Imperfections aside, smoking regulation bill long overdue, tobacco control expert says

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(PhysOrg.com) -- After nearly a decade of waiting, the U.S. Senate is expected Monday to pass a bill giving the Food and Drug Administration the authority to regulate tobacco, and despite controversies over the involvement of the tobacco industry in authoring the bill, it will be a great tool in advancing anti-smoking efforts in the country, a Georgia State University tobacco control expert said.

“The bill, while imperfect, is long overdue and much needed,” said Michael Eriksen, director of Georgia State’s Institute of Public Health and former head of the Centers of Disease Control and Prevention’s Office on Smoking and Health. “Tobacco is probably the only consumer product ingested by people that is not regulated by the FDA.”

The Family Smoking Prevention and Tobacco Control Act of 2009 has 56 sponsors, and despite objections from Senators in tobacco-producing states — who have threatened a filibuster — the bill will move on from the Senate to a conference committee to work out the differences between the Senate and House versions. The Obama Administration has indicated that the president will sign the legislation.

The bill is a result of more than a decade of litigation between the tobacco industry and government over the FDA’s powers to regulate a dangerous product. In the 1990s, the FDA tried to regulate tobacco but the companies sued, claiming that the FDA did not have the authority to do so. The Supreme Court ruled in 2000 that Congress would have to provide the authority to regulate tobacco.

Besides granting the FDA authority to regulate tobacco, warning labels on packages would be much larger; cigarettes could no longer be labeled as “light” or “low-tar”; and cigarettes could no longer have a “characterizing” flavor other than menthol. The new tobacco division of the FDA would be funded by fees from the tobacco companies.

The bill does present some challenges, Eriksen said. For example, the FDA currently lacks regulatory tobacco expertise, he said.

“They really don't have the expertise in-house now, which has been lost over the last 15 years due to litigation, and because it's taken Congress nine years to act,” he said. “The FDA will have to quickly ramp up efforts to gain this expertise.”

Source: Georgia State University (news : web)