

Youth Prevention and Tobacco Harm Reduction Act (H.R. 1261)

Current Cosponsors: Buyer, McIntyre, Deal, Peterson, Etheridge, Shadegg, Burgess, Gingrey, Myrick, Miller (NC), Stearns, Putnam, Coble, Wilson (SC), Shuler, Bishop, Whitfield, Pence, Smith (TX), Wamp, Burton, Shuster, Perriello

Background: The regulation of tobacco products has been a controversial issue in Congress for over a decade, and many Members of Congress have expressed significant concerns about the Waxman/Kennedy legislation. A tobacco harm reduction alternative is here—H.R. 1261 was introduced to provide Members with a serious, science-based alternative. H.R. 1261 combines prevention, cessation, and harm reduction policies recommended by many in the public health community. These policies will lead to significant and measurable reductions in the diseases and deaths associated with tobacco use.

Key Provisions of H.R. 1261:

- (1) Protects the FDA from diverting resources to regulate the tobacco industry. Creates Tobacco Harm Reduction Center under the Department of Health and Human Services and outside of the FDA; Center will be streamlined and focused Agency tasked with carrying out all tobacco regulations.
- (2) Promotes tobacco harm reduction strategies to move smokers who cannot, or will not, quit smoking along a continuum of risk from the highest risk products (cigarettes) to the lowest risk products (smokeless tobacco or nicotine replacement) with the ultimate goal of complete tobacco cessation.
- (3) Ensures adult tobacco users are given complete and accurate information about the risks and relative risks of all tobacco and nicotine products so that they can make informed health decisions.
- (4) Incentivizes the development of reduced risk tobacco and nicotine products and discourages continued investment in the most dangerous combustible tobacco products responsible for over 400,000 American deaths each year. Bill uses federal policy to profoundly affect health behaviors in the U.S.
- (5) Protects America's tobacco farmers. Contains language prohibiting any federal regulations that affect farming practices. (The Waxman/Kennedy bill is replete with provisions that will directly and indirectly affect tobacco growers)
- (6) Strong provisions to address minors' tobacco use. Encourages states to prohibit minors' purchase and possession of tobacco products, in addition to current state laws prohibiting retail sales of tobacco products to minors. (The Waxman/Kennedy bill contains only one provision, a finding, regarding minors' tobacco use)
- (7) Funded through the normal appropriations process and not through new taxes disguised as user fees.

Organizations in Support: American Council on Science and Health, American Wholesale Marketers Association, Burley Stabilization Corporation, Tobacco Growers Association of GA, Tobacco Growers Association of NC, Southern Association of Wholesale Distributors, McLane Company, Sheetz, Food Industry Alliance of NY State, IL Association of Tobacco & Candy Distributors, PA Retailers' Association, KY Tobacco & Candy Association, OH Wholesale Marketers Association, OH Grocers Association, NH Grocers Association, KS Licensed Beverage Association, TX Grocery and Convenience Association, WI Association of Distributors, MI Distributors and Vendors Association, CT Package Stores Association, Roadrunner Markets, Village Pantry, Richmond Masters, Royal Buying Group, TBA Industries, Eby-Brown Company, South Atlantic Packaging Corporation, Dominion Packaging, Tana Group, PriceWeber, Landmark Industries DBA

“Your bill—HR 1261—will obviate most of the detrimental and counter-productive effects of the Waxman bill. Truthfully telling the American consumer about lower-risk tobacco products—harm reduction rather than “quit or die”—along with stringent marketing restrictions and attention-getting warning labels, and the establishment of a tobacco-regulation section in the Department of Health and Human Services—not the FDA—will all be of major benefit in reducing the toll of cigarettes on America.” -American Council on Science and Health, in a letter to Congressmen Buyer and McIntyre,

March 12, 2009