

March 2, 2009

There is a better approach to regulating tobacco and preventing minors from using tobacco products than the Waxman/Platts legislation
Support the Youth Prevention and Tobacco Harm Reduction Act and Save Millions More American Lives

Dear Colleague:

This Congress, you have the chance to significantly address the public health problems from tobacco use that claim the lives of more than 400,000 Americans each year.

For over a decade, Congress has considered only one option to implement tobacco regulation: The Family Smoking Prevention and Tobacco Control Act authored by Congressman Henry Waxman. While this legislation has not changed in over a decade, there has been a significant evolution in the views of many public health experts as to the most effective approach to tobacco regulation. This week we will introduce bipartisan legislation that promotes a “harm reduction strategy”, a scientifically proven method of moving smokers away from the dangers of cigarettes and toward less harmful tobacco products such as smokeless tobacco and nicotine replacement therapies. According to *Applied Economics*, “the use of smokeless tobacco by an average U.S. male smoker would increase the average probability of smoke cessation by over 10%.”

The Waxman/Platts bill relies exclusively on a “Quit or die” methodology to reducing the tobacco epidemic in the U.S. The Congressional Budget Office has estimated that when implemented this legislation would only decrease smoking by 0.2 percent annually. The historical annual decline in smoking in the United States is 2% to 4%.

According to experts in the United States and internationally, the inclusion of significant harm reduction policies is critical for those Americans who won't, or can't, quit smoking. As we have done in many other behavior areas, accurately informing consumers of the levels of risks among consumer products is imperative. **Experts believe that smokeless tobacco products have approximately 1% to 2% of the risk for diseases associated with smoking. Migrating smokers who will not, or cannot quit, smoking to less harmful nicotine products has the promise of saving millions of lives.**

“In practical terms, enhancement of current policies based on the premise that all tobacco products are equally risky will yield only small and barely measurable reductions in tobacco-related illness and death. Addition of a harm reduction component, however, could yield a 50% to 80% reduction in tobacco-related illness and death over the first ten years, and a likely reduction of up to 90% within 20 years.”

-Nitzkin and Rodu, American Association of Public Health Physicians, 2008

Additionally, our legislation specifically addresses youth tobacco use by encouraging states to penalize minors for purchasing and possessing tobacco products. Under current law, retailers are prohibited from selling tobacco products to minors, but unlike with the purchase of alcohol, minors are not penalized for underage purchase and possession of tobacco products. Our legislation also calls upon states to increase the percentage of their Master Settlement Agreement dollars to fund tobacco cessation and public health programs. In the last 10 years, states have spent just 3.2% of their total tobacco generated revenue on tobacco prevention and cessation programs. We must ensure more of these dollars are targeted at public health initiatives designed at informing the public of the dangers of tobacco use.

Today, we encourage you to support the Youth Prevention and Harm Reduction Act and promote the discussion of science-based information which can profoundly affect the health of our nation. Please contact Allison Hite (Cong. Buyer) at 5-5037 or Kim McClellan (Cong. McIntyre) at 5-2731 to cosponsor this legislation or to receive more information.

Regards,

Steve Buyer
Mike McIntyre
Member of Congress

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