

103^D CONGRESS
2^D SESSION

H. R. 4658

To require the labeling, advertising, and promotion of tobacco products to disclose the additives to and constituents of the products and tobacco smoke, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 1994

Ms. SHEPHERD (for herself, Mr. WAXMAN, Mr. DURBIN, Mr. SYNAR, Mr. MEEHAN, Mr. BARRETT of Wisconsin, and Mr. HILLIARD) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require the labeling, advertising, and promotion of tobacco products to disclose the additives to and constituents of the products and tobacco smoke, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Truth in Tobacco La-
5 beling Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

1 (1) The tobacco industry adds chemical addi-
2 tives to their products that are not required to be
3 disclosed to the public and are not tested for health
4 and safety in a manner comparable to food ingredi-
5 ents.

6 (2) There is no listing of chemical constituents
7 found in mainstream and sidestream smoke (includ-
8 ing benzene, arsenic, cyanide, etc.).

9 (3) The labeling of tobacco products does not
10 provide smokers and nonsmokers with full and com-
11 plete information about tobacco products or any in-
12 dication of the safety of those products or their in-
13 gredients.

14 (4) In spite of well established dangers of ciga-
15 rette smoking and tobacco use, no Federal regu-
16 latory agency has the comprehensive authority to
17 regulate the labeling and advertising of such prod-
18 ucts.

19 (5) There is no research publicly available on
20 the impact of chemical additives inhaled by smokers
21 on cancer rates, particularly breast cancer. If re-
22 search into tobacco products and the safety of their
23 chemical additives indicates a link between smoking
24 and breast or other cancer, consumers have a right
25 to be informed of such information.

1 **SEC. 3. REGULATION OF LABELING, ADVERTISING, AND**
2 **PROMOTION OF TOBACCO PRODUCTS.**

3 Chapter XI of the Federal Food, Drug, and Cosmetic
4 Act is amended by redesignating the section 903 relating
5 to scientific review groups as section 904 and by adding
6 after that section the following:

7 **“SEC. 905. REGULATION OF LABELING, ADVERTISING, AND**
8 **PROMOTION OF TOBACCO PRODUCTS.**

9 “(a) REGULATIONS.—The Secretary shall promulgate
10 regulations governing the labeling, advertising, and pro-
11 motion of tobacco products. Such regulations shall require
12 manufacturers of tobacco products to provide to consum-
13 ers by way of the labeling, advertising, and promotion of
14 tobacco products—

15 “(1) identification of the chemical additives and
16 constituents found in tobacco products and tobacco
17 smoke on or in each package available to consumers,

18 “(2) information about the adverse effects of
19 tobacco products, including the potential link to
20 breast or other cancer,

21 “(3) adequate warnings and directions for use,

22 “(4) contraindications,

23 “(5) adequate warnings against use in patho-
24 logical conditions, and

25 “(6) any other information deemed necessary
26 by the Secretary.

1 The warnings required by paragraph (3) shall include the
2 following warning: ‘Unlike food and other consumer prod-
3 ucts, the additives in cigarettes have not been tested for
4 their impact on human health as an inhaled product’.

5 “(b) DEFINITIONS.—As used in subsection (a)—

6 “(1) the term ‘tobacco product’ means ciga-
7 rettes, cigars, little cigars, pipe tobacco, smokeless
8 tobacco, snuff, and chewing tobacco, and

9 “(2) the term ‘constituent’ means any element
10 of cigarette mainstream or sidestream smoke which
11 is present in quantities which represent a potential
12 health hazard or where the health effect is unknown.

13 “(c) EFFECTIVE DATE.—The Secretary shall promul-
14 gate regulations under subsection (a) not later than the
15 expiration of 18 months after the date of the enactment
16 of this section.”.

17 **SEC. 4. PUBLICATION OF INDUSTRY SUBMISSIONS.**

18 Section 7(b) of the Federal Cigarette Labeling and
19 Advertising Act (15 U.S.C. 1335a(b)) is amended—

20 (1) by striking paragraph (2), and

21 (2) by striking “(1)” and redesignating sub-
22 paragraphs (A), (B), and (C) as paragraphs (1), (2),
23 and (3), respectively.

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