

The Comprehensive Smoking Prevention Education Act of 1983 is  
Unnecessary, Unproved in Operation and Potentially  
Counterproductive

Draft legislation on cigarette labeling and advertising being circulated among Congressmen by the Coalition on Smoking OR Health is a wolf in sheep's clothing.

The draft legislation, called the Comprehensive Smoking Prevention Education Act of 1983, is a blend of several proposals considered in the last Congress and could be more damaging to both the tobacco industry and our system of government than any of its predecessors.

It hides its sponsors' true purposes in the guise of providing "information" for "informed choice" on smoking. But the president of the California chapter of the American Cancer Society was not so veiled at a Coalition planning meeting on government initiatives shortly after introduction of the first of the new federal labeling bills in November 1981.

#### Ulterior Motive

"Stated in the simplest and most basic manner," declared Dr. Raymond L. Weisberg of San Francisco, "the desired goal [of government initiatives] is the elimination of the use of tobacco."

Now, some 15 months later, the Coalition of anti-smoking groups would "improve informed choice" by forcing cigarette makers to label their packs and their advertising with new statements that are unnecessary, unproved in operation and potentially counterproductive to even the most well intentioned purposes of the bill's sponsors.

Their legislation gives broad and unprecedented rulemaking power to the Secretary of Health and Human Services on the size, color and location of those unproved statements.

It gives the Secretary unacceptably broad regulatory authority, subject only to vague congressional guidelines that could, if expansively interpreted, cripple brand advertising and the orderly marketing of a legal product.

#### Trade Secrets

It would force the cigarette makers to disclose to HHS by name and quantity any "additive" used in the manufacture of their

brands. Then, despite the very careful disclosure plan already worked out by the manufacturers with HHS to protect trade secrets, it would force the HHS Secretary to report that same proprietary information at least annually to Congress.

In transferring jurisdiction over labeling from the Federal Trade Commission to HHS, the legislation not only sets up a new and costly anti-smoking bureaucracy.

### Science by Majority Vote

The bill establishes "findings" on claimed relationships of smoking to various diseases. It is obvious from the hearing record of the last Congress that these "findings" have been severely challenged by respected scientists.

Resolving complex scientific questions by "findings" based on a majority vote of Congress can divert much-needed research funds from investigation of the causes of chronic disease and pregnancy problems.

Justification given for the Comprehensive Smoking Prevention Education Act is that the public is unaware of the claimed risks of smoking. But that is not true. Studies presented to both House and Senate committees last year indicated more than 90 percent of the public know what the government has been telling them on the subject for years.

### Unwarranted Intrusion

The Ohio State marketing specialist was only one of more than three dozen behavioral and medical experts presenting criticism of labeling bills in three House and Senate committee hearings last year. Opposition to this unwarranted and excessive intrusion into the marketplace is broader than the tobacco industry. Such legislation has been opposed by these business organizations:

- American Association of Advertising Agencies
- American Advertising Federation
- Association of National Advertisers
- American Newspaper Publishers Association
- Magazine Publishers Association
- National Newspaper Association
- Outdoor Advertising Association of America

It has also been opposed by these labor organizations:

- Bakery, Confectionery and Tobacco Workers  
International Union
- International Association of Machinists and Aerospace Workers
- United Mine Workers of America

These groups and individual Americans who believe in freedom of choice recognize that no other product lawfully manufactured and sold in the U.S. is subject to such burdensome requirements as those proposed by the Coalition in the Comprehensive Smoking Prevention Education Act.

Those who speak of "informed choice" and "informed decisions concerning smoking" when they really mean "Let's do away with smoking" do themselves and all Americans a disservice.

Their new cigarette labeling measure is truly a wolf in sheep's clothing. And we must not let them pull the wool over our eyes.

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