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Vote clears way for FDA tobacco oversight

MINNEAPOLIS, June 10, 2009 - The U.S. Senate voted 67 to 30 on Tuesday to end debate on the Family Smoking Prevention and Tobacco Control Act, which would grant the Food and Drug Administration (FDA) authority to regulate tobacco products, according to news reports.

The House already passed a similar measure, and President Barack Obama is expected to sign the bill, according to reports.

The act would establish a Center for Tobacco Products within the FDA and give the Secretary of Health and Human Services the power to approve all labels on tobacco products.

It also would require larger and more robust health warnings on packaging and ban the use of terms such as "light" and "low tar" that might falsely suggest certain products are safer than others, and require manufacturers to report lists of ingredients (including the quantity and form of nicotine) used in their products and the results of health research they have conducted.

In addition, the Secretary of Health and Human Services would be granted authority to restrict the sale or distribution of tobacco products for the protection of the public health, so long as he or she does not impose absolute bans or require complete elimination of nicotine content.

The bill represents a drastic change from the Supreme Court ruling in FDA v. Brown & Williamson Tobacco in 2000 that said Congress had clearly precluded the FDA from regulating tobacco products.

One of the MMA's top priorities has been to reduce tobacco-use rates in Minnesota. The MMA supports limiting tobacco advertising, smoking-bans in public places, and higher cigarette taxes.

A summary of the bill, H.R. 1256, is available at www.GovTrack.us

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