

# **PALLONE STATEMENT AT HEALTH HEARING ON THE FAMILY SMOKING PREVENTION & TOBACCO CONTROL ACT**

October 3, 2007

"Good morning. Today the Subcommittee is meeting to review H.R. 1108, the Family Smoking Prevention and Tobacco Control Act, introduced by my colleague Mr. Waxman. I am a proud co-sponsor of this legislation, which aims to strengthen our nation's regulation of tobacco products and restrict tobacco product marketing.

"Every day, approximately 4,000 kids try a cigarette for the first time. According to the Center for Disease Control, every day, 1,140 of our children become new daily smokers. Take a minute to just think about these statistics. According to my calculations this means that since the beginning of this year, January 1, 2007, 313,400 children have become tobacco addicts. And one-third of those kids will end up dying prematurely from tobacco-related illnesses.

"In fact, tobacco use is the leading cause of preventable death in the United States, killing more than 400,000 Americans every year. That is more than AIDS, alcohol, car accidents, murders, suicides, illegal drugs, and fires combined. And tobacco use costs our health care system, both public and private, over \$96 billion annually. Fourteen-percent of our total Medicaid expenditure is on treatments for smoking-related diseases.

"With such implications it is hard to believe that tobacco products are exempt from the basic health and safety regulations that apply to other consumer products. The FDA regulates toothpaste but not cigarettes; they monitor cereal but not chewing tobacco. And ironically, the FDA regulates both over-the-counter and prescription medications to help people quit smoking, yet has no authority over the cause of the addiction.

"In 1996, the FDA began to implement a comprehensive rule to prevent and reduce tobacco use by children. Only four years later, the U.S. Supreme Court ruled that under existing law, the FDA lacks the authority to regulate tobacco products or cigarette company marketing practices. It is therefore up to this Congress to grant the FDA the authority they need.

"The 1996 rule identified that the best way to reduce the harm caused by tobacco was to reduce the number of children who became addicted in the first place. We must build on this concept and tackle the problem on a variety of points. We must ensure that tobacco products are NOT marketed or sold to children; we must identify harmful elements in tobacco products; we must require more detailed warnings on cigarette packs; and we must demand scientific proof of claims made about lower-risk products.

"As the parent of three children who are nearing their teens, the practice of targeting young people with tobacco advertising particularly concerns me. Since the Multi-State tobacco settlement in 1998, tobacco companies have increased their advertising spending by 95% and are currently spending approximately \$13 billion a year. They use imagery that appeals to youth on their billboards and in their print ads; hand out free tobacco-themed merchandise; and sponsor sports and entertainment events. All of these practices aim to draw children into a lifetime of addiction. Studies have shown that teens are twice as likely to remember tobacco advertising than adults. And, they remain loyal to their brand as their addiction takes hold and they move into adulthood.

"Mr. Waxman has taken the initiative and proposed a bipartisan bill that seeks to address what has become a critical public health problem. I am proud to be a co-sponsor of this bill, along with many of my colleagues on the Subcommittee. The bill will provide the FDA with the authority to appropriately regulate tobacco products and restrict tobacco product marketing.

"The Family Smoking Prevention and Tobacco Control Act would allow FDA to monitor false or misleading advertising, as well as marketing aimed at children. It will halt tobacco sales to minors and will require tobacco companies to provide the FDA with a list of ingredients and additives in their products. And finally, it forces companies to substantiate their claims that some tobacco products are 'lower risk.'

"This summer, the Senate Committee on Health, Education, Labor and Pensions passed their version of the Family Smoking Prevention and Tobacco Control Act. Both the Senate bill and the bill before us today are vital pieces of legislation to curb the consumption of tobacco products, to reduce the number of children using tobacco products, and to ultimately save millions of lives.

"Encouraged by the progress of our colleagues in the Senate, I am convinced that in this Congress, tobacco regulation legislation will see the light of day. I commend Mr. Waxman for bringing this issue to the attention of the Subcommittee and I would like to thank the witnesses for appearing before us today to share their expertise. We look forward to hearing your testimony. I now recognize my colleague from Georgia, Mr. Deal, for five minutes for his opening statement."