

Health policy and politics – tobacco legislation in the u.s essay sample



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Introduction

Among the major health issues affecting the American citizen and other world citizens, tobacco has taken the lead. Millions of people are dying from tobacco related illnesses irrespective of major campaigns to warn people of the dangers of cigarette smoking and most victims do not live to tell the story about their experiences. This is because tobacco related deaths are usually very life threatening and most victims die before they can recount their ordeal to others. In the U. S. A alone, 15% of deaths within the total population are tobacco related while approximately 8, 000 Americans die from cigarette related illnesses every week.

Apart from the tremendous social effects that cigarette smoking has had on society, the habit has also had high costs on human life, notwithstanding the staggering monetary costs. Nevertheless, Americans are more worried about less threatening problems like food additives, pesticides, West Nile Virus and unsafe drinking water while tobacco continues to kill millions among the population through cigarette related sicknesses. Cigarette smoking is said to have caused more deaths than those realized in any of America's wars combined. Yet, Americans have remained quite indifferent to such and the public has not staged any major protest against the habit in a like manner as they mobilized against such wars. Worse still, the American society has for a long time continued to be quite indifferent to the grave effects of cigarette upon the population (Rabinoff 11, 14).

Before the 20th century, human life was often brutish and very short with life expectancy between 1840-1845 totaling 20 years in New York and 21 years

in Boston. But by the beginning of the 20th century, life expectancy among Americans had risen to 47 years; soaring to 77 years towards the end of the century as a direct result of improved nutrition, healthcare, sanitation, public health, universal education and increasing affluence. Yet, despite such improvements, Americans continue to be ill mainly because of their own indulgencies such as cigarette smoking; a habit that coats the lungs with tobacco smoke, leading to a new era of tobacco related chronic disease. As a result, healthcare in the U. S has become expensive and yet professionals in the public health care system, who have desired to reduce the increasing burden of disease brought about by smoking, have met with tremendous challenges (Warner et al., 3-4).

Tobacco Legislation in the U. S

Unlike most of the other consumer products that are subject to product regulation, cigarettes and other tobacco related products have for a long time been produced and marketed without any regulation and oblivious of the dangers it causes to human health. By the time the knowledge about its dangers became available, Americans had become addicted in tens of millions. Since the 1930s, various attempts to prohibit smoking failed and as a result, a ban on smoking was ruled out. Over the years, the U. S Congress has passed about a dozen health and safety laws regulating toxic substances and consumer products which if applied to cigarettes would lead to banning or heavy regulation of cigarettes. However, cigarette products have either been exempted from such law or if any attempt was made to regulate tobacco products, Congress amended the law to exempt such products. Due

to lack of a regulatory authority, health professionals opted to pursue policy alternatives in an attempt to stem the toll on tobacco.

As early as the late 1800s and early 1900s tobacco control policies had taken root in the U. S. In 1987 for example, the U. S government prohibited inclusion of cards and coupons in tobacco packets and one year later, the cigarette tax was doubled from 50 cents to \$ 1per thousand. After various researchers established a link between smoking and several diseases among both children and adults, various communities and states have adopted a ban on smoking in public facilities such as workplace, bars and restaurants. Since the 1930s, research has proved that tobacco is the leading cause of lung cancer and several other illnesses and although smoking is not a direct result of the tobacco industry as the habit has existed for centuries; the enormous advertising and promotion carried out by the producing companies contributes to the glamour and popularity of the habit (Warner et al., 12-15).

Tobacco use has lately been the cause of more than 400, 000 deaths in the U. S every year and costs the nation a staggering \$96 billion in treating tobacco related sicknesses annually. Every day, approximately 1, 200 Americans die from tobacco related illnesses and over 1000 children are recruited into regular smoking. Yet until very recently, tobacco products have been shielded from the common-sense regulations that the FDA applies to many other consumers' products such as drugs and food (Hargan).

For a long time, the U. S federal health and safety have exempted tobacco products from the regulations that govern such other products as food,

drugs, and cosmetics. The Food and Drug Administration (FDA) has been authorized to regulate other products apart from tobacco unless manufacturers for the tobacco products make overt health claims which are related to the marketing and sale of a certain product; claims which are otherwise very rare. To bridge this gap, two identical bills, S. 625 and H. R. 1108 were introduced with the aim of granting considerable authority to the FDA that would enable the body to regulate tobacco products.

By July 20, 2007 S. 625 had received the support of 53 sponsors and cosponsors while H. R 1108 had 192 respectively. This legislation would create a new chapter to the Food, Drug and Cosmetic Act, for the establishment and governing of tobacco products' regulation. Titled the ' Family Smoking Prevention and Tobacco Control Act', the new chapter would empower the FDA to regulate new as well as current tobacco products and impose restrictions to tobacco product marketing. Through the new jurisdiction, the FDA would also directly implement restrictions towards tobacco product advertising and marketing; add more weight to smokeless tobacco and cigarette warning labels; reduce federal influence on restrictions of cigarette advertising in certain states; as well as increase countrywide efforts to prevent sale of tobacco products to the youth (Tobacco Control Legal Consortium).

Health has been on the limelight of agendas by several U. S presidents beginning from Johnson to Nixon, Clinton and George W. Bush who have in different ways addressed various health issues. But there has been little evidence about any national action to reduce the heavy burden brought about by tobacco use. The U. S Department of Health and Human Services <https://assignbuster.com/health-policy-and-politics-tobacco-legislation-in-the-us-essay-sample/>

(DHS) has faced various barriers in carrying out the exercises. Various DHHS programs provide smoking cessation services to specific population through health insurance programs for the poor and elderly respectively (Yang & Novotny). On April 1, 2009, the U. S government realized the largest excise tax increase on cigarettes at \$2. 21 per pack; a rate that fulfilled the Healthy People 2010(HP2010) objective that had aimed to increase the federal and average state excise tax on cigarettes to \$ 2 per pack. Between 1995 and 2009, federal excise tax of cigarettes increased from 14 cents to \$1, 01 per pack with the average state tax increasing from 32. 7 cents to \$1. 20 per pack within the same duration (Docuticker).

The health of America's children has however received a truly historic turning point when the U. S Congress and President Barack Obama recently enacted a new law that grants the Food and Drug Administration (FDA) tremendous authority over the regulation of tobacco products. The new legislation was signed into law by the President on June 22, 2009. However, the road towards such an achievement has not been an easy one for members of public health organizations as well as the Congress. The move to grant FDA full authority in the regulation of manufacturing, product marketing and the sale of tobacco products has taken over a decade to implement. Under the new law, the tobacco industry will lose the special protection it has long enjoyed in the U. S and the focus will instead shift to protection of the nation's children and health. This law becomes the strongest action taken by the U. S government against the tobacco industry in an attempt to reduce the ever increasing use of tobacco which has become a leading cause of preventable deaths in the U. S (Tobaccofreekids).

According to the new law, marketing and sale of tobacco to children will be cracked down and candy and fruit-flavored cigarettes shall be banned. Also to be banned are such terms as ' low tar' and ' light' that are used in cigarette marketing but which deceive consumers about the safety of certain cigarettes. Tobacco manufacturing companies will also be required to disclose their products' contents as well as various changes being effected in their products and current research about the health effects that such products lead to. All tobacco related health-claims shall be strictly regulated to ensure that they are scientifically proven and do not encourage the recruitment of new users or discourage those addicted to the habit from quitting. The FDA authority will also be empowered to call for rectification of tobacco products such as reduction or removal of suspected harmful ingredients.

Endorsement of the new tobacco legislation was done by over 1000 organizations including public health and faith organizations all over the U. S. Over 70% of the U. S voters population has supported the bill (Tobacco Freekids). But there is controversy over the appropriateness of the current bill in granting the authority to FDA. Granting authority over tobacco products to FDA should be highly prioritized within the health reform system and the Obama administration should ensure that tobacco legislation is put down in the strongest possible language. Conditions laid down should also be beneficial to public health without awarding any special privileges to the tobacco industry. Although the current political and financial environment makes it difficult for the federal government to implement any new programs besides those leading to economic reform, tobacco control can be

implemented with no involvement of government funding and programs that require funding can wait for a later date (Young & Novotny).

Conclusion

Tobacco legislation is likely to lead to reduced consumption of tobacco products because people, especially the young, will have a new awareness of the disadvantages of cigarette smoking. Money spent in advertisement and marketing of the products could be used in healthcare provisions so that tobacco related illnesses are treated with money raised from taxation on cigarettes. Instead of so much being spent on advertising of tobacco, such monies should be used for creating awareness especially among the young people about the dangers of cigarette smoking,

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