

A Weekly FAX from the Center for Substance Abuse Research

University of Maryland, College Park

Food and Drug Administration Given Authority to Regulate Tobacco Products

The Family Smoking Prevention and Tobacco Control Act, signed by President Obama on June 22, grants the Food and Drug Administration (FDA) authority to regulate the manufacturing, marketing and sale of tobacco products. The Act establishes a new FDA Center for Tobacco Products, which is fully funded through fees from U.S. tobacco manufacturers and importers. Below are some of the primary provisions of the Act that the Center for Tobacco Products will oversee.

Primary Provisions of the Family Smoking Prevention and Tobacco Control Act

Provision	Details
Tobacco Standards	Allows the FDA to require changes in current and future tobacco products, including the reduction or elimination of ingredients, additives, if the changes will protect public health. Gives the FDA authority to regulate nicotine yields.
Ingredient Disclosure	Requires tobacco companies to provide the FDA with a listing of all ingredients in their products, including additives, nicotine content, and smoke constituents.
Reduced Harm Claims	Bans the use of descriptors such as “light”, “mild”, and “low” on labels or in advertising. Manufacturers must get approval before marketing or selling any product as a “modified risk” product.
Warning Labels	Requires warning labels that cover the top 50% of the front and rear panels of a cigarette pack and 20% of an advertisement area. Within 24 months, warning labels must also include color graphics depicting the negative health consequences of smoking.
Additive Restrictions	Prohibits the use of artificial or natural flavor other than menthol
Research Disclosure	Requires tobacco companies to provide all of their research on the effects of tobacco products and marketing research.

SOURCE: Adapted by CESAR from 111th Congress, *Family Smoking Prevention and Tobacco Control Act*, H.R. 1256 (enacted), 2009. Available online at <http://hdl.loc.gov/loc.uscongress/legislation.111HR1256>.

•• 301-405-9770 (voice) •• 301-403-8342 (fax) •• CESAR@cesar.umd.edu •• www.cesar.umd.edu ••
CESAR FAX may be copied without permission. Please cite CESAR as the source.

The Governor's Office of Crime Control and Prevention funded this project under grant BJAG 2005-1206. All points of view in this document are those of the author and do not necessarily represent the official position of any State agency.