

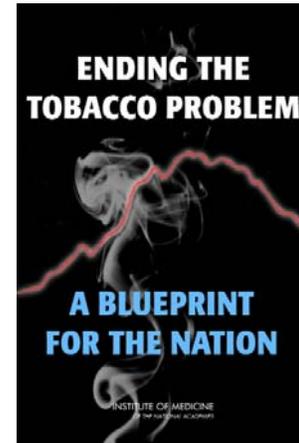
REPORT BRIEF • MAY 2007

THE ROLE OF STATES AND LOCALITIES IN REDUCING TOBACCO USE

Since 1964, when the first Surgeon General's report on smoking and health was released, a series of increasingly strong antismoking measures have cut the rate of smoking among U.S. adults by 58 percent. That campaign, which has saved millions of men and women from developing lung cancer, heart disease, and other smoking-related maladies, has been one of the most important public-health success stories of the past several decades. And state and local governments have played a major role in this story with such measures as increasing taxes on cigarettes, restricting smoking in public places, and funding media campaigns and other programs that encourage people to quit.

But there is much more to do. The decline in the rate of smoking appears to be leveling off, which has led many to conclude that a whole new set of strategies and approaches will be needed if the momentum of the antismoking campaign is to be continued. Thus in 2004 the American Legacy Foundation asked the Institute of Medicine (IOM) to conduct a major study of tobacco policy in the United States with a particular focus on the most effective approaches to further cutting the rate of smoking in this country. The resulting study, *Ending the Tobacco Problem: A Blueprint for the Nation*, lays out a long-term blueprint for the nation to use in the fight against smoking. This report brief describes the role that the blueprint lays out for state and local governments; complementary briefs cover the roles that are to be played by the federal government and by the health care industry.

The IOM committee recommends a set of programs and strategies that state and local governments should put into place. The plan is divided into a two-pronged strategy. In the first, state and local governments—in parallel with the federal government and the health-care industry—would strengthen and extend those existing policies that have already proved effective. However, the committee says, ramping up these measures is not likely to be enough, in large part because of how deeply entrenched smoking is in our society. Thus a second prong will be necessary in which a set of new and paradigm-challenging initiatives are put into play.



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STRENGTHENING TRADITIONAL MEASURES

Many of the antismoking programs enacted by state and local governments in the past have proved effective, but their effectiveness could be greatly enhanced by making them more consistent and comprehensive. The committee finds, for example, that state tobacco-control programs can achieve substantial reductions in tobacco use as long as they rely on comprehensive and integrated strategies. To be effective, however, they must be consistent, and budget cuts in the tobacco-control programs in many states are threatening that consistency. Thus the committee recommends that all states maintain funding for their tobacco-control activities at the level suggested by the Centers for Disease Control—about \$15 to \$20 per capita, depending on the state's population, demography, and smoking rate.

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Furthermore, the committee notes that the payments from the Master Settlement Agreement are not likely to be a reliable source of funding in most states, so states should, by statute, reserve a certain percentage of their revenues from tobacco excise taxes to pay for tobacco-control programs. One-third of those revenues would be a good target for most states, the report says.

Experience has shown that increasing taxes on cigarettes is one of the most effective strategies for reducing the level of smoking, especially among adolescents, and, indeed, many states have already increased their cigarette taxes greatly. But today the level of cigarette taxes varies widely from state to state, resulting in, among other things, the smuggling of cigarettes from low-tax into high-tax states. To help equalize tax rates, the committee recommends that all states with cigarette taxes lower than those in the ten states with the highest rates—which have rates of about \$1.25 per pack and up—should increase their cigarette taxes substantially.

Smoking restrictions have done more to reduce smoking than any other strategy besides raising taxes on cigarette. Such restrictions not only protect nonsmokers from the health effects and noxious odors of secondhand smoke, but they also they help smokers quit or cut down on their smoking, and they act to create and reinforce a nonsmoking social norm. Thus the committee recommends that state and local governments should enact complete bans on smoking in all nonresidential indoor locations, including workplaces, retail stores, malls, restaurants, and bars.

One of the keys to reducing smoking in the general population is to keep youths from starting to smoke, and at this time the number of youth who are taking up smoking is still far too high. Thus school boards should institute evidence-based smoking-prevention programs in all middle schools and high schools. These programs should be held annually and should be coordinated with public antismoking activities and mass-media programming.

For those people who have already started to smoke and even for those who have smoked for years, smoking-cessation programs have proven to be effective, but relatively few people take advantage of them. The committee recommends that state tobacco-control agencies should work with health care partners to increase the demand for and participation in effective smoking-cessation programs.

NEW AUTHORITY FOR TOBACCO CONTROL

In the second prong of the committee's blueprint, the federal government would take on a much more substantial role in antismoking efforts with a whole new suite of antismoking measures. The role of the states would not decline, however. Under the blueprint, Congress would encourage and empower the states to do more through two basic mechanisms: reducing legal limitations on the states' powers to regulate tobacco, and providing funds and leadership for antismoking programs run at state and local levels.

At present, for example, tobacco regulation in such areas as advertising and promotion is set at the federal level, and states cannot add their own restrictions. The committee recommends that Congress should change this, maintaining the federal government's exclusive role only for regulating the characteristics of tobacco products and their packaging. In other areas, such as the marketing and distribution of cigarettes, federal regulation would set a floor but states could—and would be encouraged to—adopt restrictions of their own.

In particular, the committee recommends that both Congress and individual state legislatures pass laws to regulate the retail point of sale for cigarettes and other tobacco products with the goal of making these products less easy and convenient to purchase. The new regulations should include the licensing and monitoring of all cigarette outlets, the prohibition in these outlets of any cigarette advertising, and the requirement that the outlets carry products aimed at helping people quit smoking.

Beyond that, states should restrict the number of places cigarettes can be bought and should bring those places under closer supervision by restructuring the way cigarettes are sold. This restructuring could take a number of forms, such as selling cigarettes only through a state-operated monopoly or requiring that cigarette outlets be licensed and then limiting the number of licenses that are granted.

States should also join the federal government in restricting cigarette advertising. The committee recommends that all visually displayed advertising be limited to a text-only, black-and-white format and that tobacco companies should be prohibited from aiming any sort of advertising at youth under 18, even ads that are ostensibly intended to discourage smoking. Any tobacco company that wishes to support a smoking-prevention program for youth should fund an independent non-profit organization to do it.

Finally, the committee calls on Congress to enact a National Tobacco Control Funding Plan that raises funds through a per-pack assessment on cigarettes sold in the United States. Some of these proceeds, the report says, should be used to subsidize state tobacco-control programs, and the money should be distributed according to a formula that will give states incentives to increase their spending on tobacco control and also to raise their own in-state cigarette taxes, particularly in low-tax states.

For the foreseeable future, states will continue to be on the front line in the fight against smoking, but, if the recommendations of the IOM report are adopted, they can at least expect a good deal more help from the federal government in snuffing out tobacco use.

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FOR MORE INFORMATION...

Copies of *Ending the Tobacco Problem: A Blueprint for the Nation*, are available from the National Academies Press, 500 Fifth Street, N.W., Lockbox 285, Washington, DC 20055; (800) 624-6242 or (202) 334-3313 (in the Washington metropolitan area); Internet, <http://www.nap.edu>. The full text of this report is available at <http://www.nap.edu>.

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