

Health and Human Services Secretary Favors Giving FDA Oversight of Tobacco

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Staff Reporters of THE WALL STREET JOURNAL

WASHINGTON—Secretary of Health and Human Services Tommy Thompson, who could be an influential voice in any congressional debate over regulating cigarettes, says he favors giving the Food and Drug Administration oversight of tobacco products.

Congress would have to pass legislation to give the FDA, an HHS agency, the power to regulate cigarettes and other tobacco products. "I think it would be the right thing to do," Mr. Thompson said. "I think right now we have to do more regulation, yes."

Mr. Thompson's spokesman said his comments were his personal opinion, not a formal position of the Bush administration. Even Mr. Thompson said he hasn't had time to consider what specific regulations are warranted.

The Supreme Court ruled last year that the FDA lacks the authority to regulate tobacco, a blow to the agency's attempts to restrict marketing and keep cigarettes out of youths' hands, among other things. The high court's decision prompted several members of Congress to offer legislation giving the FDA regulatory authority, but the bills' prospects are unclear.

A spokeswoman for Democratic Sen. Tom Harkin of Iowa, a sponsor of one of

the bills, called Mr. Thompson's remarks "very welcome news."

The tobacco industry is sharply divided over whether and how the federal government should regulate cigarettes. Philip Morris Cos., the country's largest tobacco company and maker of the top-selling Marlboro brand, says it supports FDA regulation, including rules governing the development and marketing of potentially less hazardous cigarettes. The company is aiming to introduce such a cigarette by the middle of next year, and it has stepped up its lobbying efforts in Congress this year.

Others in the industry aren't so keen. Brennan M. Dawson, vice president for external affairs at Brown & Williamson Tobacco Corp., a unit of British American Tobacco PLC and the third-largest cigarette maker in the U.S., said: "We're all for sensible regulation. But we haven't found a climate where it looks like it's coming."

Matthew L. Myers, president of the Campaign for Tobacco-Free Kids, a Washington advocacy group that favors stringent FDA regulation of the industry, said he was "pleased" when told of the secretary's remarks.

GOP Sen. John McCain of Arizona sponsored comprehensive tobacco legislation in 1998 that included provisions granting the FDA authority over tobacco, but the measure failed to win approval.

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