

S 2461

Family Smoking Prevention and Tobacco Control Act

Congress: 108 (2003–2005, Ended)

Chamber: Senate

Policy Area: Health

Introduced: May 20, 2004

Current Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (text of measure

Latest Action: Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (text of measure as introduced: CR S5963-5979) (May 20, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/senate-bill/2461>

Sponsor

Name: Sen. DeWine, Mike [R-OH]

Party: Republican • State: OH • Chamber: Senate

Cosponsors (16 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Kennedy, Edward M. [D-MA]	D · MA		May 20, 2004
Sen. Collins, Susan M. [R-ME]	R · ME		Jun 3, 2004
Sen. Durbin, Richard J. [D-IL]	D · IL		Jun 3, 2004
Sen. Harkin, Tom [D-IA]	D · IA		Jun 3, 2004
Sen. Miller, Zell [D-GA]	D · GA		Jun 3, 2004
Sen. McCain, John [R-AZ]	R · AZ		Jun 9, 2004
Sen. Lugar, Richard G. [R-IN]	R · IN		Jun 15, 2004
Sen. Chafee, Lincoln [R-RI]	R · RI		Jun 18, 2004
Sen. Dodd, Christopher J. [D-CT]	D · CT		Jul 6, 2004
Sen. Specter, Arlen [R-PA]	R · PA		Jul 6, 2004
Sen. Fitzgerald, Peter [R-IL]	R · IL		Jul 12, 2004
Sen. Murray, Patty [D-WA]	D · WA		Jul 15, 2004
Sen. Snowe, Olympia J. [R-ME]	R · ME		Jul 15, 2004
Sen. Carper, Thomas R. [D-DE]	D · DE		Jul 19, 2004
Sen. Daschle, Thomas A. [D-SD]	D · SD		Sep 7, 2004
Sen. Murkowski, Lisa [R-AK]	R · AK		Sep 15, 2004

Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Referred To	May 20, 2004

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
108 S 2974	Identical bill	Oct 10, 2004: Introduced in the Senate, read twice, considered, read the third time, and passed without amendment by Unanimous Consent. (consideration: CR S11068-11087; text as passed Senate: CR S11068-11084; text of measure as introduced: CR S11091-11107)
108 HR 4433	Related bill	Jun 18, 2004: Referred to the Subcommittee on Health.

Summary (as of May 20, 2004)

Family Smoking Prevention and Tobacco Control Act - Amends the Federal Food, Drug, and Cosmetic Act to provide for the regulation of tobacco products by the Secretary of Health and Human Services through the Food and Drug Administration, including through disclosure, annual registration, inspection, recordkeeping, and user fee requirements.

Sets forth criteria by which tobacco products are deemed adulterated or misbranded.

Allows the Secretary to require prior approval of all label statements.

Allows the Secretary to restrict the sale or distribution of tobacco products, including advertising and promotion, if the Secretary determines that such regulation would be appropriate for the protection of the public health. Prohibits such regulations from: (1) limiting product sales or distribution to authorization of a practitioner licensed to prescribe medical products; (2) prohibiting product sales in face-to-face transactions by a specific category of retail outlets; or (3) establishing a minimum age greater than 18 years of age for product purchases.

Prohibits cigarettes from containing any artificial or natural flavor (other than tobacco or menthol) or an herb or spice, including strawberry, cinnamon, or coffee.

Requires the Secretary to establish tobacco product standards to protect the public health, but reserves to Congress the power to ban any tobacco products or reduce the nicotine level to zero.

Allows the Secretary to take specified actions, including public notification and recall, against unreasonably harmful products.

Requires premarket approval of all new tobacco products.

Sets forth standards for the sale of modified risk tobacco products.

Sets forth provisions regarding: (1) judicial review; (2) coordination with the Federal Trade Commission (FTC); (3) congressional review of regulations; and (4) state and local authority.

Requires the Secretary to establish a Tobacco Products Scientific Advisory Committee.

Amends the Federal Cigarette Labeling and Advertising Act to change cigarette warning label and advertising requirements.

Amends the Comprehensive Smokeless Tobacco Health Education Act of 1986 to change smokeless tobacco warning label and advertising requirements.

Actions Timeline

- **May 20, 2004:** Introduced in Senate
- **May 20, 2004:** Sponsor introductory remarks on measure. (CR S5961-5963)
- **May 20, 2004:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (text of measure as introduced: CR S5963-5979)