

GILCHRIST COUNTY TOBACCO PREVENTION NEWSLETTER

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Local Students Working Against Tobacco Attend 4-H Conference in Washington, DC

By Chandler Ash, Gilchrist County 4-H SWAT

In July, three Gilchrist County Students Working Against Tobacco (SWAT) members went to Washington D.C. for a national 4-H event called Citizenship Washington Focus (CWF). The purpose of the trip was to take thirteen 4-H youth from around the state of Florida to the nation's capitol to learn about laws, and how bills are passed, and the political system of our country. The three CWF delegates from Gilchrist County were Chandler Ash, Spencer Hewitt, and Allie Madlem. They traveled with several other delegates from Florida and Georgia to the National 4-H Conference Center in Chevy Chase, Maryland, which is just outside of Washington D.C.

While in Washington, they

visited almost every memorial in the area, including Mount Vernon, the Jefferson Memorial, and Lincoln Memorial. They took part in several workshops that taught them the process of how bills are written, and go through the process of being passed into law. SWAT youth even participated in a mock Legislative session in which they wrote, sponsored, and voted on their own bills.

The event had every delegate placed into one of eight groups. Each group had a focus issue to discuss. A bill was then written on the focus issue and passed into the bill writing committee. The bill writing committee merged different bills together to create a new bill to be voted on in the mock legislative

session. This process showed SWAT members how hard it is to get a bill on to the House floor for voting and how a bill is debated and voted on in a legislative session.

As a result of this trip, the SWAT youth, along with 4-Hers from other counties in North Florida discussed issues that were important to youth in their communities, and decided that youth tobacco use was one of the biggest ones.

The Gilchrist SWAT members helped North Florida 4-Hers write an action plan to address this issue. The plan is to work together within the region to encourage counties to put all tobacco products behind the counter where youth cannot touch them.



From L to R: Gilchrist County 4-H SWAT Youth Chandler Ash, Spencer Hewitt, Justin Hart, Mary-Thomas Hart, and Allie Madlem visit the office of Florida Congressman Cliff Starn

Cancer Survivor Rick Bender Speaks With Local Health Care Providers, Residents

By Barry Hummel, Jr., MD, Quit Doc Research and Education Foundation

On June 17, 2011, cancer survivor and anti-tobacco activist Rick Bender gave a compelling presentation on the effects of spit tobacco to a group of local health care providers and Students Working Against Tobacco. Mr. Bender shared his very dramatic personal story as part of the 3rd Annual Rural Tobacco Summit held at the Pine Grove Baptist Church.

Mr. Bender told the attendees of his use of spit tobacco as a twelve-year old boy, with his biggest influence being the use of chewing tobacco by major league baseball players.

As a result, Mr. Bender developed tongue cancer

at the age of 26, requiring four major surgeries to remove one-third of his tongue and one-half of his jaw. Also, as a result of the extensive surgery, Mr. Bender suffered nerve damage that cost him partial use of his right arm.

Mr. Bender also pointed out that he continues to have ongoing dental and jaw problems as a result of the radiation therapy required to cure his cancer.

Over the last twenty years, Mr. Bender has become an outspoken critic of the tobacco industry, particularly the advertising of spit tobacco as a safe alternative to smoking. He used this



opportunity to share his extensive knowledge on spit tobacco with the conference attendees. He is particularly concerned

about the way such products are marketed to children with the addition of candy-flavoring and the creation of newer “user-friendly” products such as snus and dissolvable tobacco products.

Mr. Bender is a nationally recognized spokesperson on the dangerous effects of spit tobacco. He has testified in front of The United States Congress, as well as a number of state legislatures. He has also appeared in numerous documentaries, including films for HBO and ESPN. He is currently working with Major League Baseball on the issue of the continued use of spit tobacco by professional baseball players. For information on Rick Bender’s work, visit www.nosnuff.com.



Place Matters: Where Tobacco is Actually Located Can Make a Difference

By Thomas J. Harrington, Policy Manager, Quit Doc Research and Education Foundation

If you ever went shopping for property or purchased a home you've probably heard your agent say "Location, Location, Location!" Location factors prominently on one's decision whether to purchase a property or not.

Often times when shopping for other everyday items, such as food and household needs, we may overlook how items are displayed or located in a particular store. Every wonder why the candy bars aren't located at the very back of a store? Or why certain items are placed near the cash register? It has to do with marketing and enticing the buyer to purchase a last-minute product that perhaps they otherwise might not take.

The next time you visit a store or fill up for gas, notice that cigarettes are typically behind the counter and are away from areas where people of all ages can easily have access. This is because unlike other products cigarettes actually contain a drug in them called nicotine. Nicotine is the agent by which one becomes addicted when using not just cigarettes but other tobacco products as well.

Prior to the first week of July, certain stores were allowing some other non-cigarette tobacco products to be sold near, in front of, or in other places not behind the cash register. Products such as little small flavored cigars, cigarillos, and dip or spit tobacco were the products that usually found their way near the candy and gum right next to the cash register or even in front of the counter.

While many people of all ages understand the harm that cigarettes cause, these other products have been

viewed as less harmful just because of their colorful packaging and fruity flavors. They're called "candy-flavored tobacco" and the important thing to note is that it's all still tobacco! Tobacco is tobacco whether it's flavored or not flavored, and these products themselves pack a powerful punch of nicotine! The only major significant difference between these products and a standard cigarette is in fact flavor.

If one considers candy itself, the flavors and colorful packaging are used to entice youth to buy them. The same dynamic exists when one considers candy-flavored tobacco products, and when they are placed right next to candy and gum, even some adults might make the assumption they must be safer than other tobacco. But that's a wrong and deadly assumption!

Recently, the County Commission unanimously decided that like other tobacco products, all candy-flavored tobacco ought not to be placed in such areas of open display, easy access, or "self-service" where customers, especially youth, can help themselves... just like they would for a candy bar or pack of gum.

Given that 90% of all first-time tobacco users are under the age of 18, this ordinance will help change the social norm that such seemingly friendly flavored tobacco products are not friendly at all. For some youth who might find smoking standard cigarettes to have an unwelcoming flavor and experience, this new ordinance will further help restrict the flavored products from being as easily accessible and in reach. It will also remind adults and parents who buy

other tobacco products that if they had purchased candy-flavored products in the past for minors, that such products are tobacco as well and should not be given to minors whatsoever.

We're thankful that the

Gilchrist County Commission has taken a stand in youth tobacco prevention by passing the candy-flavored product placement ordinance, because, in the final analysis, location does indeed matter.



*Above: Colorful packaging makes it hard to tell the difference between candy and candy-flavored tobacco.
Below: Tobacco products sit at the end of the candy aisle*



Secondhand Smoke Boosts Kids' Risks of ADHD, Learning Disabilities

Two new studies from the American Academy of Pediatrics look at how exposure to secondhand smoke affects American youths' learning behaviors and their attitudes toward smoking.

The first found that children exposed to secondhand smoke in the home had a 50% increased risk of developing two or more childhood neurobehavioral disorders compared with children who were not exposed at home.

Researchers from the Harvard School of Public Health and the Tobacco Free Research Institute in Dublin, Ireland used 2007 data from the CDC and the National Center for Health Statistics. They estimated that nearly 5 million children younger than 12 are exposed to secondhand smoke at home and up to 8% of them – or more than 274,000 children

– suffer from learning disabilities like ADHD and other behavioral disorders.

“[The findings] underscore the health burden of childhood neurobehavioral disorders that may be attributable to secondhand smoke exposure in homes in the States,” the study authors concluded. “This is particularly significant with regard to the potential burden of pediatric mental health care on an overextended health care system, a problem that could be dramatically reduced if voluntary smoke-free home policies were widely adopted,” they added.

The annual medical cost associated with treating a child with a neurobehavioral disorder is about \$14,576 per individual, or a national total of about \$9.2 billion each year, the report found.

On a more positive note, a second study looked at children 8 to 13 who lived in households with at least one adult smoker, and found that those who described the smell of cigarette smoke as “unpleasant” or “gross” were 78% less likely to start the habit than 8- to 13-year-olds who had a more passive reaction to the smell.

“Experiencing secondhand smoke as ‘unpleasant or gross’ is protective against smoking susceptibility, suggesting that it may reflect a mechanism for targeted prevention efforts,” the authors say.

Still, a recent report from the National Center for Addiction and Substance Abuse found that nine out of 10 people who meet the clinical criteria for substance abuse began smoking, drinking or using other drugs before they

turned 18, and that this is a big concern in teens as they are more likely to try risky things while their brains are still developing.

Experts say setting a good example by not smoking and getting more involved in your child's activities are among the many things parents can do to help prevent children from smoking.

Teenagers also tend to be vain, and parents are encouraged to highlight some of the negative effects of smoking, like bad breath and bad skin.

The American Lung Association also provides a list of tips for parents on how to talk to children about smoking and to help them quit if they have already started.



Roll-Your-Own Tobacco Shops Take Advantage of Cigarette Tax Loophole

By Emily Nipps, St Petersburg Times Staff Writer, Friday, August 19, 2011

ST. PETERSBURG — Business is brisk at the dozen Tobacco Road shops in the Tampa Bay area, where delighted smokers hunch over buckets and collect half-priced cigarettes from whirling machines.

But are they buying cigarettes? Or are they simply renting the machines to make their own?

This is the distinction being argued in federal court, and Florida regulators are staying out of it until it's settled. The difference could mean lower costs for smokers, or millions of dollars in annual tax revenue for the state.

The debate begins with an Ohio company that manufactures large ATM-like Roll Your Own Filling Stations and sells them to retailers.

The retailers charge customers a fee to rent the machines and sell them empty filtered tubes and the tobacco that goes in them. Customers pour the tobacco into the top of a machine, press a few buttons, retrieve the deposited cigarettes and pack them into cartons themselves.

A carton of about 200 cigarettes costs roughly half of what a carton of name-brand cigarettes costs at the store because the self-rolled cigarettes don't carry the same hefty federal and state cigarette taxes. Retailers across Florida have purchased the \$35,000 patented machines, cornering their respective markets on such shops.

Sam Bontempo, co-owner of 12 roll-your-own shops in

Pasco, Pinellas, Hillsborough and Polk counties, said he's happy with how business has gone since opening the first store last year. Revenue from each pays for the next and he plans to open more.

"We were kind of low-key at first," Bontempo said. "And then we realized we weren't doing anything wrong."

Tony Broccone, 51, and his wife recently visited one of Bontempo's shops and filled two cartons of cigarettes at \$24.80 each. A carton of cigarettes ordinarily costs up to \$65 each, so the couple saves hundreds each month by rolling their own.

"They're just as good, they last longer, the flavor's the same," Broccone said.

Dorothy Kinney, 77, said the rolled cigarettes felt milder too. "I haven't had my cough since smoking these," she said.

The tobacco in the roll-your-own cigarettes is, in fact, different from commercial cigarettes. It is actually a coarsely ground pipe tobacco, which is taxed at a much lower rate than cigarette tobacco, also adding to the savings.

This irks traditional cigarette shop owners such as Salmen Mugnie, who owns Tobacco Road Etc. in Kenneth City (not to be confused with Bontempo's Tobacco Road shops). He said roll-your-own cigarettes hurt his business and mislead customers.

"They're telling them it's cigarettes but giving them pipe tobacco," Mugnie said.



"At least tell them what they're getting up front."

Big Tobacco companies and state lawmakers have complained roll-your-own retailers are essentially selling customers cartons of cigarettes, yet they aren't being regulated or taxed the same as those who sell cartons of Marlboros or Kools.

Last September, the U.S. Treasury Department's Alcohol and Tobacco Tax and Trade Bureau ruled that retailers who allow consumers to use the machines to manufacture their own cigarettes should follow the same tax codes and permitting as the large industry-scale manufacturers. The ruling would essentially halt business at all roll-your-own shops until the proper permits were obtained, effectively shutting down the industry.

But some Ohio businesses, including the makers of the roll-your-own machines, challenged the ruling in federal court. A judge issued an

injunction stopping the tobacco trade bureau from enforcing its ruling. The case is on appeal.

Arkansas prohibits the machines, and other states are considering whether to enforce their own versions of the federal tobacco trade ruling.

Florida's Division of Alcoholic Beverages and Tobacco regulates the sale of tobacco products, including loose tobacco, said spokeswoman Beth Frady. The state has no further plans to tax the roll-your-own cigarettes or require industry-scale permitting until the federal case is settled.

That could take years, said Bontempo, a 61-year-old retired environmental remediation specialist. And he believes the Ohio companies defending the roll-your-own businesses won't go down without a fight.

"If we do have to shut it down," he said, "I guess we could turn all these shops into convenience stores."

How Safe Is Tobacco That Melts In Your Mouth?

By Katy Steinmetz, August 19, 2011

Big name tobacco brands are ramping up their presence in the dissolvable tobacco game, and consumers in test markets, as well as regulators, are trying to figure out what make of the new products.

In early 2011, in Colorado and North Carolina, R.J. Reynolds began test-marketing Camel-branded wares — tobacco compressed into toothpicks, mints and strips that dissolve in your mouth. Unlike cigarettes, they produce no smoke, and unlike smokeless tobacco, you don't have to spit when you use them. Aimed at adult smokers who want a nicotine kick in cigarette-free zones, Camel ads tout the products with the tag line, "What you want, when you want, where you want."

On August 17, 2011, the Colorado Department of Public Health held a hearing to discuss the problem of *who* might want them: namely, kids and teens. Stephanie Walton of the state's health department, who specializes in youth tobacco prevention, laid out the potential draws: youth are price- and brand-oriented, she said, and Camel Sticks, Orbs and Strips are selling in Colorado for about \$2.50 for a 12-pack, compared to roughly \$5 for a pack of cigarettes.

Camel is also a recognizable brand, as are Marlboro and Skoal, which have been test-marketing their own dissolvable "tobacco sticks" in Kansas, and are therefore more likely to attract younger customers. Although other dissolvable tobacco products have been on the market for a decade, includ-

ing Ariva and Stonewall, both manufactured by Star Scientific, they have not been advertised like Camel products and are likely unknown to the average teenager (or adult for that matter).

The new dissolvables are all mint-flavored, like "a really weak Listerine breath strip, with a cigarette undertone," as a Colorado man sampling Camel Strips at recent beer festival described the experience for a local media station — another draw for youths, particularly young girls. They're also small and easy to conceal.

However, R.J. Reynolds says the products are made for and marketed to adults and will be sold in convenience stores and smoke shops right alongside other tobacco products, with the same age restrictions and health warnings.

In response to critics' suggestions that the products appear too much like little treats, R.J. Reynolds spokesman Richard Smith counters, "Those who keep referring to these tobacco products as 'candy' or 'mints' are irresponsibly perpetuating false and misleading information."

During the hearing on Wednesday, R.J. Reynolds scientist Geoffrey Curtin emphasized that the health risks associated with dissolvable products are less dire than those linked with cigarettes; there's less concern about lung cancer, for example. But studies have shown that use of smokeless tobacco increases the risk of heart disease and gum disease, as well as the risk of oral, esophageal and pancreatic cancers.

Some advocates for "harm reduction," like the Consumer Advocates for Smoke-Free Alternatives, typically view such products as a lesser evil — better, at least, than smoking. The American Cancer Society also describes smokeless products as "less lethal," but notes that users "set themselves up for new health problems" by using



them as a crutch instead of quitting tobacco altogether.

Curtin issued the industry argument that dissolvables "may serve as a gateway away from smoking," but rather than rely on them as vehicle for quitting, many consumers use similar smokeless products, including Camel's Snus, spitless tobacco pouches, in conjunction with cigarettes. In fact, dissolvables deliver about as much of the addictive drug nicotine as cigarettes do.

Meanwhile, the U.S. Food and Drug Administration (FDA), which was for the first time in 2009 given the power to regulate cigarettes and other tobacco products, is reviewing whether and how it may control dissolvables. The agency is examining the health effects and marketing of the products, but will not produce a report on the matter — or even speculate about what the report will contain — until March 2012. The FDA has asked for all available research from the tobacco companies, but relatively few studies have been conducted.

In March of this year, in response to an application submitted by Star Scientific for approval to market two new lower-potency dissolvables as "modified risk tobacco products," the FDA announced, much to the dismay of anti-smoking advocates, that the lozenges were not subject to the agency's regulation.

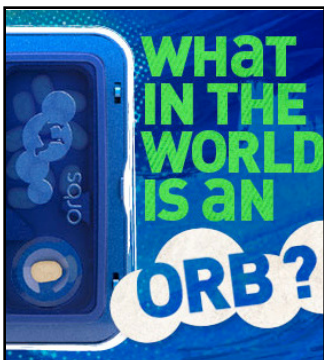
However, 12 U.S. Senators asked the FDA to reconsider, and the agency is expected to close any loopholes that would prevent it from controlling dissolvables in the future. FDA

spokesperson Stephanie Yao said in an email that the agency "believes" many, though not all, of these products will fall under the category of smokeless tobacco, which the FDA is fully able to regulate. So far, though, there isn't yet a statutory definition for the new products.

R.J. Reynolds says it is operating under the assumption that all dissolvable tobacco products will be subject to regulation. But skeptics say they'll believe that when they see it. "Tobacco companies are always one step ahead of the sheriff," Sen. Sherrod Brown (D-Ohio) recently told the Los Angeles *Times*. "They have found ways to evade the rules and regulations and public health warnings."

If the growing popularity of other smokeless tobacco products, including electronic cigarettes, chew and snuff, is any indication, the FDA's problem isn't going away. According to a 2010 report by the international company Research and Markets, the use of these products is increasing 7% per year. In some states the rate of smokeless tobacco use among men is nearly equal to the national smoking rate, at 20.8%.

R.J. Reynolds' Smith says dissolvables were developed specifically to meet smokers' needs. In an era of proliferating smoking bans and less social acceptance of the habit, the industry has had to transform, he says. "They meet societal expectations," says Smith. "There's no second-hand smoke, there's no spitting, and with dissolvables, there's no cigarette-butt litter."



Cigarette Warning Labels: Tobacco Companies Sue Federal Government Over Graphic Warnings

By Jeffrey Collins, Associated Press

COLUMBIA, S.C. – Four of the five largest U.S. tobacco companies sued the federal government on August 16, 2011 over new graphic cigarette labels that include the sewn-up corpse of a smoker and a picture of diseased lungs, saying the warnings violate their free speech rights and will cost millions of dollars to print.

The companies, led by R.J. Reynolds Tobacco Co. and Lorillard Tobacco Co., said the warnings no longer simply convey facts to allow people to make a decision whether to smoke. They instead force them to put government anti-smoking advocacy more prominently on their packs than their own brands, the companies say. They want a judge to stop the labels.

"Never before in the United States have producers of a lawful product been required to use their own pack-

aging and advertising to convey an emotionally-charged government message urging adult consumers to shun their products," the companies wrote in the lawsuit filed in federal court in Washington, D.C.

The FDA refused to comment, saying the agency does not discuss pending litigation. But when she announced the new labels in June, Health and Human Services Secretary Kathleen Sebelius called them frank and honest warnings about the dangers of smoking.

The FDA approved nine new warnings to rotate on cigarette packs. They will be printed on the entire top half, front and back, of the packaging. The new warnings also must constitute 20 percent of any cigarette advertising. They also all include a number for stop-smoking hotline

One warning label is a

picture of a corpse with its chest sewed up and the words: "Smoking can kill you." Another label has a picture of a healthy pair of lungs beside a yellow and black pair with a warning that smoking causes fatal lung disease.

The lawsuit said the images were manipulated to be especially emotional. The tobacco companies said the corpse photo is actually an actor with a fake scar, while the healthy lungs were sanitized to make the diseased organ look worse.

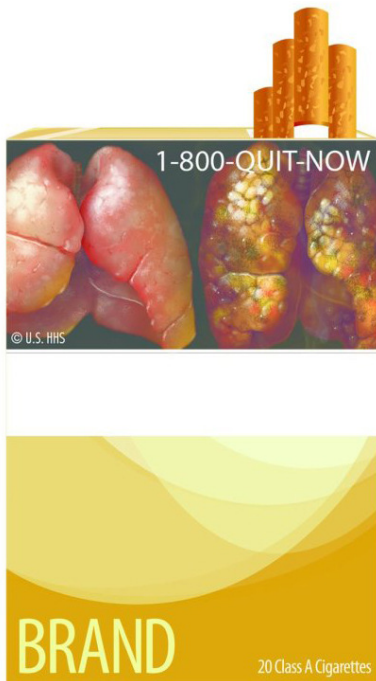
The companies also said the new labels will cost them millions of dollars for new equipment so they can frequently change from warning to warning and designers to make sure the labels meet federal requirements while maintaining some distinction among brands.

Joining R.J. Reynolds and Lorillard in the suit are Com-

monwealth Brands Inc., Liggett Group LLC and Santa Fe Natural Tobacco Company Inc. Altria Group Inc., parent company of the nation's largest cigarette maker, Philip Morris USA, is not a part of the lawsuit.

The free speech lawsuit is a different action than a suit by several of the same companies over the Family Smoking Prevention and Tobacco Control Act. The law, which took effect two years ago, cleared the way for the more graphic warning labels, but also allowed the FDA to limit nicotine. The law also banned tobacco companies from sponsoring athletic or social events and prevented them from giving away free samples or branded merchandise.

A federal judge upheld many parts of the law, but the companies are appealing.



Opinion: Tobacco Companies Seek to Avoid Telling Deadly Truth About Smoking by Filing Lawsuit to Stop New Warning Labels

Statement of Matthew L. Myers, President, Campaign for Tobacco-Free Kids

The tobacco companies' lawsuit to stop the FDA's implementation of new, graphic cigarette warning labels continues their long history of being wrong on the law and wrong on the science. There is overwhelming scientific evidence about the need for these warnings and their effectiveness. These warnings were mandated by a large bipartisan majority of Congress. The tobacco industry argument challenging the requirement that cigarette packs must carry large graphic warnings has previously been rejected by a federal judge in Kentucky, who found the warning label requirement to be consistent with the First Amendment to the Constitution and strongly supported by scientific evidence.

This is a tobacco industry effort to forum shop for a judge who will rule in their favor. The industry continues to fight all efforts to reduce the death and disease caused by tobacco, which is the number one cause of preventable death in the United States.

It is obvious why tobacco companies are filing this suit. They know what studies around the world have repeatedly shown - large, graphic warnings like the ones the FDA is implementing are most effective at informing consumers about the health risks of smoking, discouraging children and other nonsmokers from



starting to smoke, and motivating smokers to quit.

The tobacco companies continue to spend billions of dollars to play down the health risks of smoking and glamorize tobacco use. These new warnings will tell the truth about how deadly and unglamorous cigarette smoking truly is. Research has found that pack-a-day smokers could be exposed to cigarette health warnings more than 7,000 times per year. The new warnings provide a powerful incentive for smokers to take the life-saving step of quitting and for kids never to try that first cigarette.

The new warnings are required by the bipartisan law enacted by Congress in 2009 granting the FDA authority over tobacco prod-

ucts and will be required on cigarette packs starting in September 2012. As required by Congress, the new warnings cover the top half of the front and back of cigarette packs and 20 percent of cigarette advertisements, and they must contain color graphics depicting the negative health consequences of smoking. The FDA has authority to periodically revise the warnings to keep them fresh and effective based on the latest science.

Like the rest of the law, the new warnings are carefully crafted to be consistent with the First Amendment, strongly supported by the science and serve the compelling goal of reducing the death and disease caused by tobacco use, which kills more than 400,000 Americans and costs the nation \$96 billion in health care expenditures each year.

Congress approved the 2009 law with broad, bipartisan support. Its sponsors included U.S. Reps. Henry Waxman (D-CA) and Todd Platts (R-PA), and former U.S. Sen. Christopher Dodd (D-CT). U.S. Sen. Mike Enzi (R-WY) championed the requirement for large, graphic cigarette warnings. The FDA selected nine final warnings from 36 proposed in November after careful scientific review, extensive public input and an 18,000-person study to assess the impact of the proposed warnings on various age groups.



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