

SB 779



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Improving Life

One Breath at a Time

Founded in 1904, the
American Lung Association
includes affiliated associations
throughout the U.S.

TO: Senate Committee on Health

**FOR: Hearing Scheduled for 2:45 pm
Monday February 9, 2009**

**RE: TESTIMONY IN STRONG SUPPORT SB 779 Relating to
Cigarettes**

Chair Ige, Vice Chair Green and Committee Members:

The American Lung Association of Hawaii strongly supports SB 770, which prohibits the sale, distribution and importation of "purse packs" of cigarettes or cigarette packs containing fewer than 20 cigarettes per pack.

The new "Purse Packs," wrapped in pink packaging are clearly designed to appeal to young females by making smoking look glamorous and very feminine. The Virginia Slims product suggests, by its name, the importance of being thin, making it even more attractive to the female youth market. The teen smoking rate in Hawaii has fallen to an all-time low of 9.7%, this rate could easily raise again with the enticement of these new products.

Smoking is related to more than 178,000 deaths annually in the United States and lung cancer is the number one cause of cancer deaths in Hawaii for both men and women.

There are over 154,000 people in Hawaii with some type of lung disease including asthma, COPD (Chronic Obstructive Pulmonary Disease – made up of emphysema and chronic bronchitis) lung cancer, tuberculosis and other respiratory diseases. All of these diseases of the lung are either directly related to smoking, or exasperated by smoking.

The American Lung Association in Hawaii encourages you to pass this important measure to protect the health of young women in Hawaii. Thank you for your consideration.

Respectively submitted,

Jean Evans, MPH
Executive Director
American Lung Association of Hawaii



COALITION FOR A
TOBACCO-FREE HAWAII

To: Senator David Y. Ige, Chair, Committee on Health
Senator Josh Green, MD, Vice Chair, Committee on Health
Members, Senate Committee on Health
From: Trisha Y. Nakamura, Policy and Advocacy Director 
Date: February 6, 2009
Hrg: Senate Committee on Health; February 9, 2009 at 2:45 p.m.
Re: **Support for the intent of SB 779, Relating to Cigarettes**

Thank you for this opportunity to testify. The Coalition for a Tobacco Free Hawaii (Coalition) is the only independent organization in Hawaii whose sole mission is to reduce tobacco use through education, policy and advocacy. Our organization is a small nonprofit organization of over 100 member organizations and 2,000 advocates that works to create a healthy Hawaii through comprehensive tobacco prevention and control efforts.

The Coalition for a Tobacco-Free Hawai'i commends the Health Committee for addressing the targeting of young women by tobacco companies. The Coalition **supports the intent to prohibit the sale or distribution of purse packs in Hawai'i to protect youth and young woman from being targeted by tobacco companies.** We respectfully offer the following comments about the measure regarding "purse pack" cigarettes.

Tobacco companies have profited from the health and lives of young women. Tobacco companies have long targeted women starting in the late 1960's with Phillip Morris' Virginia Slims' "You've Come a Long Way Baby" campaign to the current RJ Reynolds' Camel No. 9 "light and luscious" campaign. The campaigns include new product design and sophisticated packaging to lure young women into becoming future addicts and lifelong consumers. The Virginia Slims Purse Packs are one example of many products used by the tobacco industry to make cigarettes and tobacco appealing and attractive to women.

Though our smoking rates have decreased to 9.7% of high school students, 1,600 youth become smokers each year in Hawai'i. It is important to keep products that target young women off the market. An alarming recent trend in Hawai'i shows that the smoking rates of high school females now surpass their male peers; historically, girls and young women have smoked at rates lower than boys and young men. Women have a harder time quitting than men: girls and young women aged 12-24 report being unable to cut down on smoking than boys and men the same age.

The Coalition offers two comments regarding 1) the Federal Cigarette Labeling and Advertising Act (FCLA); and 2) recommended language to bolster the measure's power to carry out its intent.

Federal Cigarette Labeling and Advertising Act (FCLA)

The Coalition raises the concern that the proposed legislation *may* be preempted by the Federal Cigarette Labeling and Advertising Act (FCLA) 15 USCS § 1334 which provides that "[n]o requirement or prohibition based on smoking and health shall be imposed under State law with respect to the advertising or promotion of any cigarettes the packages of which are labeled in conformity with the provision of this Act [the Federal Cigarette Labeling and Advertising Act]."

While the FCLA does not explicitly preempt the draft purse pack legislation, the tobacco companies may make that argument. The proposed purse pack ban relies on a description of the packaging of the cigarettes which *may* relate to the advertising and promotion of the cigarettes.

Recommended Amendments to Comply with FCLA

Legislation to protect vulnerable youth and young women must be comprehensive and long-lasting—it must target a multitude of varied products and packaging. The cigarettes in the purse packs and others marketed to young women are smaller than “regular” cigarettes. To avoid issues of the FCLA, this measure could ban the sale of cigarettes that have a circumference less than that of any cigarette on the market at the time the legislation becomes effective. This would not eliminate the Purse Packs, but it would eliminate future products that seek to target young women and youth by featuring cigarettes that are slimmer than those on the market now.

We appreciate your efforts to ensure our girls and young women will not be targeted by tobacco companies so that their risk for many smoking-related health issues including lung cancer and heart disease is ultimately decreased. Thank you for the opportunity to testify.

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 06, 2009 10:32 PM
To: HTHTestimony
Cc: santosj001@hawaii.rr.com
Subject: Testimony for SB779 on 2/9/2009 2:45:00 PM
Attachments: SUPPORT SB 779.doc

Testimony for HTH 2/9/2009 2:45:00 PM SB779

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: LorrieAnn Santos
Organization: Individual
Address: 45-415 Lolii Street Kaneohe, HI
Phone: 258-5811
E-mail: santosj001@hawaii.rr.com
Submitted on: 2/6/2009

Comments:

Please stop the tobacco industry from targeting our youth, young adults, and women.

SUPPORT SB 779

The intent of SB 779 is excellent and supported by the membership of the Coalition for a Tobacco-Free Hawaii.

I would suggest strong language to ban cigarettes whose circumference is smaller than ones currently on the market.

The tobacco industries predatory practices in appealing to youth, particularly young girls and women are part of their psychological profiling and marketing to get people hooked.

The Facts

- About 3,500 Americans stop smoking each day (mainly due to aging and health).
- Another 1,178 die each day as a result of smoking.
- Almost 5,000 new smokers must be recruited by the tobacco industry each day to maintain their profits.
- 90% of new smokers are youth.
- 4,000 youth try smoking each day.
- 2,000 youth will become regular daily smokers.

In a report prepared by a Phillip Morris scientist in 1981 it states, "It is important to know as much as possible about teenage smoking patterns and attitudes. Today's teenager is tomorrow's potential regular customer."

Please support the ban of purse pack sales by passing SB 779 out of Committee.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 09, 2009 9:17 AM
To: HTHTestimony
Cc: lsantos@papaolalokahi.org
Subject: Testimony for SB779 on 2/9/2009 2:45:00 PM
Attachments: SUPPORT SB 779.doc

Testimony for HTH 2/9/2009 2:45:00 PM SB779

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: LorrieAnn Santos
Organization: Papa Ola Lokahi
Address: 894 Queen Street Honolulu, HI
Phone: 597-6550
E-mail: lsantos@papaolalokahi.org
Submitted on: 2/9/2009

Comments:

'Imi Hale Native Hawaiian Cancer Network ('Imi Hale) is one of 25 Community Network Programs funded by the National Cancer Institute's Center to Reduce Cancer Health Disparities to reduce cancer disparities through community-based participatory cancer education, training and research among racial and ethnic minorities and underserved populations. 'Imi Hale is housed within Papa Ola Lokahi, a non-profit community-based agency dedicated to improving the health status of Native Hawaiians and others in the state and Native Hawaiians across the continental U.S. by advocating, initiating, and maintaining culturally appropriate strategic actions.

From: Michael Zehner [mz9995@hotmail.com]
Sent: Sunday, February 08, 2009 2:40 AM
To: HTHTestimony
Subject: testimony

Dear Senate Health Committee;

Bill: SB779 OPPOSED

I'm opposed to this hate and this madness. Would you please leave our people that smoke alone?

Respectfully, Michael Zehner

750 Amana st. #608, Honolulu, HI 96814

952-0275

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