

## DIXIE COUNTY TOBACCO PREVENTION NEWSLETTER

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# Tobacco-Free Advocate Rick Bender Visits Dixie County

By Thomas J. Harrington, Quit Doc Foundation Policy Manager

Nationally known speaker and oral cancer survivor, Rick Bender paid a special visit to Dixie County in January, 2012.

You may have seen him on TV – the former baseball player who was diagnosed with oral cancer from spit tobacco use. Now he travels the country educating youth about the dangers of using what's called "candy-flavored tobacco". This type of tobacco can be spit, dip, chew, as well as little flavored cigars and cigarillos.

At the age of about 12, Rick Bender began using spit tobacco because of peer pressure to smoke cigarettes; however he decided that using spit tobacco would be safer.

Rick found out at the young age of 25 that thinking it was safer is definitely not the case. By the time Rick was 26 he had acquired an unusual white sore on the side of his tongue which led to a diagnosis of a very aggressive cancer. Doctors didn't realize how much the tumor had spread until they began surgery that lasted 12 and 1/2 hours. Rick ultimately had to go through four surgeries, operations that cost him a third of his tongue, half of his jaw, lymph glands, and diminished the ability to use his right arm which he had used as a minor league baseball player for the California Angels.

Rick Bender visited Ruth Rains Middle School to share his story with middle school students; Mr. Bender also visited the Dixie County Adult Learning Center. He was also the special guest speaker at a lunch meeting hosted by the Dixie County Tobacco-Free Partnership. It was a well-attended event chaired by Charlotte Lord. Guests included County Commission Chairman Ronnie Edmonds, Mayor Dorothy Smith and city staff, Tax Collector Michelle Cannon, and School Superintendent Mark Rains.

Rick Bender's story and message is for both young and old alike. Cancer plays no favorites when it comes to age and for some it can strike at a younger age. Not everyone who uses tobacco will get cancer but they are **50 times** more likely than someone who doesn't. Spit tobacco contains **28 known carcinogens** or cancer-causing agents in one can of product. Whether it is Cherry Skoal or Copenhagen, spit tobacco is dangerous.

Tobacco companies have engineered the candy-flavored products to have less of a kick so that the body doesn't reject it as much for first time users. 90% of first time users happen to be youth by the way!

Even the amount of nicotine in spit tobacco is about 3-4 times the amount of nicotine as found in one pack of cigarettes. Nicotine happens



**Tobacco-Free Partnership Members meet Rick Bender.**  
(L to R): Thomas J. Harrington, Ashton Nail, Ariel Cassidy, Jessica Wilder, Sarah Hurst, Chelsy Cannon, Melanie Anderson, Theresa Lehman, Rick Bender, Charlotte Lord, Rachel Henley, Cindy Bellot, and David Pitts.

### *Rick Bender Visits Dixie County, Continued*

to be the #1 killer in tobacco products as it causes heart attack, heart disease, and strokes. Many times people associate only cancer and lung disease with tobacco use but, the actual biggest killer is how nicotine affects the heart.

We are particularly thankful for the interest and impact our community leaders have taken in helping to reduce tobacco use amongst youth. We are also very thankful for Cindy Bellot and the County Library staff for allowing us to host the event. For more information about Rick Bender's story please visit [www.nosnuff.com](http://www.nosnuff.com). If interested in the education and work of the partnership, you can even join us on Facebook at Tobacco-Free Partnership of Dixie County.

## Local Point-of-Purchase Tobacco Advertising

By Thomas J. Harrington

The tobacco industry currently spends \$10.5 billion to promote their products throughout the United States. 85% of that money is spent on point-of-purchase advertising.

Point-of-purchase simply means the location at which a customer or young person buys an item. Studies show that such point-of-purchase advertising and promotion directly influences what products and brands kids buy and use. Point-of-purchase advertising and promotions target and attract shoppers right at the places where they can immediately buy the specific products or brands. More specifically, point-of-purchase tobacco advertising and promotions may have a direct on the number of kids who actually buy cigarettes.

According to the Campaign for Tobacco-Free Kids, a study

of 6th, 7th, and 8th graders concluded that students who visited a convenience, liquor, or small grocery store at least weekly were obviously more exposed to retail tobacco marketing. The effect is that these same youth had 50% higher odds of ever smoking! This effect is equal to the effect that a household contact that smokes has over young people choosing to smoke.

Another study published in the May 2007 issue of *Archives of Pediatrics and Adolescent Medicine* found that retail cigarette advertising increased the likelihood that youth would initiate smoking. Particular strategies on pricing by the companies contributed to increases all along what is known as the "smoking continuum". The "smoking continuum" begins at initiation and experi-

mentation and ultimately ends with a regular smoking habit. Cigarette promotions increased the likelihood that youth will move from experimentation to regular smoking as well. The researchers also found that reducing or eliminating these marketing practices would greatly reduce youth smoking however.

What does this mean locally? It means that we need to look for common-sense ways to reduce the amount of youth exposure to point-of-purchase advertising.

This spring, The Tobacco Free Partnership and SWAT will be looking at tobacco advertising and product placement in local stores to evaluate the amount of point-of-purchase marketing. This information will be used to assess the level of youth exposure to this marketing, and to explore potential changes to reduce the impact.

## Local SWAT Youth Educate Sen. Bill Nelson's Staff Regarding Senate Bill 1461 to Exempt Cigars from FDA Regulation

On February 10, 2012 three of the Dixie County High School SWAT club officers met with Lynn T. Bannister, Director of Outreach/Regional Director for U.S. Senator Bill Nelson at the former Old Town Elementary Facility to discuss the proposed bill S.1461 "Traditional Cigar Manufacturing and Small Business Jobs Preservation Act"

This proposed law would amend the Federal Food, Drug, and Cosmetic Act and strip the Food and Drug Administration's ability to regulate traditional and premium cigars.

Chelsy Cannon, Theresa Lehman, and Ashton Nail met

with Mrs. Bannister to share their concerns about the proposed bill and how it could increase tobacco use by youth in Dixie County.

Chelsy Cannon, SWAT president, shared with Mrs. Bannister that the SWAT club has been working with the Dixie County Commissioners and the Cross City Council to make policy changes that limit the tobacco industry's influence on the youth of Dixie County. This includes the recent Ordinance to require candy flavored tobacco products to be placed behind the counter and out of the reach of kids.

Miss Cannon also shared some pictures of traditional cigars and candy-flavored cigars in local stores in Dixie County. The SWAT students offered a long list of the many various candy flavors that can be found in the cigars in Dixie County such as strawberry, peach and vanilla.

Ashton Nail described how powerful the industry advertising of candy-flavored cigars and other tobacco products is on the youth. She explained how kids see these products as safe and fun due to the placement of the ads at child eye level on doors and near other kid safe products. She shared photos of these ads to Mrs. Bannister.

One of the outcomes of the proposed bill will be a decrease in the price of the cigars sold in Florida. Theresa Lehman discussed the current lower price of cigars compared to other tobacco products in Dixie County. Theresa gave Mrs. Bannister a picture of a candy flavored cigar ad that was placed on a

local gas stations window. Theresa shared that the lower price and individual tobacco product are much more convenient for teenagers to purchase and hide from parents compared to purchasing other tobacco products.

Mrs. Bannister was interested in the fact that these products were so inexpensive.

During the 2010 Florida Youth Tobacco Survey, 15.5% of Dixie County High School students reported to have tried smoking a cigar over the last 30 days. Cigars are not just a tobacco product used by old men and expecting fathers, it is another product that the tobacco industry uses to target youth as potential customers.

Mrs. Bannister was impressed with the convictions of the SWAT youth. She said that she will be glad to share the information on Cigars with Senator Bill Nelson. She committed to continue to have contact with the SWAT youth on possible changes to the proposed bill S.1461 by e-mail.



SWAT Youth L to R: Theresa Lehman, Chelsy Cannon, and Ashton Nail

# Florida Legislator Takes Another Stab at Closing Tobacco Company's Tax 'Loophole'

By Ashley Lopez | *The Florida Independent* | January 2012

(Tallahassee)—State Senator Thad Altman, R-Melbourne, has introduced a bill this session that he says would remove “a big tax loophole” for one Florida-based tobacco company.

A similar bill was introduced last year, but a threat that Gov. Rick Scott would veto the bill eventually killed it.

Senate Bill 1414 would impose “a fee on the sale, receipt, purchase, possession, consumption, handling, distribution, and use of non-settling manufacturer cigarettes that are required to have a stamp affixed or stamp insignia applied to the package of cigarettes on which tax is otherwise required to be paid.”

The measure would seek fees, more specifically, from Dosal, a tobacco company based in Miami that was not part of the 1997 Florida Tobacco Settlement Agreement. Because the company is not part of that settlement, it has been exempt from paying the same taxes and fees that other tobacco companies are paying, Altman argues.

Altman's legislation is one of the rare moments when Big Tobacco and health advocates have come together on an issue. When this bill came up last year, a coalition of groups called the Citizens for Fairness in Florida stood behind the bill. Included in the coalition were Florida CHAIN, a statewide health advocacy group, and retailers.

The coalition was made possible because the money from tobacco companies has paid billions through the years to the Lawton Chiles Endowment Fund. By law, the state uses “tobacco settlement moneys to ensure the financial security of vital health and human services programs in the state.” Because more money could be going to health services, health advocates have stood by the attempts to levy the tax on Dosal.

Big Tobacco has also been a big proponent of legislation like Altman's, because they argue companies like Dosal have an unfair advantage in the marketplace. Altman says the company

has gained a huge advantage from the current “loophole,” including an 18 percent market share, because they are able to sell cheaper cigarettes.

When the bill has come up in the past, Dosal has cried foul.

The *South Florida Sun Sentinel* reported in March 2011 that lawyers for Dosal have argued “that imposing a fee on the company would be unfair”:

Dosal, they say, wasn't involved in the alleged industry practices, such as manipulating the nicotine content of cigarettes, that triggered the wave of lawsuits against major tobacco makers in the 1990s.

Dosal's chief executive, Yolanda Nader, said the company's value pricing has helped fuel its robust growth. Cigarette prices in Florida range from about \$4 a pack for Dosal and other bargain brands to about \$6 a pack for Philip Morris's Marlboros.

“We feel the government should not be picking winners and losers,” Altman says.

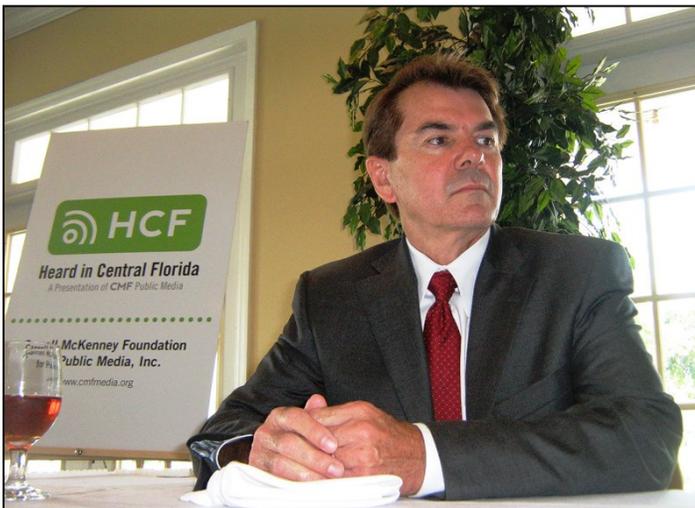
Altman points out that the money lost for health services is substantial. Policy-makers have debated whether the state is missing out on \$50-90 million a year, but Altman says he believes the number is closer to \$200 million.

Altman says that, considering the amount of cuts health services have taken in the past couple of years, the bill should be seriously considered. As of now, Altman's bill does not have a House sponsor; a spokesperson for Scott's office says there is currently no update on his position on the issue.

Dosal allegedly fought against last year's bill with help from a West Palm Beach-based tea party group.

*“Another year brings another challenging budget situation for Florida, and lawmakers are leaving big money on the table. Safety net services for sick and vulnerable Floridians sit on the chopping block. It's time to end the favored status some cigarette makers enjoy in Tallahassee. A cigarette is a cigarette and, as responsible corporate citizens, Dosal and other non-participating cigarette makers should be willing to do their share to contribute to the well-being of our citizens.”*

*Walter Dartland,  
Executive Director, Consumer Federation of the Southeast*



*Senator Thad Altman has sponsored SB 1414 to level the playing field for all tobacco manufacturers doing business in Florida.*

# Orange Bowl Scraps Cigar Deal as Committee Backs Out of Planned Three-Year Sponsorship with Camacho Cigars

CSP Daily News | December 26, 2011

(MIAMI) – In December, Orange Bowl officials scrapped a planned sponsorship deal with Camacho Cigars, after anti-tobacco advocacy raised concerns about the association. Orange Bowl spokesperson Larry Wahl told the news agency that after mutual review, it was determined that it would not be appropriate to go forward with the sponsorship.

In early December, Pinellas Park, Florida-based Davidoff of Geneva and the Orange Bowl Committee announced a new three-year agreement that would have made Camacho Cigars a corporate sponsor of the Orange Bowl Festival, which included the 2012, 2013 and

2014 Discover Orange Bowls and 2013 Discover BCS National Championship.

The sponsorship agreement included a large presence at several game-day events at Sun Life Stadium leading up to the 2012-2014 Discover Orange Bowls and 2013 Discover BCS National Championship. Football fans, VIPs and Committee members would have had access to onsite Camacho lounges where premium cigars could be enjoyed throughout the day. At the Orange Bowl Game Day Fan Zone, the Orange Bowl's largest pregame event, guests could relax before kickoff in the Camacho Club Lounge. There would also

have been two cigar lounges located in the designated smoking areas of the stadium on the Club Level for attendees of the Orange Bowl VIP pregame party.

Shortly after the announcement, the Campaign for Tobacco-Free Kids, the American Cancer Society, and eight other groups sent a letter to game organizers and officials with the collegiate athletic group that raised concerns over the deal.

"The association of cigar smoking with one of the nation's top collegiate sporting events sends the wrong message to impressionable young fans and helps market cigars as athletic, masculine and

cool," the groups wrote in the letter. "Linking tobacco use to sports also downplays the serious health risks of tobacco products."

In the letter, the groups said that the cigar company sponsorship conflicts with NCAA rules that forbid student-athletes and all game personnel from using tobacco in any form at practice or in competitions.

At the same time, U.S. senators Dick Durbin (D-IL.), Frank R. Lautenberg (D-NJ) and Richard Blumenthal (D-CT) called on the National Collegiate Athletic Association (NCAA) and the Orange Bowl Committee to reconsider a three-year agreement making a cigar company—Camacho Cigars—a corporate sponsor of the Discover Orange Bowl.

"Tobacco has no place in sports, and the promotion of cigars at the Orange Bowl sends the wrong message to young fans," the senators wrote. "A tobacco company's sponsorship of the Orange Bowl undermines a premier collegiate sporting event and promotes tobacco use to young fans, putting them at risk of developing an addictive and dangerous habit. Furthermore, Camacho Cigars' sponsorship is at odds with the NCAA rules prohibiting tobacco use by student athletes and all game personnel in any form at practice and in competitions."

Protests were also planned for the day of the event by local anti-tobacco groups from Broward and Miami-Dade Counties. However, the cancellation of the sponsorship agreement made those protests unnecessary.

This season's Orange Bowl took place on Wednesday, January 4 in Miami, where No. 23 West Virginia beat No. 14 Clemson 70-33.



## Teens Swapping Cigarettes for Flavored Mini Cigars

Lena H. Sun | Washington Post | December 2011

They come in ice cream flavors such as strawberry, watermelon, vanilla and chocolate. They are packaged in colorful wrappers. "Little cigars" are finding a niche among teens, who like the price — about a dollar — and the taste.

Young smokers say these cigarette-size little cigars and cigarillos — slimmer versions of big cigars — look better and can be bought one at a time instead of spending more than \$5 for a pack of cigarettes. Many teens also think that they are less addictive.

That's a problem.

"You have the same cancer-causing chemicals but wrapped in flavors that don't let you experience the harsh sensation of cigar or tobacco use," said Donald Shell, interim director for Maryland's Center for Health Promotion, Education, Tobacco Use Prevention and Cessation.

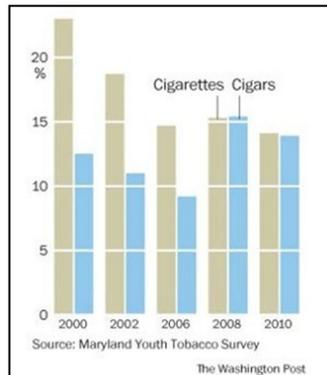
Maryland is one of several states where the increase in youth cigar smoking has been large enough that it has caught up with and in some cases surpassed cigarette use in that age group, according to state and federal health data and anti-tobacco groups.

To fight back, the state will launch ads on billboards, buses and trains starting next week. The home page of the campaign [www.thecigartrap.com](http://www.thecigartrap.com), shows youngsters running to an ice cream truck with a giant cigar on its roof. "No matter how they sugarcoat it ... cigars kill," a warning reads.

Little cigars look like cigarettes but are wrapped in a brown paper-like substance that contains some tobacco leaf.

The Food and Drug Administration banned flavored cigarettes in 2009, but no such ban applies to cigars. Selling tobacco products to anyone younger than 18 is illegal, but not all stores check identification.

Some teens and young adults said the smaller cigars were appealing on several lev-



els. Several said the most popular brand is Black & Mild, whose cigarillos come in wine and cr me in addition to regular flavors.

Marcus Hunter, 18, said he started smoking cigarillos when he was 14 or 15. "I thought it would help me with stress, you know, from school and stuff," said Hunter during a brief interview outside the Gallery Place Metro station in the District. Hunter, who attended Potomac High School in Oxon Hill, said he stopped smoking a year ago.

Nick Beirne, 20, said he started smoking cigarillos when he turned 18. "It's a social thing," said Beirne, who said he smokes them once or twice a week. A graduate of Yorktown High School in Arlington County, he said teens smoke them "because they think they're less addictive, it looks better and it's cheaper" than cigarettes.

A 21-year-old who spoke on the condition of anonymity said that when he was at Calvert High School in Prince Frederick, he and many of his friends thought "the whole cigar thing was way more big to smoke pot," explaining how brands like Swisher Sweets and Black & Mild would be hollowed out and filled with marijuana.

Between 2000 and 2010, cigarette smoking decreased by nearly 40 percent among Maryland high school students, but cigar use jumped more than 11 percent, according to the Maryland Youth Tobacco Survey, a survey of high school students conducted every two years.

## Administration Appeals Cigarette Warning Ruling

Reuters | November 2011

(WASHINGTON) – On November 29, 2011, The Obama administration appealed a U.S. judge's ruling and injunction that blocked tobacco companies from having to display graphic images on cigarette packs and advertising, such as a man exhaling smoke through a hole in his throat.

The appeal had been widely expected after U.S. District Judge Richard Leon had previously sided with tobacco companies and granted a temporary injunction blocking the requirement.

He said the companies would likely succeed in their lawsuit challenging the new graphic warnings as unconstitutional because it compels speech in violation of the First Amendment.

In June 2011, The Food and Drug Administration released nine new warnings to go into effect in September 2012, the first change in U.S. cigarette warning labels in 25 years. Cigarette packs already carry text warnings from the U.S. Surgeon General.

Congress instructed the FDA to impose the new labels as part of 2009 legislation making the agency responsible for regulating tobacco products.

The warnings were required to cover the top half of the front and back of cigarette packs and 20 percent of printed advertisements and must contain color graphics depicting the health consequences of smoking, including diseased lungs, dead bodies

and rotting teeth.

But Leon said the graphic images were not narrowly tailored, meaning they are unlikely to survive constitutional muster. He said they provoked an emotional response rather than just providing factual and non-controversial information, crossing the line into using company advertising for government advocacy.

The administration appealed Leon's ruling to the U.S. Court of Appeals for the District of Columbia Circuit and the case could ultimately end up before the U.S. Supreme Court.

Reynolds American Inc's R.J. Reynolds unit, Lorillard Inc., Liggett Group LLC and Commonwealth Brands Inc., owned by Britain's Imperial Tobacco Group Plc., sued the FDA in August to block the new advisories.

They argued the new graphic warnings force them to "engage in anti-smoking advocacy" on the government's behalf, breaching their right to free speech.

Tobacco is the leading cause of preventable deaths in the United States, accounting for one in every five deaths every year, according to the Centers for Disease Control and Prevention. About 21 percent of U.S. adults smoke cigarettes, a number little changed since 2004.

The case is R.J Reynolds Tobacco Co et al v. U.S. Food and Drug Administration et al, U.S. District Court for the District of Columbia, No. 11-cv-1482.

# State Prevention Funding Cuts Threaten Progress Against Tobacco

Less than two cents of every dollar in tobacco revenue used to combat tobacco use

Campaign for Tobacco Free Kids | Nov 30, 2011

States have slashed funding for programs to reduce tobacco use by 12 percent in the past year and by 36 percent over the past four years, threatening the nation's progress against tobacco, according to a report released today by the Campaign for Tobacco-Free Kids and other public health organizations.

The report, titled "A Broken Promise to Our Children: The 1998 State Tobacco Settlement 13 Years Later," was released by the Campaign for Tobacco-Free Kids, American Heart Association, American Cancer Society Cancer Action Network, American Lung Association, Robert Wood Johnson Foundation and Americans for Nonsmokers' Rights.

The states this year will collect a near-record \$25.6 billion in revenue from the 1998 state tobacco settlement and tobacco taxes, but will spend only 1.8 percent of it — \$456.7 million — on programs to prevent kids from smoking and help smokers quit. In other words, the states are spending less than two cents of every dollar in tobacco revenue to fight tobacco use.

With nearly 20 percent of Americans still smoking, the

report warns that continued progress against tobacco use — the nation's number one cause of preventable death — is at risk unless states increase funding for tobacco prevention and cessation programs.

Only Alaska and North Dakota currently fund tobacco prevention programs at levels recommended by the Centers for Disease Control and Prevention.

Most states provide less than a quarter of the recommended funding, while four states — Connecticut, Nevada, New Hampshire and Ohio — and the District of Columbia have allocated zero state funds for tobacco prevention this year.

While states are facing tight budgets, their failure to properly fund tobacco prevention programs is shortsighted and will cost them more in the long run in higher tobacco-related health care and productivity costs, which already total \$193 billion a year. In fact, a new study published this week in the journal *Contemporary Economic Policy* found that tobacco control programs can save states an astonishing 14-20 times more than the cost of implementing the programs.

States that have shifted funds away from tobacco control programs may be missing out on significant savings, according to a new study co-authored by San Francisco State University economist Sudip Chattopadhyay.

If these programs were funded at the levels recommended by the Centers for Disease Control and Prevention (CDC), states could save an astonishing 14-20 times more than the cost of implementing the programs. The costs of smoking are felt by the states, mostly through medical costs, Medicaid payments and lost productivity by workers.

The evidence is clear that state tobacco control programs have a "sustained and steadily increasing long-run impact" on the demand for cigarettes, Chattopadhyay and his colleague David R. Pieper at University of California, Berkeley wrote in a paper published last November in the journal *Contemporary Economic Policy*. Chattopadhyay is the chair of the Economics Department and professor of economics.

The study uses data from 1991 to 2007, during which time the states paid for the programs with the help of the tobacco tax, public and private initiatives, and funds from the Tobacco Master Settlement Agreement between the nation's four largest tobacco companies and 46 states.

Unfortunately, says Chattopadhyay, funding for the programs has been declining steadily since about 2002. In 2010, states on average were spending 17 percent of the total investment recommended by the CDC for the programs. And in tough economic times, many states have turned to cigarette taxes to raise revenue.

Chattopadhyay said the shift in spending priorities was part of his motivation for examining the benefits and costs behind

the programs. "Almost all states are facing financial crisis, and they are really diverting their funds, possibly moving funds from productive use."

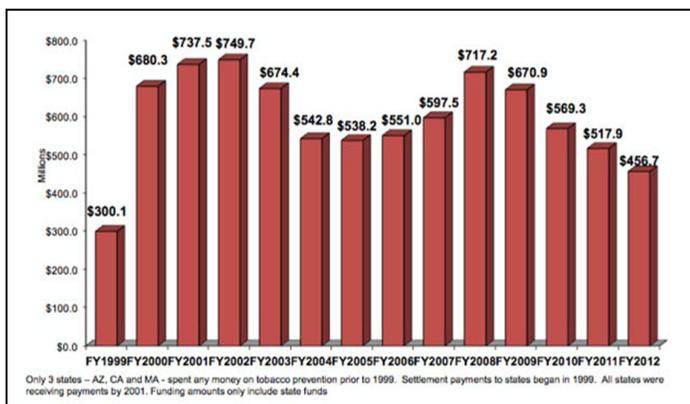
Unless the benefits of fully funding the programs are shown to outweigh the costs, the researchers suggest, states may continue to divert revenue away from the programs.

After accounting for multiple factors, the researchers determined that tobacco control programs do reduce the demand for cigarettes. It's a trend that grows over time, in part because it takes smokers time to quit and because the programs become more efficient at delivering their services.

Unlike earlier studies, Chattopadhyay and Pieper even examined the effects of different state tobacco taxes, and how the differences might affect cigarette demand. Smokers in a state with a high tobacco tax could be more easily tempted to buy cigarettes if they share a border with a low-tax state, for instance. Tobacco taxes can range from less than 20 cents per pack in some states to nearly \$5 in others.

In 2007, the CDC revised its recommendations on how much states should spend on tobacco control programs to make them successful. If individual states would follow the new CDC guidelines, they could realize future savings of 14-20 times what the programs cost, the study concluded. Chattopadhyay said he would like to deliver the results of the study to the states, "to convince them that they can use that money for more productive purposes" and to encourage them not to let their past investments in tobacco control programs go to waste.

"They would save money in terms of reduced Medicaid, and reduced medical and productivity costs," he said. "Those kinds of costs are only going to go up."



**Overall expenditures on tobacco prevention programs in the United States has steadily declined since 2008, falling well below the recommendations of the Centers for Disease Control and Prevention.**

# New Major League Baseball Contract Limits Tobacco Use

Associated Press / November 2011

WASHINGTON — Baseball's new labor deal, negotiated last November, will limit the use of smokeless tobacco by players, but not ban it during games, as some public health groups had sought.

Players have agreed not to carry tobacco packages and tins in their back pockets when fans are permitted in the ballpark, or use tobacco during pregame or postgame interviews, and at team functions.

But the restrictions fall short of the call by some advocates, including members of Congress, who argued that a ban on chewing tobacco and dip during games was needed to protect impressionable kids watching on TV.

"Our members understand that this is a dangerous product, there are serious risks associated with using it," union head Michael Weiner told The Associated Press. "Our players felt strongly that those were appropriate measures to take but that banning its use on the field was not appropriate under the circumstances."

The players union also has agreed to join forces with the Partnership at DrugFree.org and the baseball commissioner's office to create a nationwide public service announcement campaign. Several players have agreed to do public outreach, including Curtis Granderson, Jeremy Guthrie and C.J. Wilson. In addition, the union will start a Tobacco Cessation Center for its players, and players will be offered training on how to give up the habit.

Matthew L. Myers, president of the Campaign for Tobacco-Free Kids, one of the groups that led the anti-tobacco push, said that while he would have preferred a ban at games and on camera, the restrictions represent real

progress.

"The new Major League Baseball contract takes an historic first step toward getting smokeless tobacco out of the ballgame, and makes significant progress toward protecting the health of big-league players and millions of young fans who look up to them," he said in a statement.

"Baseball players have been using tobacco since the earliest days of the game. This forward step marks the first time ever that the league and the players have recognized that it is time to break this unhealthy connection."

Four U.S. senators who had urged the union to adopt a ban on the eve of this year's World Series had a similar take.

"Major League Baseball made the right decision today in choosing to implement stricter rules for smokeless tobacco on the field and off the field," said Dick Durbin of Illinois, the No. 2 Democrat in the Senate, and fellow Democrats Frank Lautenberg of New Jersey, Richard Blumenthal of Connecticut and Senate Health Committee Chairman Tom Harkin of Iowa. "This is a welcome acknowledgement by players and owners that tobacco use of any kind is no longer a tradition that should be upheld."

They said they were hopeful the restrictions eventually would lead to a complete ban on smokeless tobacco.

But two congressmen who had pressed for a ban said they were disappointed with the tobacco agreement.

"The players association made a mistake in opposing Commissioner Selig's efforts to ban smokeless tobacco use during games," said Rep. Henry Waxman, D-Calif., "Baseball players are idols to millions of youth, and they should strive



to be healthy role models. The failure to ban smokeless tobacco is bad for the health of the players and worse for the kids who emulate them."

Rep. Frank Pallone, a New Jersey Democrat, said: "The fact is that smokeless tobacco use by baseball players will still appear on television screens across the United States."

Pat Courtney, a spokesman for Major League Baseball, said that while the deal doesn't ban tobacco completely, "it is a significant step forward."

Weiner said that players aren't running from the idea that kids see them as role models.

"Prominent players have agreed to go out there and talk," he said. "But maybe the message that's being sent by the combination of things here is a realistic one: When kids grow up they're going to have choices to make, just

like players have choices."

A coalition including the Campaign for Tobacco-Free Kids, the American Academy of Pediatrics, the American Cancer Society and the American Medical Association had been pushing for a tobacco ban since last year. Baseball commissioner Bud Selig endorsed it at the start of the 2011 season.

The federal Centers for Disease Control and Prevention says smokeless tobacco can cause cancer, oral health problems and nicotine addiction, and stresses it is not a safe alternative to smoking. Despite the risks, the CDC's most recent survey found that in 2009, 15 percent of high school boys used smokeless tobacco — a more than one-third increase over 2003.

In the minor leagues, where players are not unionized, smokeless tobacco has been banned since 1993.

## Tobacco Limits in Major League Baseball Contract is a Victory for Players and Kids' Health

Statement of the Knock Tobacco Out of the Park Coalition, November 22, 2011

(Washington, D.C.) — The limits on smokeless tobacco use included in the new Major League Baseball (MLB) contract represent an historic first step to protect the health of big-league players and millions of young fans who look up to them.

Under the agreement that MLB and the Major League Baseball Players Association have announced, big-league players, managers and coaches will no longer be able to carry a tobacco tin or package in their uniforms at games, or any time that fans are in the ballpark. They will be prohibited from using smokeless tobacco during televised interviews, at autograph signings and other events where they meet fans, or at team-sponsored appearances. The restrictions will become effective in the five-year contract to take effect in 2012; violators are subject to discipline.

We continue to support a complete prohibition on tobacco use at games and on camera. Still, this is significant progress. Baseball players have been using tobacco since the earliest days of the game. This agreement marks the first time that the league and the players have recognized it is time to break this unhealthy addiction.

We urge individual players to go further than the agreement, and completely eliminate their use of smokeless tobacco at games.

At a time when the tobacco industry is spending record sums to promote smokeless products and hook a new generation of youth, we are pleased that Major League Baseball and big-league players will join forces on a nationwide public ser-



vice campaign on tobacco use that is aimed at youth, and particularly at young baseball players. Members of the MLBPA are role models for young fans, and their participation in this outreach program will be truly valuable.

The agreement also bolsters tobacco education programs for players, and creates a new MLBPA center on cessation to help players quit. We in the public health community stand ready to assist the league, the union and any player who needs help in quitting tobacco use.

We applaud Commissioner Bud Selig and Michael Weiner, executive director of the MLBPA, for their leadership in

developing this important plan to protect players' health and the well-being of countless kids.

We also applaud the members of Congress who have spoken out and provided important leadership on this issue, including Sens. Richard Durbin of Illinois, Frank Lautenberg of New Jersey, Tom Harkin of Iowa and Richard Blumenthal of Connecticut, and Reps. Henry Waxman of California and Frank Pallone of New Jersey.

The new tobacco limits also are the result of hard work by a broad, national coalition of supporters and fans who came together to bring this issue to public attention and press for a tobacco prohibition in the contract.

The campaign to Knock Tobacco Out of the Park began last November with 10 major medical and public health groups including Campaign for Tobacco-Free Kids, American Academy of Pediatrics, American Cancer Society, American Dental Association, American Heart Association, American Lung Association, American Medical Association, Legacy, Oral Health America and the Robert Wood Johnson Foundation. The coalition grew over the course of the baseball season to include more than 200 supporters, including dozens of public officials around the country, youth baseball leagues, notable baseball figures, faith leaders, state and local health groups and others. Fans and advocates sent more than 35,000 messages to Major League Baseball, MLB teams and players, urging them to act.

We are gratified that baseball listened, and we look forward to the 2012 season.

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with your comments and suggestions, or to volunteer for one of our many projects.



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