AMERICAN LUNG ASSOCIATION®
Fighting for Air

PUBLIC POLICY POSITION

POSITION TITLE: **Tobacco and Health**
REVISED: **January 17, 2015**

POLICY PRINCIPLE ON TOBACCO

A tobacco-free society is the goal of the American Lung Association. Tobacco is a highly addictive substance and a carcinogen that causes disease and death. The American Lung Association supports measures to eliminate tobacco use by youth, to eliminate exposure to secondhand smoke, to promote access to cessation treatments and to deter tobacco use in the population through legislation, regulation, litigation, media advocacy and education.

YOUTH

Prevention

The American Lung Association supports measures to prevent tobacco use by children and youth. To achieve this goal:

Tax

- Tobacco excise taxes must be increased by a significant amount to deter consumption and promote cessation.

Sales

- Clerk intervention for sale of all tobacco products must be required. Self-service displays and vending machines must be eliminated.
- Tobacco retailers must be licensed. Those who sell to minors must face strict, graduated financial penalties and loss of license. Enforcement of these laws must be diligently pursued and should include using minors in compliance checks.
- The minimum age for the sale of tobacco products should be increased. Further research to determine the efficacy of these measures is needed.

Marketing

- Tobacco product sampling and promotion must be prohibited.
- Tobacco-industry branded merchandise must be eliminated.
- Flavored tobacco products must be prohibited.
- Mail order, Internet promotion and other marketing mechanisms for tobacco products must be prohibited.
- Tobacco use should be eliminated from new movies especially movies intended for children, teens and general audiences.

Industry Penalties

- Increasingly stringent, tobacco company- specific, performance standards should be set to reduce children's use of all forms of tobacco. Failure to reduce children's use must result in severe, graduated penalties.

Possession

The American Lung Association opposes laws that punish children. Civil or criminal penalties on youth possession or purchase of tobacco products have not been demonstrated to be an effective tobacco control strategy.

REGULATION

FDA Authority

All tobacco products must be regulated. The American Lung Association supports rigorous, unfettered enforcement of and full funding for the Family Smoking Prevention and Tobacco Control Act to ensure the Food and Drug Administration's regulatory authority over the manufacture, sale, distribution, labeling, marketing and promotion of all tobacco products is complete.

Reduced Harm Products

As various purported reduced-harm tobacco products have not been shown to reduce risks to tobacco users and their availability may reduce quit attempts and promote initiation, the American Lung Association does not support them. Any claims made with regard to such products should be reviewed and regulated by the Food and Drug Administration.

Advertising

The American Lung Association supports all constitutionally-permitted measures to eliminate all forms of tobacco advertising and promotion. The protection and preemption clauses on cigarette advertising and promotion in the federal Public Health Cigarette Smoking Act of 1969 must be repealed.

Right-to-Know

The American Lung Association supports the public's right to know all information about tobacco products including public disclosure and testing of ingredients and additives. All tobacco documents pertaining to public health or industry misconduct, including those claimed to be privileged must be disclosed to the public.

Targeting

The American Lung Association supports measures to eliminate the tobacco industry targeting of youth, women, communities of color, LGBT, the economically disadvantaged and other populations.

RETAIL PHARMACIES

The American Lung Association supports halting the sale of all tobacco products at retailers with pharmacies

INTERNATIONAL

Framework Convention on Tobacco Control

The American Lung Association supports the United States ratification of the Framework Convention on Tobacco Control and the implementation of the treaty around the world.

Trade
The American Lung Association supports measures to eliminate government promotion of the export, marketing or sale of tobacco products. Tobacco must not be considered as an item for trade negotiations.
Protecting Children Abroad
The American Lung Association supports measures by the government that will actively promote tobacco control worldwide. Tobacco companies should be required, at a minimum, to follow the same restrictions on youth access and marketing abroad as are established in this country.

SMOKEFREE ENVIRONMENTS
The American Lung Association supports measures to require totally smokefree environments to protect public health.

ACCOUNTABILITY
No Immunity or Liability Protection for the Tobacco Industry
The American Lung Association supports preserving all available avenues for citizens, governments and others to bring actions against the tobacco industry, including the ability to bring class actions, use all lawful means to join cases and seek punitive damages. Tobacco executives, lawyers and agents must not be shielded from civil or criminal liability. The civil justice system's ability to address industry misconduct and protect public health must not be preempted. Any action to shield parent corporations or foreign affiliates of domestic tobacco companies from liability for their conduct must be opposed.

PUBLIC HEALTH
Tobacco Funds
The American Lung Association supports significant increases in tobacco excise taxes and other mechanisms to raise the price of tobacco products. Tobacco-related revenues from excise taxes, government litigation and other mechanisms should fund tobacco prevention, education, cessation, research and enforcement programs.
Programs
The American Lung Association supports funding of evidence-based tobacco prevention, education and cessation programs at CDC-recommended levels by appropriate entities. Tobacco and health education should be included in school curricula.
Research
The American Lung Association supports increased biomedical and behavioral research, including research on the health effects of tobacco use and secondhand smoke exposure.
Cessation Coverage
The American Lung Association supports unrestricted access to a comprehensive tobacco cessation benefit for all tobacco users. A comprehensive benefit includes all medications and types of counseling recommended by the U.S. Public Health Service.

TOBACCO INDUSTRY TACTICS

Preemption

The American Lung Association opposes all forms of preemption of state and local tobacco control authority. The ability of any government entity to enact tobacco control legislation is a cornerstone of an effective tobacco control policy. There is no trade-off worth the price of preempting a state or community's right to pass tobacco legislation.

Sponsorships and Partnerships

The American Lung Association supports the elimination of tobacco industry sponsorships. Community, cultural, sports, entertainment, youth and other organizations should refrain from lending their names, engaging in partnerships or accepting donations from tobacco companies.

Ethics and Campaign Finance

The American Lung Association supports strict ethics laws, campaign finance reform and other mechanisms to reduce the tobacco industry's influence on our elected officials and the public policy process.

So-called "Smoker's Rights" Laws

The American Lung Association opposes laws that elevate smokers to a protected class.

GOVERNMENT SUPPORT OF TOBACCO

The American Lung Association supports measures to eliminate government support of tobacco growth, production, marketing or any other purpose that promotes or facilitates tobacco use. Economic transition assistance for tobacco growers and workers should be supported. Tobacco production should be phased out.

DIVESTMENT

The American Lung Association supports measures to prohibit the investment of public funds, including Social Security and employee pensions, in tobacco companies. Divestment of tobacco company holdings by the public and private sectors should be supported

FIRE PREVENTION

The American Lung Association supports measures to eliminate fires caused by tobacco products.