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NEWS RELEASE

Committee on Energy and Commerce

Rep. John D. Dingell, Chairman

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Subcommittee Moves Crucial Public Health Bills Forward

Approved Legislation Would Protect Children, Women, Seniors and Provide FDA New Authority to Regulate Tobacco Products

Washington, D.C. — The Committee on Energy and Commerce's Subcommittee on Health today completed a markup on eight public health bills, including legislation that would grant the Food and Drug Administration (FDA) the authority to regulate tobacco products. Health Subcommittee Chairman Frank Pallone, Jr. offered an amendment in the nature of a substitute to H.R. 1108, the "Family Smoking Prevention and Tobacco Control Act," which was forwarded to the full Committee by a vote of 18 to 9. Seven other public health bills were also forwarded, as amended, to the full Committee by voice vote.

"We are now one step closer to improving and saving the lives of more Americans," said Rep. John D. Dingell (D-MI), Chairman of the Committee on Energy and Commerce. "I am especially grateful for the leadership and hard work provided by Reps. Waxman, Davis and Pallone. They have led an effort to reduce tobacco use and keep dangerous tobacco products away from our kids. I look forward to supporting these public health bills in full committee and on the House floor."

"By supporting legislation to regulate one of the most harmful products on the open market, the Health Subcommittee today made history," Pallone said. "For too long, tobacco has been free of federal regulation. Today, we moved forward landmark legislation that will finally give FDA the authority to appropriately regulate tobacco products and restrict tobacco product marketing. I look forward to a full committee mark-up in the near future."

H.R. 1108 would amend the Federal Food, Drug, and Cosmetic Act to provide for the regulation of tobacco products by the Secretary of Health and Human Services (HHS) through FDA. H.R. 1108 would do the following:

- Subject new tobacco products to premarket review;
- Fully fund FDA tobacco activities through a fee on tobacco product manufacturers, allocated by market share;
- Allow the Secretary to require prior approval of all label statements;
- Allow the Secretary to restrict the sale or distribution of tobacco products, including advertising and promotion
- Allow the Secretary to take specified actions, including public notification and recall, against unreasonably harmful products;
- Require the Secretary to establish tobacco product standards to protect the public health;
- Set forth standards for the sale of modified risk tobacco products;
- Prohibit cigarettes from containing any artificial or natural flavor (other than tobacco or menthol);
- Reinstate FDA's 1996 Rule, which restricted tobacco marketing and sales to youth;
- Require the Secretary to establish a Tobacco Products Scientific Advisory Committee; and
- Amend the Federal Cigarette Labeling and Advertising Act to change cigarette warning labels and advertising requirements. The legislation also makes changes to smokeless tobacco warning labels and advertising requirements.

The additional public health bills approved, as amended, by the Subcommittee include:

- H.R. 1198, the "Early Hearing Detection and Intervention Act of 2007," to reauthorize the EHDI program which directs Federal agencies to work with States in the development of newborn infant hearing screening and early intervention programs.
- H.R. 2464, the "Wakefield Act," to reauthorize the Emergency Medical Services for Children (EMSC) program, which ensures state-of-the-art emergency medical care for ill or injured children and adolescents.
- H.R. 1237, the "Cytology Proficiency Improvement Act of 2007," to modernize Federal regulations under the Clinical Laboratory Improvement Amendments (CLIA) of 1988 that subject those who screen and interpret Papanicolaou (Pap) tests to annual proficiency testing.
- H.R. 3701, the "Keeping Seniors Safe From Falls Act of 2007," which directs HHS to oversee and support national and local education campaigns focusing on reducing falls and preventing repeat falls among older adults.
- H.R. 2063, the "Food Allergy and Anaphylaxis Management Act of 2007," to provide schools with uniform guidance on how to create appropriate management and emergency plans for children with food allergies.

- H.R. 3825, the "Newborn Screening Saves Lives Act of 2007," to facilitate the creation of Federal guidelines on newborn screening; to assist State newborn screening programs in meeting Federal guidelines; to improve education, outreach, and coordinated follow-up care; and to improve laboratory quality and surveillance for newborn screening.

- H.R. 1418, the "Reauthorization of the Traumatic Brain Injury Act," to authorize research and public health activities related to trauma and traumatic brain injury.

The approved bills will now be referred to the full Committee on Energy and Commerce for consideration.

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Prepared by the Committee on Energy and Commerce

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