonfil, and Adriel Carranza.

Point-of-Sale Advertising Results Presented at the National Conference on Tobacco or Health!

Representatives from the Ramsey Tobacco Coalition; Northwest Hennepin Human Services Council; Cottonwood, Jackson, and Redwood Counties; and the Southeast Minnesota Tobacco Collaborative presented a poster at the National Conference on Tobacco or Health, which was held in Phoenix, AZ in mid-June. The poster highlighted key findings from the point-of-sale tobacco advertising assessments that were completed in 2007. Some of the findings from assessed stores include:

Ramsey Tobacco Coalition:

- Stores in block groups with a high proportion of low income residents had more tobacco ads

Northwest Hennepin Human Services:

- 88% of all stores advertised special prices, multi-pack discounts, free gifts, points or other rewards.

Cottonwood, Jackson, and Redwood Counties:

- There was an average of 54 tobacco ads per store, most were displayed inside

Southeast Minnesota Tobacco Collaborative:

- In Austin, MN (Hormel plant headquarters & large Hispanic population) we found the largest amount of signage- 70% on the exterior and 91% on the interior. ♦



From left to right: Shaylene Baumbach, Southeast Minnesota Tobacco Collaborative; Katie Engman, Ramsey Tobacco Coalition; Emily Anderson, Northwest Hennepin Human Services; and Susan Vileta, Cottonwood, Jackson, and Redwood Counties.