

**Washington, DC** - With bipartisan support by a vote of 38-12, the House Committee on Energy and Commerce today passed HR 1108, the "Family Smoking Prevention and Tobacco Control Act." The legislation aims to lower tobacco use by children and young people by authorizing the Food and Drug Administration to regulate tobacco. The legislation must next go to the floor of the House of Representatives for consideration.

"Tobacco use is responsible for over 400,000 deaths per year and Congress has a responsibility to combat these public health consequences. This bill represents a significant step forward in protecting the lives of Americans, especially young people, from tobacco's harmful effects," said Congressman Charlie Gonzalez (TX-20), member of the House Committee on Energy and Commerce. "Considering its widespread use and the well documented health risks associated with tobacco, it is imperative that the product be regulated by the Food and Drug Administration just like any other consumer product," he added.

The legislation would permit the FDA to:

- Subject new tobacco products to pre-market review;
- Allow the Secretary to require prior approval of all label statements;
- Allow the Secretary to restrict the sale or distribution of tobacco products, including advertising and promotion
  - Allow the Secretary to take specified actions, including public notification and recall, against unreasonably harmful products;
  - Require the Secretary to establish tobacco product standards to protect the public health;
- Set forth standards for the sale of modified risk tobacco products;
- Amend the Federal Cigarette Labeling and Advertising Act to change cigarette warning labels and advertising requirements.

In addition, the legislation provides the FDA with resources to administer its new responsibilities without taxing consumers. Instead, the FDA would subject tobacco companies to user fees similar to those levied on manufacturers of other FDA regulated products. The fees will be allocated based on a company's share of the entire US tobacco product market.

"This bill takes appropriate steps to make sure the FDA will have every resource they need to live up to their new responsibilities. In no way does this legislation place an unreasonable burden on farmers, consumers, or the agency itself," said Gonzalez. "In the same way that other consumer product manufacturers are subject to the FDA's user fees, tobacco companies will be subject to the same scrutiny. And these fees will generate ample resources for the FDA to do their jobs without diverting resources from their existing responsibilities," he added.

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