

COMMERCIAL TOBACCO PRODUCT WASTE

Considerations for Tribal Communities



How Sovereign Nations Can Enact Their Own Environmental Protections

Tobacco has been grown and used in the Americas for millennia by indigenous populations for cultural or ceremonial purposes, but widespread use of highly addictive commercial tobacco products,¹ especially cigarettes, is relatively recent, beginning at the end of the 19th century. Since that time, cigarettes and other tobacco products have caused a massive disease epidemic that has led to commercial tobacco control measures. Commercial tobacco does not only impact individuals but it also endangers the health of the environment.² As more recognition is given to environmental justice, the idea of policies to address commercial tobacco product



waste is gaining popularity across the U.S. and in Indian Country. Tribal Nations have sovereign authority to enact laws and regulations to protect their lands from the harms of commercial tobacco product waste.

What is commercial tobacco product waste?

When commercial tobacco products are not properly disposed, residual plastics, heavy metals, nicotine, and other chemicals find their way into our environment, polluting the air, land, and water.

Tribal communities are often at the forefront of environmental justice movements, fighting for the protection of their lands. It is no surprise that Tribes are concerned about the environmental impacts the tobacco industry has had and continues to make on their sacred lands.

Commercial tobacco product waste is a danger to environmental and community health. Cigarette butts are the most littered item in the world,³ and they also happen to have a long-lasting impact. In the 1950s, cigarette companies began adding a plastic cellulose acetate filter to cigarettes.⁴ We now know that “filters” were developed mainly as a marketing ploy,⁵ and in fact make cigarettes more dangerous by allowing for easier inhaling, encouraging more frequent puffing, and giving consumers a false sense that by using these products they are reducing their health risks.⁶ Because of this plastic filter, cigarette butts are not biodegradable: they break down into microplastics that remain in natural environments, including rivers, lakes, and oceans, and they accumulate in marine life.⁷ Microplastic accumulation can cause starvation and death in aquatic creatures, including turtles and birds, by reducing their urge to eat.⁸ Cigarette butts also leach harmful chemicals such as nicotine, arsenic, and heavy metals into our soil and water in amounts sufficient to harm the environment.⁹

Beyond cigarette butts, other forms of commercial tobacco waste plague our environment. This waste includes plastic packaging, plastic tips for cigarillos and mixed plastic, metal, and chemical waste from newer products, such as discarded nicotine cartridges and disposable e-cigarettes.^{10, 11}

Many communities — including Tribal communities — are looking to policy solutions to help address the environmental problems caused by tobacco product waste, recognizing that waste is not the only environmental issue created by commercial tobacco products. The production of commercial tobacco products significantly contributes to deforestation and climate change — from the growing and curing of tobacco to the shipping of products worldwide.¹² Additionally, many tobacco growers use dangerous pesticides for their crops, endangering the environment and humans, often children, working in the fields.¹³

Considerations and Policy Solutions

The commercial tobacco industry must be held accountable for the waste its products generate. That said, eliminating commercial tobacco entirely — which would be the most effective way to reduce tobacco product waste — may not be a viable short-term solution in some Tribal communities. For instance, some Tribal communities may substitute commercial tobacco for traditional tobacco where there is insufficient access to traditional tobacco or where it is customary to do so. The Public Health Law Center recognizes this and urges each



Tribal community to consult with those who understand what works best regarding tobacco in their respective communities.

Tribal communities still have several policy options available to them to reduce commercial tobacco product waste. The primary environmental impacts caused by commercial tobacco product waste stem from filters, which have no ceremonial value, and from e-cigarettes, which contain no plant material.

Examples of effective policy options include:

- Adopting smoke-free laws that prohibit use of commercial tobacco products while promoting the traditional use of tobacco, if applicable
- Restricting the sale of commercial tobacco products that contribute the most to tobacco product waste (e.g., cigarettes with filters and so-called “disposable” e-cigarettes)
- Raising the price of commercial tobacco products that contribute the most to tobacco product waste (e.g., cigarettes with filters and so-called “disposable” e-cigarettes).

Educational Opportunities

Policy solutions are certainly not the only way to raise awareness of — and ultimately reduce — the environmental impacts caused by commercial tobacco. Educational efforts can also be pursued on their own or in conjunction with efforts to change policy. Educational and organizing efforts surrounding environmental impacts of tobacco products, including climate change, and water and food sovereignty in particular, may resonate in Tribal communities, especially in those where water and food protection are central to identity. Educational efforts can include river or lake cleanups; school-based programs to raise awareness of the environmental harms caused by commercial tobacco products among young people; cessation programs that recognize the environmental impact of tobacco products; and partnering with environmental justice groups to help raise awareness as well.

Conclusion

Communities that pursue any commercial tobacco efforts must recognize that the use of commercial tobacco doesn't just impact those using the products and those exposed to secondhand smoke — it also impacts the water, air, land, and other living creatures. A comprehensive approach to commercial tobacco control that includes policy solutions, educational efforts, and partnerships with environmental groups and youth programs is likely to be most effective in the long-term at reducing the health and environmental harms caused by the tobacco industry.

Next Steps

If a Tribal community wishes to adopt a policy related to the regulation of commercial tobacco, the Public Health Law Center is available to support these efforts with legal technical assistance, which can include reviewing draft language or providing examples from other Tribes. For more information about commercial tobacco product waste, please visit the Public Health Law Center's [website](#).

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Endnotes

- 1 The Public Health Law Center recognizes that traditional and commercial tobacco are different in the ways they are planted, grown, harvested, and used. Traditional tobacco is and has been used in sacred ways by Indigenous communities and tribes for centuries. Comparatively, commercial tobacco is manufactured with chemical additives for recreational use and profit, resulting in disease and death. For more information, visit <http://www.keepitsacred.itcml.org>. When the word “tobacco” is used throughout this document, a commercial context is implied and intended.
- 2 Tobacco Atlas: Environment, Vital Strategies and Tobacconomics at the University of Illinois Chicago (2020), <https://tobaccoatlas.org/topic/environment>.
- 3 Thomas Novatney & Elli Slaughter, *Tobacco Product Waste: An Environmental Approach to Reduce Tobacco Consumption*, 1 CURRENT ENV. HEALTH REPORTS 208-16 (2014), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4129234>.
- 4 U.S. Dep’t of Health & Hum. Servs., *Risks Associated with Smoking Cigarettes with Low Machine Measured Yields of Tar and Nicotine*, SMOKING AND TOBACCO CONTROL (2001), https://cancercontrol.cancer.gov/brp/tcrb/monographs/13/m13_complete.pdf.
- 5 Karen Evans-Reeves et al., *The ‘Filter Fraud’ Persists: The Tobacco Industry is Still Using Filters to Suggest Lower Health Risks While Destroying the Environment*, TOBACCO CONTROL (2021), <https://tobaccocontrol.bmj.com/content/31/e1/e80>.
- 6 Min-Ae Song et al., *Cigarette Filter Ventilation and its Relationship to Increasing Rates of Lung Adenocarcinoma*, 109 JOURNAL OF THE NAT’L CANCER INST. 12 (2017), <https://pubmed.ncbi.nlm.nih.gov/28525914/#:~:text=Altered%20puffing%20and%20inhalation%20may,to%20and%20including%20a%20ban>.
- 7 Dannielle S. Green et al., *Cigarette Butts Have Adverse Effects on Initial Growth of Perennial Ryegrass (gramineae: Lolium perenne L.) and White Clover (leguminosae: Trifolium repens L.)*, 182 ECOTOXICOLOGY & ENV’T SAFETY 109418 (2019).
- 8 Elizabeth Royte, *We Know Plastic Is Harming Marine Life. What About Us?*, NAT’L GEOGRAPHIC (June 2018), <https://www.nationalgeographic.com/magazine/2018/06/plastic-planet-health-pollution-waste-microplastics>.
- 9 Hiroshi Moriwaki et al., *Waste on the Roadside, “Poi-sute” Waste: Its Distribution and Elution Potential of Pollutants into Environment*, 29 WASTE MGMT. 1192 (2009).
- 10 Leah Henry, *Cigarette Butts and Cigar Tips: Flicked but not Forgotten*, NAT’L OCEANIC & ATMOSPHERIC ADMIN. (Jul. 23, 2015), <https://marinedebris.noaa.gov/cigarette-butts-and-cigar-tips-flicked-not-forgotten> (“Plastic cigar tips accounted for 37% of the total trash collected.”).
- 11 Jeremiah Mock & Yogi H. Hendlin, *Notes from the Field: Environmental Contamination from E-Cigarette, Cigarette, Cigar, and Cannabis Products at 12 High Schools — San Francisco Bay Area, 2018–2019*, 68 MORBIDITY & MORTALITY WKLY. REP. 897 (2019).
- 12 World Health Org., *Tobacco and Its Environmental Impact: An Overview* (2017), <https://apps.who.int/iris/bitstream/handle/10665/255574/9789241512497-eng.pdf?sequence=1>.
- 13 See Anélia Marais et al., *Effects of Monoculture, Crop Rotation, and Soil Moisture Content on Selected Soil Physicochemical and Microbial Parameters in Wheat Fields*, APPLIED & ENV’T. SOIL SCI. 593623 (2012), <https://www.hindawi.com/journals/aess/2012/593623>.