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POLITICAL HOTSHEET**

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Hot Topic: How Much Should The U.S. Regulate Tobacco?

Posted by Brian Montopoli | 🖵 41

(GETTY)

The Senate on Thursday passed **long-in-the-works legislation** that will give the Food And Drug Administration power to regulate the sale, manufacture and marketing of tobacco products.

The bill, which the president plans to sign into law, will mean that regulators can do the following: limit the nicotine and tar levels in cigarettes; ban certain sorts of flavored tobacco that appeal to young people; force more prominent warning labels; ban words like "light" or "mild" in cigarette packaging; and give states the power to dictate how and where cigarettes are sold.

The legislation has been heralded by anti-smoking advocates, who say it will reduce smoking-related deaths and health care costs. Matthew Myers, president of Campaign for Tobacco-free Kids, told the Associated Press it "represents the strongest action Congress has ever taken to reduce tobacco use."

Although there appears to be widespread support for the bill – 79 senators voted for it, and **even Philip Morris backs it** (though perhaps for less than altruistic reasons) – there are also those who object to the government taking a stronger regulatory role. Among them is Patrick Basham, an adjunct scholar at the Libertarian-leaning CATO Institute, who tells Hotsheet that aggressive regulation and high taxes on products like alcohol and tobacco (so called "sin taxes") puts "the government in the position of imposing values on people's purchases of legal products."

Indeed, there are those who **complain** that America is increasingly becoming a so-called "nanny state." Among them is David Harsanyi, a Denver Post columnist, who used the phrase as the title of his book. The subtitle offers a neat summary of the complaints of Harsanyi and his ideological brethren: "How Food Fascists, Teetotaling Do-Gooders, Priggish Moralists and Other Boneheaded Bureaucrats Are Turning America Into a Nation of Children."

Cato's Basham said that while he does not believe the federal government should regulate tobacco at all, he "accepts the reality" that many people look to the feds to do so. He nonetheless **offers three arguments** against the current legislation: He says it's too favorable to Philip Morris, argues that the FDA lacks the expertise to regulate tobacco effectively, and believes that the bill is focused on the wrong things.

"If we were honest and we stepped back, we would say this goal of reducing youth smoking is an admirable one, and we should do what we can to achieve it, but these easy answers – there just isn't evidence they work," he said. Basham argues that the real problems are socio-economic – and that establishing better schools and more stable families are the real path to reducing youth smoking.

It should be noted here that while Libertarian arguments against government regulation have their proponents, the United States regulates all sorts of products, largely with little opposition. The FDA, for example, regulates the food we eat – and it's fair to say most Americans don't want that to change.

And anti-smoking advocates have a powerful argument in favor of the bill: It appears to offer an opportunity to save some of the more than 400,000 lives that are lost to tobacco products each year. Americans may instinctively chafe at government intrusions into their lives, but they have long been willing to accept certain limitations in service of the greater good.

Sometimes those limitations are widely supported, such as laws against heroin, but sometimes they prompt fierce and ongoing debate -- as in the case of where to draw the line between the right to bear arms and the safety concerns that comes with firearms.

Tobacco is not the ideal product for anti-regulation advocates to build the case, in part because many smokers begin consuming the product when they are young enough that they lack the ability to adequately consider the risks. The vast majority of American parents don't want their children smoking, and even those who chafe at government involvement in the free market appear willing to accept efforts to keep them from doing so.

And while there appears to be little support for banning cigarettes outright, the imposition of increasing disincentives to use them – in the form of high taxes, prominent health warnings, and, now, this piece of legislation – have largely met with little resistance, even from smokers themselves.

Where do you stand on the issue? Do you feel this legislation is a step in the right direction, or is it a mistake? Should cigarettes be regulated into oblivion, or should the government essentially get out of the way? Let us know your thoughts in comments and in the poll below.

Do you think the U.S. government should impose more regulations over tobacco?

○ Yes
○ No

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"So, if this poor soul dies in a year, we, the taxpayer, spent one year on their healthcare. Now, compare that to what we taxpayers pay for a non-smoker who lives to the ripe old age of 93 and dies of some other disease?"

Posted by MontrosMan at 6:41 AM : Jun 12, 2009

So you're saying we should allow some smokers and non-smokers to get lung cancer to save taxpayers money?? You're an idiot.

Posted by **Dave_P6** at 7:11 AM : Jun 12, 2009
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I'd bet that 400,000 is conservative too. But that's not the point. The point is how MUCH they cost ME!
Posted by bannednancy at 6:52 AM : Jun 12, 2009

Comparing to the world statistics, it seems pretty coherent. At least the order of magnitude is right.

Posted by **abbe91** at 7:00 AM : Jun 12, 2009
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"Kind of like a 5 year old saying: "My mommy says that eating potato chips will give you a heart attack!"
Posted by copasetic2 at 6:49 AM : Jun 12, 2009

Actually, FDA regulations require nutrition information to appear on most foods, including potato chips. Why should tobacco be exempt of such regulations, like the list of used additives ?

Posted by **abbe91** at 6:55 AM : Jun 12, 2009
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Posted by copasetic2 at 6:49 AM : Jun 12, 2009

And just because you don't like the number?