



For Immediate Release

Contact: Craig Orfield
(202) 224-6770

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***ENZI CALLS FDA-TOBACCO LEGISLATION “A PUBLIC HEALTH
DISASTER,” SAYS PLAYING WORD GAMES WITH BILL
LANGUAGE IS NOT ENOUGH***

Washington, D.C. - - U.S. Senator Mike Enzi (R-WY), Ranking Member of the Senate Health, Education, Labor and Pensions (HELP) Committee, today said that changes slipped into the language of a bill that would require the regulation of tobacco products by the Food and Drug Administration (FDA) do not address his underlying concern with the bill – it does not help win the war on tobacco.

“Tobacco is one of the biggest contributors to our nation’s growing health care crisis. We need to address this issue head on, not sign a peace treaty with the companies who perpetuate and profit from the crisis,” Enzi said. “Big Tobacco supports this bill because they have a stake in maintaining the status quo; I don’t. They’re happy with a bill that doesn’t stop people from smoking; I’m not. I want real change. We can and we must do better than this bill.”

“Authors of this bill are playing crafty word games with a flawed bill without addressing its core problem – it doesn't stop people from using tobacco. Let’s not play games with people’s lives,” Enzi said. “Issuing an order permitting marketing is basically the definition of approval. It’s a distinction without a difference. Forcing FDA to approve these poisons, or permit them, or whatever term Big Tobacco agrees with the bill’s authors to use, would be a public health disaster.”

“My colleagues who made these changes seem to recognize that placing an FDA stamp of approval on tobacco products sends a bad message about the safety of these products,” Enzi said. “However, the implied stamp of approval that the public will attach to these products, once the FDA has reviewed them and allowed them onto the market, sends the same bad message. It further confuses the public about safety by grandfathering in products that are already on the market, giving them a safe harbor. This bill will allow tobacco companies to deceive the American people into believing that their products are safe.”

Enzi said that the bill, S.625, the Family Smoking Prevention and Tobacco Control Act, which is now pending before the HELP Committee, is fundamentally flawed, and that changes made recently do not address his concerns. The bill, as introduced, would require tobacco companies to submit new products to the FDA for approval. Authors of the bill have since changed the language so that rather than requiring FDA to “approve” an application, they instead must issue an order permitting the product to be marketed.

“Poison peddlers shouldn't get to decide how we as responsible legislators fight the war against their deadly products. I urge my friends in the public health community not to become so desperate to do something about the tobacco problem in this country that they fall for this wolf in sheep's clothing,” Enzi added. “Keep asking yourself: if this bill is good for Big Tobacco, how can it good for public health?”

Enzi said that another change to the bill, a provision that prohibits tobacco companies from claiming on their packages that their products are FDA-approved, is insufficient and does not remove the public perception that these products are FDA-reviewed and somehow safe.

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