



New Colorful, Flavored Cigarettes Underscore Need
for FDA Regulation of Tobacco, Feinstein Says
September 28, 2004

Washington, DC – Citing new cigarettes designed to appeal to youngsters, U.S. Senator Dianne Feinstein (D-Calif.) today called for her Senate colleagues to support a measure giving the Food and Drug Administration the authority to regulate tobacco.

These cigarettes, called “California Dreams” and manufactured by Kretek International, Inc., come in bright colors and designer flavors (like chocolate and cherry) and are marketed to young people. Other cigarette brands, including Camel and Kool, have engaged in similar marketing tactics.

The Senate approved a measure giving the FDA the authority to regulate tobacco in the debate over the Foreign Sales Corporation/Extraterritorial Income Tax (FSC/ETI) bill. The House of Representatives, however, did not include similar language in its version of the bill. The bill will soon be considered by a joint House-Senate conference committee.

In a letter to the Chairman and Ranking Member of the Senate Finance Committee, Senators Charles Grassley (R-IA) and Max Baucus (D-MT), Senator Feinstein wrote: **“I am writing to urge you to support the Senate language on FDA oversight of tobacco during the conference negotiations on the Foreign Sales Corporation/Extraterritorial Income Tax (FSC/ETI) bill. Not only does the Senate language contain effective Food and Drug Administration (FDA) oversight of how tobacco products are manufactured, marketed and sold, but the accompanying tobacco buyout is paid for by tobacco manufacturers rather than by taxpayers. I strongly support the Senate language and will oppose any final bill that does not contain meaningful and effective FDA oversight of tobacco.”**

Senator Feinstein is co-chair of the Senate Cancer Coalition and author of legislation creating a new battleplan in the war against cancer. Tobacco use is the single-major cause of cancer today and is estimated to account for nearly 30 percent of all cancer deaths.

Following is the full text of Senator Feinstein’s letter to Senators Grassley and Baucus.

September 27, 2004

The Honorable Charles Grassley
Chairman
Senate Committee on Finance
219 Dirksen Office Building
Washington, D.C. 20510

The Honorable Max Baucus
Ranking Member
Senate Committee on Finance
219 Dirksen Office Building
Washington, D.C. 20510

Dear Chuck and Max:

I am writing to urge you to support the Senate language on FDA oversight of tobacco during the conference negotiations on the Foreign Sales Corporation/Extraterritorial Income Tax (FSC/ETI) bill. Not only does the Senate language contain effective Food and Drug Administration (FDA) oversight of how tobacco products are manufactured, marketed and sold, but the accompanying tobacco buyout is paid for by tobacco manufacturers rather than by taxpayers. I strongly support the Senate language and will oppose any final bill that does not contain meaningful and effective FDA oversight of tobacco.

As co-chair of the Senate Cancer Coalition, along with Senator Brownback, and vice-chair of C-Change, formerly known as the National Dialogue on Cancer, which is co-chaired by President George H.W. Bush and Mrs. Bush, I have made finding a cure for cancer in my lifetime one of my goals. In the Senate I authored the National Cancer Act, which builds on the goals and accomplishments of the National Cancer Act of 1971. Earlier versions of my bill contained very similar language on FDA regulation of tobacco to the provisions in the Senate FSC/ETI bill. I believe that the passage of this language in the Senate presents an historic opportunity to finally give the FDA the necessary tools and resources to effectively regulate the manufacturing, marketing, labeling, distribution and sale of tobacco products. I urge you not to let this opportunity pass.

I recently saw the latest ploy cigarette manufacturers are using to attract youngsters to smoking. They are cigarettes named *California Dreams* and the manufacturer uses bright colors and clever packaging to differentiate them from traditional cigarettes. The inside of the box contains a message telling users to "live in color with California Dreams 'cigarettes in color' for your individual taste and attitude." *California Dreams* are manufactured by Kretek International, Inc. and they come in a variety of flavors but I have also seen Camel and Kool-brand cigarettes employ similar tactics, all designed to mislead the public about the dangers of cigarette smoking.

As you may know, California was the first state in the nation to see a decline in lung cancer in women. This is a result of the aggressive tobacco control programs the state undertook since the late 1980's. California's tobacco prevention programs are innovative and take a multi-disciplinary approach but what all states, including California, need is for Congress to give FDA effective authority over tobacco products.

We know that 42 million Americans are addicted to cigarettes. We know that although tobacco use kills 400,000 people every year and costs our nation more than \$75 billion in health care bills, it is also the leading preventable cause of death in the United States. Over the past two decades, we have learned that tobacco companies have manipulated the level of nicotine in cigarettes to increase the number of people addicted to their product. The cancer community is united in the belief that the single most important preventive measure is to place tobacco products under the regulatory control of the FDA. I stand behind the cancer community and express the same belief.

I urge you to retain the Senate language on FDA regulation of tobacco as the FSC/ETI conference moves forward. Thank you for your consideration."