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SCHAKOWSKY: SMOKELESS TOBACCO IS A THREAT TO OUR NATION'S PUBLIC HEALTH, AND ESPECIALLY TO THE HEALTH OF OUR CHILDREN

NEARLY ONE IN SEVEN HIGH SCHOOL BOYS USE DIP/CHEW/SPIT TOBACCO

WASHINGTON, D.C. - U.S. Representative Jan Schakowsky (D-IL) today debunked claims by the tobacco industry that smokeless tobacco is a safer alternative to smoking cigarettes, adding, "Smokeless tobacco is a threat to our nation's public health, and especially to the health of our children."

Schakowsky, who is the ranking Democrat on the Consumer Protection, Trade and Commerce Subcommittee, continued during today's hearing that tobacco companies "want to convince smokers who may be trying to quit or who have quit, non-smokers, children, and others that their product, smokeless tobacco, is okay to use."

Schakowsky warned, "If we allow the tobacco industry to make these false claims, then Congress will share the blame for more lives lost to tobacco-related diseases. U.S. Tobacco's argument that smokeless tobacco use is a healthier alternative to smoking is analogous to suggesting that it's better to jump off a fifth story window rather than the roof a twenty-story building. Of course, both are likely to cost you your life."

Schakowsky joined Government Reform Ranking member Henry Waxman in releasing a report entitled: **The Lessons of "Light" and "Low Tar" Cigarettes: Without Effective Regulation, "Reduced Risk" Tobacco Products Threaten the Public Health.** The report underscores important parallels between the efforts of the tobacco industry to mislead the public into believing that so-called "light" and "low tar" cigarette products are a healthier alternative to regular cigarettes and the efforts currently underway by UST to convince the Congress, the FTC and the public of the virtues of its spit tobacco products.

The report includes previously undisclosed internal industry documents and demonstrates that the products that are marketed as "light" and "low tar" are in fact neither. In addition, in an internal company email included in this report, a senior research scientist at British American Tobacco stated "our main problem appears to be the notion that 'the technology exists to make cigarettes which are appreciably less lethal.the technology does not exist.It will not exist."

"The report demonstrates that tobacco industry officials continue to deceive the public. With information from industry, the National Cancer Institute, and the Department of Justice, the report provides clear examples of current "reduced risk" product marketing, including the marketing of spit tobacco, specifically designed to counter health fears,

deceive consumers, deter quitting, and exploit the absence of effective regulation."

Below is the full text of Schakowsky's statement:

Thank you, Mr. Chairman. Well, here they go again. Under the guise of concern for public health, the tobacco industry has us here to discuss its efforts to gain advanced government approval of a marketing campaign that would promote tobacco products and their bottom line. "Smokeless tobacco" is a dressed-up name for dip, chew, or spit tobacco. U.S. Tobacco (UST) wants to market its spit tobacco as a "safer" alternative to smoking cigarettes. Smokeless tobacco is a threat to our nation's public health, and especially to the health of our children. Any type of claim about spit tobacco as a safer alternative to smoking requires a substantive body of evidence and an independent regulatory body capable of examining the claims. Such evidence and regulation does not exist. UST cannot back up their campaign slogans and that is why they have asked the FTC, not the FDA, to review the claims they want to make.

Tobacco causes cancer and other diseases. Whether you smoke it, chew it, suck on it, or put it in your nose, it can and, after sustained use, probably will, kill you. UST's argument that smokeless tobacco use is a healthier alternative to smoking is analogous to suggesting that one is better off jumping off the fifth floor of a building rather than the twentieth floor because, of course, both are likely to cost you your life.

They want to convince smokers who may be trying to quit or who have quit, non-smokers, children, and others that their product is okay to use. If we allow them to make these false claims, then Congress will share the blame for more lives lost to tobacco-related diseases.

The government has no business endorsing media campaigns for products, like spit tobacco, that lead to disease and premature death. First, we should do no harm. If we want to discuss ways to promote health, we should spend time and money on legitimate ways to curb and end the use of tobacco in any form, period.

Today, along with Congressman Waxman, I will be releasing a report entitled:

**The Lessons of "Light" and "Low Tar" Cigarettes:
Without Effective Regulation, "Reduced Risk" Tobacco Products Threaten the Public Health**

Mr. Chairman, I ask unanimous consent to insert the report into the hearing record. Thank you, I think it is an important document to include in the official record because it underscores important parallels, documented by the Government Reform Committee's Democratic staff, between the efforts of the tobacco industry to mislead the public into believing that so-called "light" and "low tar" cigarette products are a healthier alternative to regular cigarettes and the efforts currently underway by UST to convince the Congress, the FTC and the public of the virtues of its spit tobacco products.

This report includes previously undisclosed internal industry documents and demonstrates that the products that are marketed as "light" and "low tar" are in fact not. We now know that the tobacco industry duped the FTC's tests by designing cigarettes that only appeared healthier when tested by machines but that did not provide lower amounts of tar and nicotine to smokers.

We know that the industry has for some time been well aware of the dangers these products pose. In an internal company email included in this report, a senior research scientist at British American Tobacco stated "our main problem appears to be the notion that 'the technology exists to make cigarettes which are appreciably less lethal.the technology does not exist.It will not exist."

The report also demonstrates that tobacco industry officials continue to deceive the public. With information from industry, the National Cancer Institute, and the Department of Justice, the report provides clear examples of current "reduced risk" product marketing, including the marketing of spit tobacco, specifically designed to counter health fears, deceive consumers, deter quitting, and exploit the absence of effective regulation.

The FTC allowed for the marketing of "light" and "low tar" products in the past and the public was harmed. Now, major lawsuits have ensued. In my home state of Illinois, a court recently ruled against Phillip Morris and found that its creation of these brands was "immoral, unethical, oppressive, and unscrupulous."

And UST is here today trying to present a case that their spit tobacco products are not as harmful as smoking and therefore the company should be allowed to make such statements on their packaging. UST's representatives want us to believe that they are offering a product that will improve overall health in the United States. Quite the opposite is true. We know from industry documents that UST has purposely targeted tobacco consumers in an effort to promote "dual consumption", not cessation of smoking.

We should not even be entertaining UST's claims absent a comprehensive review and serious regulation by the FDA. The FDA should have authority over all tobacco products, including spit tobacco, and the authority to oversee the content, manufacture, sale, and marketing of the product. Absent this regulation, allowing marketing strategies that include comparative health claims will lure more kids into smokeless tobacco use and addiction, discourage current users from quitting, and may increase the overall amount of tobacco products being used in the United States.

Not only is the use of Spit Tobacco alone a cause for concern, but the fact that Spit Tobacco often serves as a gateway to cigarette smoking is even more disturbing. These concerns only further justify the need for FDA regulation of Spit Tobacco.

UST has a long history of systematically targeting youth in their marketing strategies. They have developed starter products, added flavorings, and used a strategy of

graduating users from entry products to stronger, more addictive ones. In the Smokeless Tobacco Master Settlement Agreement, restrictions were placed on youth advertising. Despite those restrictions, UST continues to advertise in youth-oriented magazines. Between 1997 and 2001 UST's advertising in youth magazines increased 161%, and UST's expenditures on this kind of advertising increased from \$3.6 million to \$9.4 million. Their advertising efforts are powerful and effective. Today, nearly one in seven high school boys use smokeless tobacco, and in some states, it is more than one in four.

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Mr. Chairman, I appreciate the chance to discuss this important issue today. I want to welcome all of our witnesses and want to extend a particularly warm welcome to the Surgeon General and the Chairman of the Federal Trade Commission, and I look forward to hearing the testimony of all witnesses.