

**Issue Brief - H.R. 5041
Warning Statement Proliferation**

Cigarette packaging and advertising currently carry four government warning labels. The industry's advertising is regulated by the Federal Trade Commission. And, in addition, the industry adheres to a voluntary set of advertising standards. H.R. 5041 stipulates new, expanded warning labels to appear more prominently on cigarette packs and ads, on a rotational basis as approved by the Secretary of HHS.

The warnings read WARNING: Cigarettes Kill; Cigarettes Cause Lung Cancer; Cigarettes Cause Emphysema; Cigarettes Cause Heart Disease; Tobacco Is an Addicting Drug; Quitting Cigarettes Will Improve Health; Cigarettes May Cause Fetal Injury or Miscarriage; Cigarette Smoke is Harmful to Nonsmokers and Cigarettes Cause Stroke.

These nine warning labels would alternate on 25 percent of the front and back panels of every cigarette package and 20 percent of a cigarette ad. This would force an industry to stigmatize its products and advertising.

The government has a responsibility to control ad content to ensure it is not misleading or deceptive. But, the new labels required under H.R. 5041 are intended not to prevent cigarette ads from being deceptive or misleading; their purpose is to scare

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people away from smoking.

Indeed one of the warning labels citing tobacco as an "addicting" drug is in itself deceptive and misleading. To liken tobacco to hard drugs sets a very dangerous roadblock in our war on drugs.

The Surgeon General's office indicates that 41 million Americans have quit smoking, and the Public Health Service reports that 90 percent of these people have done so without outside help.

The very term "addiction" is used in such varied cases as overweight people "addicted" to food, children "addicted" to video games, college students "addicted" to soap operas. The warning label required by H.R. 5041 associates tobacco with "addicting drugs," sending the message that smoking is addictive like using illegal drugs such as crack or heroin.

In comparing tobacco to illegal drugs, the bill sends a dangerous message to youngsters, and may undermine the nation's war on drugs. Kids see their parents smoke, their neighbors, respected friends and acquaintances. If we teach them to equate cigarettes with mind-altering, illegal drugs, we tell them that the drug abusers they see on television or hear about on the news are no worse than parents, friends and neighbors who smoke. This bill would dilute the message that hard drugs are dangerous, addicting and illegal, and severely detract from the war on drugs.

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H.R. 5041 also increases government regulation and spending -- at a time when the government can't adequately fund basic programs. The government should not be wasting its time, money and energy to ensure industry compliance with a new set of warning labels and a new rotational plan for their use. Especially in this era of fiscal restraint, it is the government's obligation to taxpayers to ensure that tax dollars are spent wisely and well.

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