



Protect, Prevent, Live Well

May 13, 2009

The Honorable Edward Kennedy
Senate Committee on Health, Education,
Labor and Pensions
428 Senate Dirksen Office Building
Washington, DC 20510

Dear Chairman Kennedy:

On behalf of the American Public Health Association (APHA), the oldest and most diverse organization of public health professionals and advocates in the world dedicated to promoting and protecting the health of the public and our communities, I write in strong support of S. 982, the Family Smoking Prevention and Tobacco Control Act, legislation that would give the Food and Drug Administration (FDA) the authority to regulate tobacco products. In April, the House of Representatives passed this legislation by an overwhelming bipartisan majority and we are hopeful the Senate will move quickly to pass the bill.

According to the Centers for Disease Control and Prevention (CDC), tobacco use is responsible for about 438,000 deaths each year in the United States. In addition to this staggering statistic, tobacco use costs more than \$96 billion each year in health care expenditures, and an additional \$97 billion per year in lost productivity. Furthermore, 3,600 kids between the ages of 12 and 17 years initiate cigarette smoking every day. In spite of this, tobacco products remain virtually unregulated. For decades, the tobacco companies have marketed their deadly products to our 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. Your bill would finally end the special protection enjoyed by the tobacco industry and protect our children and the nation's health instead.

This legislation meets the high standard established by the public health community for FDA tobacco regulation. Importantly, the bill would create FDA authority to effectively regulate the manufacturing, marketing, labeling, distribution and sale of tobacco products, including the authority to:

- Stop illegal sales of tobacco products to children and adolescents
- Require changes in tobacco products, such as the reduction or elimination of harmful chemicals, to make them less harmful and less addictive
- Restrict advertising and promotions that appeal to children and adolescents
- Prohibit unsubstantiated health claims about so-called "reduced risk" tobacco products that discourage current tobacco users from quitting or encourage new users to start
- Require the disclosure of tobacco product content and tobacco industry research about the health effects of their products
- Require larger and more informative health warnings on tobacco products
- Study and address issues associated with menthol tobacco products

We thank you for your continued leadership on this and other important public health issues. We look forward to working with you to ensure the legislation is passed by the Senate and signed by the president this year.

Sincerely,

Georges C. Benjamin, MD, FACP, FACEP (Emeritus)
Executive Director