

From the Desk of Attorney General Bob Cooper



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New Law Prohibits Cigarette Giveaways

As summer heats up with outdoor concerts, festivals and open-air events, questions regularly arise about laws regarding free tobacco samples at venues frequented by young people.

My Office has long been involved in enforcing laws designed to help stop young people from smoking tobacco. For many years, it was too easy for young people to buy cigarettes and other tobacco products. Within the past decade, the federal government and states, including Tennessee, have been cracking down with new laws that punish businesses that were either lax or irresponsible about tobacco sales to youth.

With so many new laws, event organizers understandably might be confused about what is legal with regard to cigarette giveaways. My office was recently contacted by a local health department seeking guidance with regard to free tobacco product samples at an outdoor concert festival that attracted a lot of young people. At the time, manufacturers were legally able to offer free samples of tobacco products provided they took precautions to prevent youth access to such products.

Since that inquiry, the Family Smoking and Prevention and Tobacco Control Act has taken effect. As of June 22, the federal law no longer allows ANY free cigarette sample giveaways, and there will be no confusion for festival operators or concert-goers about cigarette samples. Under the new law, Tennessee will join Alabama, Mississippi, Maine and Massachusetts as the first states authorized to enforce the new FDA tobacco regulations.

The Family Smoking and Prevention and Tobacco Control Act and other measures are a logical extension of the work done in conjunction with the Tobacco Master Settlement Agreement, which went into effect 12 years ago. Negotiated between the state attorneys general and major tobacco companies, the agreement has produced almost \$1.8 billion in payments to Tennessee from cigarette manufacturers since 2000.

With a tight state budget in tough economic times, it remains a priority for my Office to ensure Tennessee collects all the money to which it is entitled under the agreement. In fact, the Attorney General's Office has the Tobacco Enforcement Division, an experienced team dedicated to ensuring tobacco laws are diligently enforced and the state is complying with the agreement. Recently, the National Association of Attorneys General recognized one of our attorneys, Senior Counsel Leslie Bridges, with a national award for her work in this area.

I am proud of the work my office does to stop cigarette marketers who target young people or otherwise violate tobacco laws. We all need to do everything we can to discourage our kids from picking up this expensive and dangerous habit.