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New FDA regulation of tobacco products has problems

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New US legislation granting the Food and Drug Administration (FDA) jurisdiction over tobacco products represents a serious compromise on the part of tobacco control advocates, argues a new essay in this week's open access journal *PLoS Medicine*.

Stanton Glantz and colleagues from the University of California San Francisco say that the new policy is another example of legislative compromise with the tobacco industry that can lead to short-term public health gains at the expense of long-term progress.

The new policy repeals federal pre-emption of state and local regulation of tobacco advertising, which is a positive move, but it also allows the tobacco industry an opportunity to rehabilitate its image and products because they are now "FDA regulated," say the authors. That tobacco interests are represented on the Scientific Advisory Committee that plays a central role in the development of FDA regulations—violating the World Health Organization Framework Convention on Tobacco Control— will make it difficult to develop and implement effective regulation in the United States and beyond, say the authors.

The challenge moving forward, say the authors, will be for the compromise law's advocates "to accept responsibility for these problems and to see that their negative consequences do not materialize."

More information: Glantz SA, Barnes R, Eubanks SY (2009) Compromise or Capitulation? US Food and Drug Administration

Jurisdiction Over Tobacco Products. PLoS Med 6(7): e1000118. doi:10.1371/journal.pmed.1000118

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