



## Encourage the FDA to Strengthen Warning Labels for Smokeless Tobacco

The U.S. Food and Drug Administration (FDA) is currently considering whether to amend the current warning labels that appear on smokeless tobacco products. The current warnings read:

“WARNING: This product can cause mouth cancer.”

“WARNING: This product can cause gum disease and tooth loss.”

“WARNING: This product is not a safe alternative to cigarettes.”

“WARNING: Smokeless tobacco is addictive.”

Under the authority granted to the FDA by Congress in the Family Smoking Prevention and Tobacco Control Act (Tobacco Control Act), the FDA can adjust the format, type size and text of warning labels; require color graphics; increase the required label area from 30% up to 50% of the front and rear of the package; or establish the format, type size and text of any other disclosure as long as the changes promote a greater public understanding of the risks associated with the use of smokeless tobacco products.<sup>1</sup> The FDA is accepting public comments on potential changes until April 1, 2013.

This request for comments gives the public health community an opportunity to ask the FDA to strengthen the current warning labels and request that the FDA periodically review these warning labels to evaluate their effectiveness.

Of course, the tobacco industry will submit comments to the FDA as well. The tobacco industry previously petitioned the FDA to amend the third warning statement listed above to read: “WARNING: No tobacco product is safe, but this product presents substantially lower risks to health than cigarettes.” This proposed change would allow the tobacco companies to promote non-cigarette tobacco products as less harmful than cigarettes in an attempt to persuade cigarette smokers to use smokeless tobacco products rather than to quit using tobacco products completely. It is almost certain that the industry will use this request for comments to further this agenda.

To ensure that the FDA makes an informed decision to protect public health, we encourage public health advocates and professionals to submit comments on the potential changes. Providing scientific data, research and observations from your community will help the FDA build a strong record on which to base its decision. Consider including information on the following topics when submitting information to the FDA:

- The smokeless warning labels could be strengthened by increasing the type size, adding color graphic images, and increasing the size of the warning labels to 50% of the packaging.
- The smokeless warning labels should include ingredient lists.
- The smokeless warning labels should be rotated more often to increase the impact and the resulting public health benefit.
- The smokeless warning labels should be revised periodically to ensure the positive public health impact does not diminish over time.
- Any potential changes to the text of the warning labels should accurately describe the unsafe nature of the products including more detailed information on the harm caused by smokeless tobacco.

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<sup>i</sup> 15 U.S.C. § 4402(d).