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TO: HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE
REPRESENTATIVE STEVE BRUNK, CHAIR

FROM: CHRISTOPHER J. MASONER,
AMERICAN CANCER SOCIETY

DATE: APRIL 26, 2012

RE: HR 6026 – TOBACCO HARM

Representative Brunk, Members of the Committee, thank you for the opportunity to provide testimony in opposition to HR 6026.

Tobacco kills nearly half a million Americans every year and is responsible for nearly one-third of all cancers. The American Cancer Society is committed to reducing tobacco use in all its forms because we know it will ease the burden of cancer in Kansas and throughout the rest of the country. We are supportive of any genuine efforts to help cigarette smokers quit their deadly addiction; however, smokeless tobacco products are neither a safe substitute for cigarettes, nor an effective method of quitting smoking. We urge the Committee to reject HR 6026.

The State of Kansas Should Not be Doing Big Tobacco's Dirty Work.

This Committee's inquiry should begin and end by looking at the source of HR 6026: RJ Reynolds Tobacco Company, makers of Camel, Pall Mall, Winston, Kool, and other brands of cigarettes, as well as Camel Snus. Reynolds is also the parent company of the American Snuff Company, the second-largest manufacturer of smokeless tobacco products in the nation, including such brands as Kodiak, Grizzly, and Hawken chewing tobacco. By pushing you to pass HR 6026, RJ Reynolds is asking the State of Kansas to spend taxpayer money conducting extensive research and "actively promoting" information that one group of its products might not be quite as deadly as another group of its products. We give you more credit than that.

In fact, HR 6062 is only a part of RJ Reynolds' national campaign to circumvent the effects of the Family Smoking Prevention and Tobacco Control Act, the historic legislation passed by Congress in 2009 that finally gave the Food And Drug Administration the authority to regulate the manufacture, sale, and marketing of tobacco products. Just last month, the FDA issued strong draft guidelines requiring tobacco companies to provide scientific proof to support any claims that their products reduce harm to the public, including existing and potential consumers. (See the attached ACS CAN Press Release, "FDA Guidance Will Prevent Big Tobacco From Misleading Public About Its Deadly Products") Instead of spending some of its billions in profits in an attempt to back up its claims, RJ Reynolds wants Kansas taxpayers to foot the bill.

House Federal & State Affairs

Date: 4-26-12

Attachment # 7

To further support your rejection of HR 6026, we ask you to consider the following:

- **Smokeless tobacco is not a safe product.** Smokeless tobacco products contain as many as 28 known carcinogens and 3-4 times as much nicotine as cigarettes. Long-time users of smokeless tobacco have been shown to be 50 times more likely to develop oral cancer compared to non-users. Smokeless tobacco has also been linked to esophageal and pancreatic cancer, as well as leukoplakia (white sores in the mouth that can lead to cancer), gum disease, and bone loss around the teeth.
- **There is no evidence that smokeless tobacco products help smokers quit.** The 2008 Update of the U.S. Public Health Service Clinical Practice Guidelines regarding tobacco cessation concluded, “the use of smokeless tobacco products is not a safe alternative to smoking, nor is there evidence to suggest that it is effective in helping smokers quit.” In fact, current tobacco company marketing discourages smokers from taking the one step that is sure to protect their health, which is to quit smoking entirely. Far from reducing the harm from smoking, this kind of marketing perpetuates harm. In addition, a 2009 study found that it was more likely for American smokeless tobacco users to switch to cigarettes than for smokers to switch to smokeless.
- **Smokeless tobacco may provide a gateway to tobacco use, especially among kids.** Unlike cigarettes, smokeless tobacco is permitted to be sold in flavors such as cherry, grape, peach, and cinnamon. Use of these candy-like flavors alone makes it more likely kids will take up a deadly nicotine addiction. If kids are also getting the message that smokeless products are “not as bad” as cigarettes, the likelihood of beginning tobacco use only increases.
- **There are already proven methods to reduce smoking.** Studies show the most effective means to keep kids from taking up smoking and to encourage current smokers to quit is to increase tobacco taxes and provide adequate funding for evidence-based prevention and cessation programs. Kansas is currently ranked in the bottom third in the nation for the level of our cigarette excise tax, and is also near the bottom in terms of per capita funding tobacco prevention and cessation programs. If the Legislature is serious about reducing smoking in the State, we stand ready and willing to work on the passage of these proven policies.

For these reasons, we urge you to reject HR 6062. If RJ Reynolds wants to claim that some of its products are less lethal than others, they need to prove it themselves. The State of Kansas should not do it for them at taxpayer expense.

Thank you for your time and consideration.



American Cancer Society Cancer Action Network (ACS CAN)

Together We CAN Fight Back Against Canc

Media Center

FDA Guidance Will Prevent Big Tobacco from Misleading Public About its Deadly Products

Statement from Chris Hansen, President of the American Cancer Society Cancer Action Network (ACS CAN)

March 30, 2012

WASHINGTON, D.C. – March 30, 2012 – “The Food and Drug Administration (FDA) today issued strong draft guidelines detailing the obligations of the tobacco companies to provide scientific proof of any claims that their products reduce harm to the public, including existing and potential consumers, and to report the quantity of each of the potentially most lethal elements in its products.

“For the first time, Big Tobacco will have to provide proof to the FDA that a product poses less risk to public health before marketing it as such, and to disclose previously unknown information about the harmful substances in its products.

“With today’s announcement, the FDA signaled that it is boldly moving forward with implementation of a crucial piece of the Family Smoking Prevention and Tobacco Control Act, historic public health legislation signed into law in 2009 which grants the FDA the authority to regulate the manufacture, sale and marketing of tobacco products.

“The law forbids tobacco companies from using deceptive descriptions such as “light,” “mild” and “low-tar” in the marketing and packaging of cigarettes. After years of unfettered access to existing and prospective smokers, peddling unproven information about so-called safer products, Big Tobacco is restrained from finding alternate ways to mislead the American public about the supposed reduced harm of their products without hard evidence to support their claims.

“Tobacco kills more than 443,000 Americans each year, causes more than 80 percent of lung cancer deaths and is responsible for nearly one-third of all cancers. For decades, the tobacco industry has led aggressive and misleading marketing campaigns to addict the American public to its products. Evidence shows smokers have historically been harmed thinking they were using less dangerous products due to false information provided by Big Tobacco. ACS CAN continues to work to strongly implement the landmark law and protect the public from Big Tobacco’s unscrupulous efforts to addict new users and keep current smokers hooked.”

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ACS CAN, the nonprofit, nonpartisan advocacy affiliate of the American Cancer Society, supports evidence-based policy and legislative solutions designed to eliminate cancer as a major health problem. ACS CAN works to encourage elected officials and candidates to make cancer a top national priority. ACS CAN gives ordinary people extraordinary power to fight cancer with the training and tools they need to make their voices heard. For more information, visit www.acscan.org.

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ACS CAN is the nation's leading cancer advocacy organization that is working every day to make cancer issues a national priority. [MORE](#)

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