Learning from Our Progress Over the Years

rev. 3/03/2018

MSA

- November 1998, the Master Settlement Agreement was reached between 46 states, 5 territories, DC and 5 largest cigarette manufacturers.

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MSA

- The MSA required the tobacco industry to pay the settling states billions of dollars annually forever and imposed restrictions on the sale and marketing of cigarettes by participating cigarette manufacturers.
- Among its many provisions, the MSA:
  - Forbids participating cigarette manufacturers from directly or indirectly targeting youth;
  - Imposes significant prohibitions or restrictions on advertising, marketing and promotional programs or activities; and
  - Bans or restricts cartoons, transit advertising, most forms of outdoor advertising, including billboards, product placement in media, branded merchandise, free product samples (except in adult-only facilities), and most sponsorships

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Iowa's Investment

- In FY 2000 Iowa invested $9.4 million in tobacco control or 48% of CDC's recommended amount
- Compared to $4.1 million or 13.5% of CDC's recommended amount in FY 2018

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FY2018
State Tobacco Prevention Spending as a Percent of CDC Recommendations

States that are spending 50% or more of CDC recommendation on tobacco prevention programs.

States that are spending 25% - 49% of CDC recommendation on tobacco prevention programs.

States that are spending 10% - 24% of CDC recommendation on tobacco prevention programs.

States that are spending less than 10% of CDC recommendation on tobacco prevention programs.

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Smoking remains in Senate lounge

The Iowa statehouse is smoke-free except for a puff parlor behind the Senate chambers.

By JONATHAN ROOS
REGISTER STAFF WRITER

The Iowa Senate's crackdown on tobacco use stops at the door of a smoking lounge for its members.

The Legislature already has approved steeper fines for underage smokers. It's poised to approve plans to spend $55 million from Iowa's initial share of a national tobacco settlement on health programs, including efforts to stop Iowans from smoking.

Iverson

And yet, when senators debate that anti-tobacco legislation, a place for them to take a few puffs between votes is only a few steps away — in a room behind the Senate chamber.

Room 206 is the last smoking enclave in the Capitol and nearby state office buildings. Virtually all other areas, including the Senate chamber, have been put off limits to smoking.

"I think it's awful," said

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We Know What Works

- Regular & significant tobacco tax increases
- Fully funding & implementing statewide tobacco control programs
- Implementing comprehensive smoke-free & tobacco-free policies

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JEL Was Created

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www.JELiowa.org
ahh, cyanide.
One of many toxins in secondhand smoke.

Smoking, table for one.
JELiowa.org

In a recent survey, girls preferred guys with lips.
Spit tobacco can cause oral cancer.
JUST ELIMINATE LIES
www.JELiowa.org

OH, HE'S GOT A
SOFTER SIDE
ALRIGHT.

SMOKING CAN
CAUSE IMPOTENCE.
nd Health

Community Partnerships

BRANDON POLLOCK / Courier Staff Photographer

Kateea Scott leads a group of East High students in a short cheer to break the ice at a Teens Against Tobacco Use training session at Orchard Hill Church Friday.

Students teaching their peers about the dangers of smoking

By JEFF REINITZ
Courier Staff Writer

CEDAR FALLS

The ripped-from-the-magazine Newport Cigarettes ad showed a woman smiling enthusiastically as she leapfrogged over a fire hydrant.

But a group of high school students had a different take on Newport's message. Their advertisement showed the woman, now a corpse, on the ground beside the fireplug with a cigarette dangling from her mouth.

Their message is "smoking kills."

> "I want to tell younger people I wish I never started. It was the worst choice I made."
>
> **Garrett Paulsen**
> ***Expo High student***

mistake.

"I want to tell younger people I wish I never started," Paulsen said. "It was the worst choice I made."

Jenniffer Halverson, 15, of Waterloo East High, became involved with TATU because she was concerned about family members who smoke. Her friend, Kristi Womack, 16, also of East, said she worries about younger children picking up the habit.

"I don't want my little brothers to start," Womack said.

The American Lung Association introduced TATU nationwide in 1996 as part of the Smoke-Free

Smoke-free

Cities move toward bans on smoking

Opponents of such actions say regulating smoking is a job for private businesses, not the government

By KATE KOMPAS and LISA LIVERMORE
REGISTER STAFF WRITERS

Mary Bars will make a few sacrifices to smoke a cigarette. She likely will be forced to make more as more Iowa

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Preemption

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Philip Morris is paying for a lawsuit against the city of Ames. Their mission is to overturn a city ordinance that protects the health of Iowans and our right to breathe clean air. Obviously, they believe their profits are more important than lives. So, the next time you hear Philip Morris say that they're "working to make a difference," ask yourself what that difference really is.

JEL

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www.JELiowa.org

Vilsack would cut $1.5 million from anti-smoking programs

By TONY LEYS
REGISTER STAFF WRITER

Gov. Tom Vilsack's proposed budget reductions include a $1.5 million cut to state anti-smoking programs.

Critics already were complaining that the state spends too little fighting tobacco use, especially among teen-agers. They say the effort should get at least $20 million of the $55 million the state receives annually from its share of a national settlement with the major tobacco firms.

Before Vilsack proposed the 16 percent cut this week, the program was expected to get $9.3 million next year.

"Where is this going to end?" asked Threase Harms-Hassoon, a lobbyist for the American Cancer Society.

Harms-Hassoon said smoking-related illnesses cost Iowa $610 million a year. "If we don't reduce the rate of smoking among children and adults, we're going to have to keep laying that out and more," she said.

2001

LEGISLATURE

The cut is part of Vilsack's effort to meet a projected tax-revenue shortfall. The governor had to revise his budget proposal for fiscal 2002 after several months of lower-than-expected revenues.

Vilsack scaled back the spending recommendations he made to legislators in January by $144 million. He's also proposing to shift $120 million from $235 million economic emergency fund to balance state's nearly $5 bi

Vilsack

WHAT'S NEXT: The Democratic governor's proposed cu must be approved by the Legislature. Leaders of the Republican-controlled House and Sena wanted time to study the proposal when it was unveiled Wednesday. They could comment on the revised budget as early as Monday.

See **SMOKING**, Page 4

3-31-01 DMR

Budget cuts burn up funds for anti-smoking programs

DES MOINES (AP) — The state's anti-smoking programs would lose $1.5 million as part of Gov. Tom Vilsack's proposed budget cuts.

Critics already have complained the state doesn't spend enough to combat tobacco use, particularly among teen-agers. They say the effort should get at least $20 million of the $55 million the state receives annually from a national settlement with tobacco companies.

Vilsack's proposal to cut the program by 16 percent is just one of many he made in his revised budget to reach the goal of slicing 6 percent off the entire state budget to make up for a $285 million shortfall in tax revenues.

Before his proposal, the anti-smoking program was expected to get $9.3 million next year.

"Where is this going to end?" asked Threase Harms-Hassoon, an American Cancer Society lobbyist.

Harms-Hassoon said smoking-related illnesses cost Iowa $610 million a year. If the smoking rate isn't reduced among children and adults, Iowa will have to continue to pay, she said.

Vilsack scaled back spending recommendations he made to legislators in January by $144 million. He also proposes shifting $120 million from the $235 million economic emergency fund to balance the state's nearly $5 billion budget.

In materials released this week, Vilsack's office listed the suggested cut under the heading "other."

Harms-Hassoon said she thinks officials intentionally listed the cut in that manner.

"I think the governor doesn't want to be seen as someone who's not committed to tobacco control," she said.

Vilsack aide and budget director Randy Bauer said the governor's office isn't trying to hide anything.

The move wasn't listed among other cuts because it doesn't directly involve the state's general fund, he said. The $1.5 million taken from the program for fighting tobacco use would go to Medicaid, the state and federal health-care program for the needy.

The move would mean Medicaid would need less money from the general fund, Bauer said. And Medicaid helps pay for the health damage smoking causes, he said.

"It's all about choices," Bauer said. "If you have more money going to anti-smoking campaigns, you'll have less going to direct health care."

It would be up to the state Tobacco Commission to decide how to make any cuts.

Tobacco Tax

- Iowa was first state to tax cigarettes on April 11, 1921, at 2 cents per pack
- In 2007 after a 5 year campaign, Iowa increased its tax from 36 cents per pack to $1.36

State Cigarette Taxes

Local 100% Smokefree Laws in all Workplaces,* Restaurants,** and Bars: Effective by Year

January 2, 2018

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U.S. 100% Smokefree Laws in Non-Hospitality Workplaces AND Restaurants AND Bars

American Nonsmokers' Rights Foundation

As of April 1, 2018

Note: American Indian and Alaska Native sovereign tribal laws are not reflected on this map.

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U.S. 100% Smokefree Gambling

American Nonsmokers' Rights Foundation

As of April 1, 2018

Note: American Indian and Alaska Native sovereign tribal laws are not reflected on this map.

Gambling laws reflected on this map do not include bingo.

State and Commonwealth/Territory Law Type

- 100% Smokefree in all State-Regulated Gambling
- State-Regulated Gambling not 100% Smokefree
- State-Regulated Gambling Facilities opened in July 2003 or later 100% Smokefree
- State-Regulated Gambling not permitted

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FDA Regulation

- The FDA has regulated cigarettes, cigarette tobacco, roll-your-own tobacco, and smokeless tobacco products since June 2009, after Congress passed and the President signed the Family Smoking Prevention and Tobacco Control Act. This Act gave the agency authority to regulate the manufacturing, distribution, and marketing of tobacco products.
- FDA finalized a rule, effective August 8, 2016, to regulate all tobacco products.

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Timeline for FDA Enforcement for Newly-covered Tobacco Products

FDA Policy	Enforcement Date
Minimum sales age of 18 and age verification under 27	August 8, 2016
Prohibition on vending machine sales except adults-only facilities	August 8, 2016
Prohibition on free samples[8]	August 8, 2016
Regulation of adulterated products	August 8, 2016
Prohibition on false or misleading advertising	August 8, 2016
Required premarket review of modified risk tobacco products	August 8, 2016
Required disclosure of health-related documents	February 8, 2017
Required registration of manufacturers and disclosure of product lists	October 12, 2017
Prohibition of the use of "light," "mild," "low," or similar descriptors	November 8, 2017 + 30 day sell-off period
Required disclosure of ingredients, substances, compounds and additives	May 8, 2018
Required warning labels	August 10, 2018
Required disclosure of harmful and potentially harmful constituents	November 8, 2019
Marketing applications for combustible products on the market as of August 8, 2016	August 8, 2021[9]
Marketing applications for non-combustible products on the market as of August 8, 2016	August 8, 2022[10]

All of these requirements currently apply to cigarettes, cigarette tobacco, smokeless tobacco and roll-your-own tobacco.

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Final Deeming Regulation Provisions

	CIGARETTES	SMOKELESS TOBACCO	CIGARS	E-CIGARETTES & OTHERS
Minimum sales age of 18 and age verification under 27	✔	✔	✔	✔
Prohibition on vending machine sales	Allowed in adults-only facilities	Allowed in adults-only facilities	Allowed in adults-only facilities	Allowed in adults-only facilities
Prohibition on self-service displays	Allowed in adults-only facilities	Allowed in adults-only facilities		
Minimum package size requirements	✔			
Prohibition on breaking packages by retailers (e.g., sales of loosies)	✔	✔		
Prohibition on free samples[11]	✔	Allowed in qualified adults-only facilities	✔	✔
Prohibition on characterizing flavors	Menthol and tobacco allowed			
Mandatory warning labels on packages and advertisements	9 Rotating warnings	4 Rotating warnings	6 Rotating warnings[12]	1 Static warning
Prohibition on brand names on non-tobacco products and brand name sponsorship of sporting and cultural events	✔	✔		
Required notice of advertising in any non-traditional medium	✔	✔		

CURRENT STATUS OF DEEMING LITIGATION

The FDA's deeming regulation is being challenged in multiple courts around the country. This is the current status of each case.

Case, Court, and Docket	Plaintiff(s)	Status	Involvement of Public Health Groups	Next Important Date
NicoPure v. FDA Court of Appeals for the D.C. Circuit (17-05196)	E-cigarette manufacturers and trade groups	FDA rule upheld by district court, appeal pending	*Amicus Curiae* brief filed in district court	5/2/18: Appellee's brief due
Lost Art Liquids v. FDA U.S. District Court for the Central District of CA	Manufacturer of e-cigarette devices and liquid nicotine	Open	None so far	Unknown: the plaintiffs have filed an objection to the court's order allowing the government to produce the administrative record

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Corrective Statements

THE NEW YORK TIMES, SUNDAY, JANUARY 7, 2018

A Federal Court has ordered Altria, R.J. Reynolds Tobacco, Lorillard, and Philip Morris USA to make this statement about low tar and light cigarettes being as harmful as regular cigarettes.

- Many smokers switch to low tar and light cigarettes rather than quitting because they think low tar and light cigarettes are less harmful. They are **not.**
- "Low tar" and "light" cigarette smokers inhale essentially the same amount of tar and nicotine as they would from regular cigarettes.
- **All** cigarettes cause cancer, lung disease, heart attacks, and premature death — lights, low tar, ultra lights, and naturals. There is no safe cigarette.

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Truth

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CDC

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FDA Counter-marketing

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Tobacco 21

- As of March 30, 2018, five states – California, New Jersey, Oregon, Hawaii and Maine – have raised the tobacco sales age to 21
- At least 300 localities, including New York City, Chicago, San Antonio, Boston, Cleveland and both Kansas Cities

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RECORDS DESCRIBE MOTHER'S TORTURE Page 2B

METRO & IOWA

B
DM

THURSDAY
April 6, 2000

The Des Moines Register

RANDY EVANS, Assistant Managing Editor,
515-284-8065/e-mail: evansr@news.dmreg.com

New bill fines youths

Senate decides tougher penalties will deter underage smoking

By JONATHAN ROOS
REGISTER STAFF WRITER

Bigger fines are in store for Iowa underage teen-agers who try to buy cigarettes.

The Senate took final legislative action Wednesday on a bill containing some — but not all — of the penalties that lawmakers proposed for teens younger than 18 who buy or use tobacco products.

Gov. Tom Vilsack has said he will sign the bill.

Student lobbyists

Sam Schill and Kendra Larson, students-turned-lobbyists at the Iowa Capitol Wednesday, had mixed feelings about the bill. The Ballard High School seniors said lawmakers should crack down harder on store owners and clerks, not just target teen-agers.

The young anti-smoking activists aren't opposed to tougher fines on the youths, which they say could serve as a deterrent. "I think tobacco is a very addictive substance, and anything they can do to prevent sales is going to benefit," Larson said.

The bill, which passed the Senate on a 48-0 vote, doubles some tobacco fines for youths younger than 18. The penalty for a first offense would jump to $50 from $25.

The legislation also contains fines of $100 to $300 for store clerks who sell cigarettes to minors.

Teeth

Senate critics charged that some of the teeth in the anti-tobacco legislation were removed when the House last week stripped a provision to suspend the driver's licenses of teen-agers who violate the law a third time. They argued unsuccessfully that the Senate should have insisted on keeping that penalty in the bill.

See SMOKING, Page 6B

MARY CHRISTINE REGISTER

Going up: Members of Teens Against Tobacco Use take their message to lawmakers at the Capitol Wednesday.

Wind fed

Local Action

- Prohibiting use of e-cigarettes
- Smoke-free & Tobacco-free Parks
- Retailer restrictions (cap on how many, limit where they are located)
- Sales restrictions (flavors, product placement, etc.)

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7 out of 10 middle and high school students who currently use tobacco have used a **FLAVORED** product.

63% of students who currently use e-cigarettes have used **flavored** e-cigarettes. (1.6 million)

61% of students who currently use hookah have used **flavored** hookah. (1 million)

64% of students who currently use cigars have used **flavored** cigars. (910,000)

CDC

Source: Morbidity and Mortality Weekly Report (MMWR)

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Youth Tobacco Use in Iowa

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Current Cigarette Use Among Youth*

*Not all states have data reported.

Adult Cigarette Smoking in Iowa

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Current Cigarette Use Among Adults

About This Map

- 8.8% - <12.1%
- 12.1% - <15.3%
- 15.3% - <18.6%
- 18.6% - <21.8%
- 21.8% - 25.1%

Cigarette smoking and exposure to secondhand smoke cause approximately

- one out of every five deaths in the U.S., more than 480,000 premature deaths each year.
- This includes at least 28 percent of all cancer deaths
- and 80 percent of lung cancer deaths.

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Deaths in Iowa from Smoking

- Adults who die each year from their own smoking 5,100
- Kids now under 18 and alive in Iowa who will ultimately die prematurely from smoking 55,000

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Smoking-Caused Costs in Iowa

Annual health care costs in Iowa directly caused by smoking	$1.28 billion
Medicaid costs caused by smoking in Iowa	$364.5 million
Residents' state & federal tax burden from smoking-caused government expenditures	$813 per household
Smoking-caused productivity losses in Iowa	$1.21 billion

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Tobacco Industry Influence in Iowa

Annual tobacco industry marketing expenditures nationwide	$8.9 billion
Estimated portion spent for Iowa marketing each year	$96.8 million

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So who still smokes?

- Nearly 36 of every 100 adults with serious psychological distress (35.8%)
- Nearly 21 of every 100 lesbian/gay/bisexual adults (20.5%)
- About 21 of every 100 adults who reported having a disability/limitation (21.2%)
- About 25 of every 100 adults who live below the poverty level (25.3%)
- About 24 of every 100 adults with 12 or fewer years of education (no diploma) (24.1%)

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Continued…

- Nearly 32 of every 100 non-Hispanic American Indians/Alaska Natives (31.8%)
- About 25 of every 100 non-Hispanic multiple race individuals (25.2%)
- Nearly 17 of every 100 non-Hispanic Blacks (16.5%)
- Nearly 17 of every 100 non-Hispanic Whites (16.6%)
- Nearly 11 of every 100 Hispanics (10.7%)
- 9 of every 100 non-Hispanic Asians* (9.0%)

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"We don't smoke that s_ _ _. We just sell it. We reserve the right to smoke for the young, the poor, the black and stupid."

R.J. Reynolds executive's reply when asked why he didn't smoke according to Dave Goerlitz, lead Winston model for seven years for R.J. Reynolds.] Giovanni, J, "Come to Cancer Country; USA; Focus," The Times of London, August 2, 1992.

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We know what works

- Raise the cigarette tax by $1.50 per pack with equivalent increase on other tobacco products
- Fully fund tobacco control – CDC Recommends $30.1 million annually
  - Include counter-marketing
- Close loopholes in Smoke-free Air Act
  - Protect casino workers
  - Include electronic smoking products
- Repeal Preemption
  - Tobacco 21, Flavors, Other point of sale regulations

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Life's most persistent and urgent question is, 'What are you doing for others?'

- Martin Luther King, Jr.

The ultimate tragedy is not the oppression and cruelty by the bad people but the silence over that by the good people.

- Martin Luther King, Jr.

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