

AMERICAN MEDICAL ASSOCIATION HOUSE OF DELEGATES

Resolution: JLN 1

(A-17)

Introduced by: American Association of Public Health Physicians

Subject: **Smokeless Tobacco Warning Statements**

Referred to: Reference Committee ____

WHEREAS: Federal authorities estimate that cigarette smoking kills more than 480,000 Americans each year.¹

WHEREAS: FDA estimates 300 deaths per year due to oral cancer from the 7 million current users of smokeless tobacco products in the USA, with relatively few deaths due to smokeless tobacco from any other disease;²

And WHEREAS: Per FDA estimates, if as many people used smokeless tobacco as currently smoke (36.5 million³), there would be an estimated $(300/7; \times 36.5)$ 1,564 deaths each year from smokeless tobacco. This suggests a risk of death from smokeless tobacco not much higher than $(1,564/480,000)$ 0.3% the risk posed by cigarettes.

THEREFORE, BE IT RESOLVED that Our AMA urge the FDA to replace the current mandated warning on smokeless tobacco products that reads “WARNING: this product is not a safe alternative to cigarettes” with: “WARNING: While no tobacco product is totally risk-free, this product is substantially less hazardous than cigarettes”

Fiscal Note: not yet determined

Received:

References:

1. Centers for Disease Control and Prevention. Smoking and Tobacco Use: Fast Facts. March 29; 2017. (Accessed May 21, 2007).
2. Food and Drug Administration. Tobacco Product standard for N-Nitrosornicotine level in finished smokeless tobacco products. Federal Register pages 8004-8053; 21 CFR 1132; Docket No. FDA-2016-N-2527. January 23; 2017. Proposed Rule. (JLN note: Table 6 on page 8022 estimates 300 oral cancer deaths to smokeless tobacco use in the U.S. in 2010. Table 7 on page 8024 estimates a reduction in oral cancer deaths of 2,200 over 20 years, i.e. 110 per year, if the reduction in NNN is implemented as proposed)
3. Jamal A, King B, Neff L, Whitmill J, Babb S, Graffunder C. Current Cigarette Smoking Among Adults — United States, 2005–2015. *Morbidity and Mortality Weekly Report*. 2016;65(44) (November 11):1205-1211.

RELEVANT AMA POLICY

FDA Regulation of Tobacco Products H-495.988

Topic: Tobacco Products**Policy Subtopic:** NA

Meeting Type: Annual**Year Last Modified:** 2015

Action: Reaffirmation**Type:** Health Policies

Council & Committees: NA

1. Our AMA: (A) reaffirms its position that all tobacco products (including but not limited to, cigarettes, smokeless tobacco, chewing tobacco, and hookah/water pipe tobacco) are harmful to health, and that there is no such thing as a safe cigarette; (B) asserts that tobacco is a raw form of the drug nicotine and that tobacco products are delivery devices for an addictive substance; (C) reaffirms its position that the Food and Drug Administration (FDA) does have, and should continue to have, authority to regulate tobacco products, including their manufacture, sale, distribution, and marketing; (D) strongly supports the substance of the August 1996 FDA regulations intended to reduce use of tobacco by children and adolescents as sound public health policy and opposes any federal legislative proposal that would weaken the proposed FDA regulations; (E) urges Congress to pass legislation to phase in the production of less hazardous and less toxic tobacco, and to authorize the FDA have broad-based powers to regulate tobacco products; (F) encourages the FDA and other appropriate agencies to conduct or fund research on how tobacco products might be modified to facilitate cessation of use, including elimination of nicotine and elimination of additives (e.g., ammonia) that enhance addictiveness; and (G) strongly opposes legislation which would undermine the FDA's authority to regulate tobacco products and encourages state medical associations to contact their state delegations to oppose legislation which would undermine the FDA's authority to regulate tobacco products.

2. Our AMA: (A) supports the US Food and Drug Administration (FDA) as it takes an important first step in establishing basic regulations of all tobacco products; (B) strongly opposes any FDA rule that exempts any tobacco or nicotine-containing product, including all cigars, from FDA regulation; and (C) will join with physician and public health organizations in submitting comments on FDA proposed rule to regulate all tobacco products.

Smokeless Tobacco H-495.985

Topic: Tobacco Products**Policy Subtopic:** NA

Meeting Type: Annual**Year Last Modified:** 2013

Action: Reaffirmation**Type:** Health Policies

Council & Committees: NA

Given that the use of smokeless tobacco (snuff and chewing tobacco) is associated with health risks, our AMA:

(1) supports publicizing the increasing evidence that the use of snuff or chewing tobacco is associated with adverse health effects and encourages ongoing research to further define the health risks associated with snuff and chewing tobacco, including the risk of developing cardiovascular disease, and the effectiveness of cessation and prevention programs;

- (2) objects strongly to the introduction of "smokeless" cigarettes;
- (3) opposes the use of smokeless tobacco products by persons of all ages;
- (4) urges that the same requirements and taxes placed on cigarette sales and advertising be applied to smokeless tobacco products;
- (5) supports legislation to prohibit the sale of smokeless tobacco products to minors and encourages states to enforce strictly the prohibition on purchasing and distributing all tobacco products to individuals under the age of 21 years;
- (6) supports public and school educational programs on the health effects of smokeless tobacco products;
- (7) urges the commissioners of professional athletic organizations to discourage the open use of smokeless tobacco by professional athletes and recommends that professional athletes participate in media programs that would discourage the youth of America from engaging in this harmful habit; and
- (8) is committed to exerting its influence to limit exposure of young children and teenagers to advertising for smokeless tobacco and look-alike products, and urges that manufacturers take steps to diminish the appeal of snuff and chewing tobacco to young persons.

Tobacco Product Labeling H-495.989

Topic: Tobacco Products

Policy Subtopic: NA

Meeting Type: Interim

Year Last Modified: 2016

Action: Modified

Type: Health Policies

Council & Committees: NA

Our AMA: (1) supports requiring more explicit and effective health warnings, such as graphic warning labels, regarding the use of tobacco (and alcohol) products (including but not limited to, cigarettes, smokeless tobacco, chewing tobacco, and hookah/water pipe tobacco, and ingredients of tobacco products sold in the United States); (2) encourages the Food and Drug Administration, as required under Federal law, to revise its rules to require color graphic warning labels on all cigarette packages depicting the negative health consequences of smoking; (3) supports legislation or regulations that require (a) tobacco companies to accurately label their products indicating nicotine content in easily understandable and meaningful terms that have plausible biological significance; (b) picture-based warning labels on tobacco products produced in, sold in, or exported from the United States; (c) an increase in the size of warning labels to include the statement that smoking is ADDICTIVE and may result in DEATH; and (d) all advertisements for cigarettes and each pack of cigarettes to carry a legible, boxed warning such as: "Warning: Cigarette Smoking causes CANCER OF THE MOUTH, LARYNX, AND LUNG, is a major cause of HEART DISEASE AND EMPHYSEMA, is ADDICTIVE, and may result in DEATH. Infants and children living with smokers have an increased risk of respiratory infections and cancer;" and (4) urges the Congress to require that: (a) warning labels on cigarette packs should appear on the front and the back and occupy twenty-five percent of the total surface area on each side and be set out in black-and-white block; (b) in the case of cigarette advertisements, warning labels of cigarette packs should be moved to the top of the ad and should be enlarged to twenty-five percent of total ad space; and (c) warning labels following these specifications should be included on cigarette packs of U.S. companies being distributed for sale in foreign markets.

JLN Notes re Relevant AMA policy:

1. AMA encourages development of less hazardous products, but does not address labeling or warnings that compare risk of smokeless products to cigarettes
2. AMA Policy seems based on the premise that all tobacco products are equally harmful.
3. This resolution addresses a topic not previously addressed in AMA policy