



Federal Government Receives Failing Grades on Tobacco Control in Annual American Lung Association Report

American Lung Association Calls on Federal, State Leaders to Take Action and Close the Door on America's Tobacco Epidemic

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New York, NY (January 10, 2008)—The American Lung Association's *State of Tobacco Control 2007* report, an annual report card on federal and state tobacco control legislation and policies, assigns only Ds and Fs to the federal government, but says 2008 presents an historic opportunity for Congress to make a dramatic impact on tobacco control across America by authorizing the U.S. Food and Drug Administration (FDA) to regulate tobacco products. Strong, bipartisan legislation is pending in both the U.S. Senate and U.S. House of Representatives that would give the FDA authority over the manufacture, distribution, marketing and use of tobacco products. The report can be accessed online at www.stateoftobaccocontrol.org

"The Congress has an unprecedented opportunity in 2008 to pass this life-saving legislation," said Bernadette Toomey, President and CEO of the American Lung Association. "We need leaders to stand up and enact national changes that will prevent lung diseases such as lung cancer and Chronic Obstructive Pulmonary Disease (COPD), which includes emphysema and chronic bronchitis." Tobacco-related diseases remain the number-one preventable cause of death in America, killing more than 438,000 Americans each year.

The American Lung Association's *State of Tobacco Control 2007* report tracks progress made, ground lost, and issues that have stalled throughout 2007, during which time two major public health reports—from the President's Cancer Panel and the Institute of Medicine—heralded the need for the federal and state governments to take urgent action to reduce America's tobacco epidemic. The Lung Association's report card grades each of the 50 states, the District of Columbia and Puerto Rico on their tobacco control policies in smokefree air, cigarette tax, tobacco prevention spending, and youth access to tobacco products. The report grades federal tobacco control efforts on cigarette tax, giving the FDA authority over manufactured tobacco products, cessation and ratification of the international tobacco control treaty.

Grades for federal issues—FDA regulation of tobacco products, cigarette tax, cessation policies, and the international tobacco control treaty—still score only Ds and Fs. Congress, however, is poised to pass the Family Smoking Prevention and Tobacco Control Act to give the Food and Drug Administration oversight over tobacco products, legislation that will curb the marketing of cigarettes to children and teens.

"Now is the time for leaders at the federal, state and local levels to summon the political will

to do what's right and finally shut the door on this country's tobacco epidemic," said Ms. Toomey. "There's no excuse for America not to make major progress on this vital issue, because we know what changes need to be made to protect health and save lives. Half-hearted responses and weak policies from all levels of government will not put an end to the tragedy of tobacco addiction, disease and death in America." In the United States, the Framework Convention on Tobacco Control, the world's first tobacco control treaty, again saw no action in 2007. As of December 2007, 151 nations, not including the U.S., have ratified the treaty, yet the document has languished since 2004 in "interagency review".

Twenty-one states, the District of Columbia and Puerto Rico have answered the American Lung Association's *Smokefree Air 2010 Challenge* by passing comprehensive smokefree air laws that protect almost all workers from exposure to secondhand smoke. However, 18 states continue to receive an F in this category, leaving millions of Americans exposed to potentially lethal secondhand smoke in restaurants, workplaces, and other public places. The *Smokefree Air 2010 Challenge* calls for all 50 states, the District of Columbia and Puerto Rico to be 100 percent smokefree no later than 2010.

"All workers and business patrons should be protected from breathing toxic secondhand smoke," Ms. Toomey said. "No worker should be exposed to secondhand smoke in his or her work environment."

Despite repeated studies proving that well-funded state tobacco prevention and cessation programs keep youth from starting to smoke and motivate smokers to quit, only six states fund these programs at the levels recommended by the Centers for Disease Control and Prevention (CDC). Nine states scored an A for funding their programs at 90 percent or more of the CDC's minimum recommended funding level. Thirty-two states, the District of Columbia and Puerto Rico received an F for tobacco prevention and control funding.

Raising cigarette taxes have motivated thousands of Americans to quit smoking and prevented thousands of kids from starting. Twenty-five states, the District of Columbia, and Puerto Rico have cigarette tax rates of \$1.00 or higher, and nine states will be at or above \$2.00 per pack. Currently, the average state cigarette tax is \$1.11 per pack, an increase of about 11 cents from last year. New Jersey leads the country with the highest cigarette tax at \$2.575 per pack. Twelve states received an F in cigarette taxes in 2007, down from last year's 13 Fs.

"As coalitions all across America fight tooth and nail to tighten laws to protect youth, in particular, tobacco companies are launching new products clearly targeted toward young girls and teens, selling candy-flavored cigarettes, and promoting buy-one-get-one free deals that undermine states' efforts to increase the cost of cigarettes by raising cigarette taxes," Ms. Toomey explained.

Data released in 2007 detailed the tobacco industry's spending, including approximately \$36 million a day (\$13.1 billion annually) in marketing, in addition to \$1.7 million in direct contributions to federal candidates and \$96 million supplied to state-level candidates, committees and ballot measure campaigns during the 2005 and 2006 election cycle. Despite signing a settlement agreement with state Attorneys General in October 2006 prohibiting the marketing of candy, fruit, and alcohol-flavored cigarettes, RJ Reynolds violated the spirit of the agreement by introducing a new line of flavored cigarettes barely

seven months later; survey data has shown that these products are favored by smokers aged 17 to 19.

“The tobacco companies aren’t letting up, but we’re not letting up either,” Ms. Toomey said. “The American Lung Association will continue to fight to save lives by reducing the terrible burden caused by tobacco.”

The American Lung Association has helped millions of Americans quit smoking through our Lung HelpLine (1-800-LUNG-USA), and through our smoking cessation programs, including Freedom From Smoking®, considered to be the “gold standard” of group-setting, smoking cessation programs and Not on Tobacco, or N-O-T, a nationally recognized smoking cessation program for youth.

About the American Lung Association

Beginning our second century, the American Lung Association is the leading organization working to prevent lung disease and promote lung health. Lung disease death rates continue to increase while other leading causes of death have declined. The American Lung Association funds vital research on the causes of and treatments for lung disease. With the generous support of the public, the American Lung Association is "Improving life, one breath at a time." For more information about the American Lung Association or to support the work it does, call 1-800-LUNG-USA (1-800-586-4872) or log on to www.lungusa.org.

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