



October 3, 2012

Allen H. (Bud) Selig, Commissioner
Major League Baseball
245 Park Avenue, 31st Floor
New York, NY 10167

Michael Weiner, Executive Director
Major League Baseball Players Association
12 East 49th Street, 24th Floor
New York, NY 10017

Dear Commissioner Selig and Mr. Weiner:

Two years ago, our undersigned groups formed a coalition, Knock Tobacco Out of the Park, to advocate for a prohibition on the use of all tobacco products by Major League Baseball players and personnel at games and on camera. We urged MLB and the MLB Players Association to help players protect their health and set the right example for the millions of children who love Major League Baseball and consider its players as role models.

Last November, we applauded when MLB and the Players Association agreed to the first-ever restrictions on smokeless tobacco use in America's national pastime as part of the new collective bargaining agreement. While we continue to support a complete prohibition on tobacco use in baseball, we viewed these restrictions as an encouraging step forward.

To assess the enforcement and impact of these restrictions, we established a process at the start of this year's season for fans to report possible violations and examples of continued smokeless tobacco use at games and on camera. As the regular season comes to a close, we would like to summarize for you what fans have reported. We also request that Major League Baseball provide an update regarding implementation of the tobacco-related provisions in the new contract.

To date, we have received fan reports of at least 34 players using or sharing tobacco during games this year. These include reports of players with wads of tobacco in their mouths or spitting tobacco during games and players using tobacco in the dugout and bullpen. We also received one report each of a player seen on camera with what appeared to be a tobacco tin in his back pocket and another player with what appeared to be tobacco in his mouth during a television interview, which would be clear violations of the new restrictions. Whether or not

these actions technically violate the collective bargaining agreement, they demonstrate that the new tobacco restrictions have not eliminated the use of smokeless tobacco by players being watched at ballparks or on television.

As you know, the collective bargaining agreement prohibited players, managers and coaches from using smokeless tobacco during televised interviews and Club appearances. Also, when fans are permitted in the ballpark, players and on-field personnel must conceal tobacco products (including tobacco tins or packages) and may not carry tobacco products in their uniform or on their body. The agreement established warnings and financial penalties for violations. The agreement also called for creating written and online educational materials for players; featuring players in a public service announcement about the dangers of smokeless tobacco; and providing players with information and counseling about tobacco cessation.

We would greatly appreciate receiving an update about the implementation of these provisions. Our specific questions include:

- Have any warnings been issued to, or fines levied against, any players or other personnel for violations of the smokeless tobacco restrictions?
- Has the public service announcement about the dangers of smokeless tobacco been created? The collective bargaining agreement specifically stated that the PSA would be available for download on several websites, including MLB.com and MLBPlayers.com, and that it would be played during games in Major League ballparks and during broadcasts of the All-Star Game; all Wild Card, Division Series, League Championship Series and World Series games; and during broadcast of other games. Has the PSA been run during games as pledged, and will it be run during the upcoming playoffs?
- Have educational materials been created for players, and have players been provided with information and counseling about tobacco cessation?

As we have stated before, our organizations stand ready to help you implement the tobacco-related provisions of the contract. In addition, we urge you to actively encourage players to voluntarily eliminate their use of smokeless tobacco at games. Together, these actions can achieve the goals of protecting players' health and setting the right example for young fans.

We look forward to your prompt response and to working with you to eliminate the use of smokeless tobacco in Major League Baseball. Please contact Matthew Myers at the Campaign for Tobacco-Free Kids at 202-296-5469 or mmyers@tobaccofreekids.org.

Sincerely,

American Academy of Pediatrics
American Cancer Society
American Heart Association
American Lung Association
American Medical Association
Campaign for Tobacco-Free Kids
Legacy
Oral Health America