

UNITED STATES OF AMERICA



2023 TOBACCO INDUSTRY INTERFERENCE INDEX

ASH

ACTION
ON SMOKING & HEALTH

Dedicated to ZERO Tobacco Deaths



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ABOUT ASH

Action on Smoking and Health (ASH) is the nation’s oldest anti-tobacco organization. ASH’s vision is to end the worldwide disease, damage and death caused by the tobacco industry. Over its fifty plus years, ASH has consistently pioneered new ways to combat tobacco use, including negotiating the global anti-tobacco treaty (WHO Framework Convention on Tobacco Control), incorporating tobacco into the UN development agenda, and pushing for public health exemptions in trade agreements.

For nearly 15 years, ASH served as the secretariat for the Framework Convention Alliance (FCA), a global coalition of over 500 anti-tobacco organizations, now known as the Global Alliance for Tobacco Control. Today ASH works domestically and globally on initiatives that include:

- Pushing for legal liability for the tobacco industry, including criminal liability for tobacco executives;
- Changing social norms to end the age of the cigarette;
- Developing and releasing publications and research documents for tobacco control best practices;
- Demanding respect for basic human rights, and protections against the tobacco industry and their products.

ACKNOWLEDGMENT

ASH acknowledges the **Global Center for Good Governance in Tobacco Control (GGTC)** and **STOP (Stopping Tobacco Organizations and Products)** for granting us the privilege to contribute to The Global Tobacco Industry Interference Index. We extend our sincere appreciation for their indispensable technical support and guidance, which played a pivotal role in shaping this U.S. report.



A GLOBAL
TOBACCO
INDUSTRY
WATCHDOG



Global Center for
Good Governance
in Tobacco Control

“To safeguard public health interests, it is *imperative* that tobacco companies are *actively excluded* from the policymaking process.”

- NICHELLE GRAY

ASH Manager of Engagement and Special Programs



INTRODUCTION

Every year, over 480,000 lives are lost in the United States due to cigarette usage, accounting for one-fifth of all deaths annually.¹ In 2021, approximately 11.5% of American adults aged 18 and above were smokers.² An estimated 28.3 million adults in the United States currently smoke cigarettes and more than 16 million Americans live with a smoking-related disease.³

The market value of cigarette and tobacco manufacturing in the U.S. was USD \$49.47 million in 2021 and USD \$45.45 million in 2022.⁴ Key players in the U.S. market include British American Tobacco, Japan Tobacco International, Altria Group, and Philip Morris International. These companies continue to expand their interest into next-generation products such as e-cigarettes and heated tobacco.

The tobacco industry continuously undermines public health efforts aimed at addressing the harmful effects of tobacco use to protect their market interests. They employ various tactics to interfere with regulatory actions that are intended to protect public health. Article 5.3 of the World Health Organization Framework Convention on Tobacco Control (WHO FCTC) recognizes the importance of safeguarding tobacco control policies from the influence of the tobacco industry.

Shining a light on tobacco interference can significantly influence policymaking. Accurate reporting on industry interference raises awareness and fosters an environment conducive to effective lawmaking. It promotes transparency and accountability among lawmakers and regulatory entities. In the U.S., like most nations, the tobacco industry thrives in secrecy, shielding its policy-influencing strategies from public scrutiny.

Vigilant monitoring and reporting of tobacco industry interference in policymaking are imperative. To this end, the Global Tobacco Industry Interference Index (Global Tobacco Index) was developed to objectively assess the extent of global tobacco industry interference. The Global Tobacco Index scores countries based on their responses to tobacco industry interference, utilizing publicly available data. A higher score indicates a higher degree of overall interference.

The report is based on a questionnaire developed by the Southeast Asia Tobacco Control Alliance (SEATCA) and there are 20 questions based on the Article 5.3 guidelines. Information used in this report is obtained from the public domain only. A scoring system is applied to make the assessment. The score ranges from 0 - 5, where 5 indicates highest level of industry interference, and 1 is low or no interference.

Hence the lower the score, the better for the country. The report covers information on incidents from April 2021 up to March 2023, but also includes incidents prior to 2021 that still have relevance today.

This is the fourth year that the Global Tobacco Index is being employed to quantify tobacco industry interference in U.S. policymaking. In 2019, the U.S. scored 72/100, reflecting a high level of interference and positioning the country among the worst performers.⁵ In 2020, there was a slight improvement with a score of 68/100, but still an unacceptably high level of tobacco industry interference in government public health policy and lawmaking.⁶ The COVID-19 pandemic exacerbated the strain on public health in 2021, causing the U.S. ranking to return to 2019 levels.⁷ This year, the U.S. has an overall score of **76/100**, representing a significant increase in tobacco industry interference.

The financial might of the tobacco industry has greatly contributed to its ability to interfere in health policy over the years. In 2021, the Federal Trade Commission (FTC) announced that U.S. marketing expenditures increased from USD \$7.84 billion in 2020 to \$8.06 billion in 2021.⁸ While marketing expenditures for smokeless tobacco products increased from USD \$567.3 million in 2020 to USD \$575.5 million in 2021.⁹ In 2021 and 2022 we watched these companies delve further into the non-combustible market as they attempted to thwart increased government regulations of flavored tobacco products.

In the U.S., there are a few significant limitations to undertaking the Index. First, tobacco control policy in the U.S. is governed at the federal, state, and local levels. These widespread points of entry into the policy process allow the industry to remain present at all levels of government. It was beyond the scope of this project to undertake research in every jurisdiction covered in the period of this report. The data collected is a broad sample of tobacco industry interference rather than a comprehensive tally.

Second, many government-industry interactions forbidden under the WHO FCTC are constitutionally protected in the U.S. Particularly,

industry lobbyists do not need to hide their efforts to influence policy, which has provided more data for the U.S. in this area. These laws are unlikely to change in the coming years; therefore, this report focuses on illuminating instances of industry interference and educating policymakers.

To address tobacco industry interference and strengthen tobacco control in the U.S., comprehensive measures are recommended. These include raising awareness of the WHO FCTC provisions on industry interference, implementing longer cooling-off periods for public officials transitioning to lobbying, closing loopholes in ethics guidelines, relying on independent studies for FDA drug approvals, adopting a code of conduct for officials, educating lawmakers on industry interference, and mandating disclosure of philanthropic donations. By implementing these measures, the government can address conflicts of interest, promote transparency, and protect public health by improving tobacco control policies.



SUMMARY FINDINGS

INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT (Indicators 1-4)

In 2023, the tobacco industry continued to exert significant influence in state legislatures throughout the United States. Over the course of the year, tobacco companies, trade associations, and retail stores registered a staggering 927 lobbying registrations at the state level.¹⁰ This involved the employment of 856 lobbyists or lobbying firms, indicating a substantial investment by the tobacco industry.¹¹

Unfortunately, the outcomes of these lobbying efforts have hindered the adoption of effective tobacco control policies by state governments. Despite ongoing efforts, many states have failed to implement best practices in tobacco control due to the influence of the tobacco industry and its lobbyists.

One example of the tobacco industry's collaboration with state legislatures is evident in Oklahoma. In 2021, the Oklahoma State Legislature passed HB2292, which established a tobacco industry advisory committee to represent the Oklahoma Tax Commission.¹² The committee was tasked with addressing concerns and offering suggestions regarding the enforcement of tobacco product taxes. In 2023, this statute was further amended by SB601 to define the committee's composition and meeting frequency, highlighting the industry's involvement in shaping tobacco-related policies.

Similar instances of industry interference have been observed in Colorado, where well-connected tobacco industry lobbyists have successfully impeded the adoption of tobacco control ordinances that were expected to pass. This interference has hindered progress in curbing tobacco use and its associated harms.

The COVID-19 pandemic also provided a favorable environment for the tobacco industry to advance its agenda. With limited in-person interactions, tobacco control advocates struggled to engage with legislators effectively, hindering their ability to track and counter industry-backed legislation.

Examples of industry-backed legislation include South Carolina, where a bill was introduced in 2023 with the aim of restricting local governments from imposing additional regulations on tobacco products.¹³ Senator Lawrence K. Grooms, who received campaign contributions from the tobacco industry, was one of the bill's proponents.¹⁴ Despite concerns about diminishing the authority of local communities in enacting tobacco-related legislation, the bill passed the South Carolina subcommittee.¹⁵

On a broader scale, the regulation of tobacco products in the U.S. falls under the jurisdiction of the U.S. Food and Drug Administration (FDA).¹⁶ However, the FDA's organizational framework includes representatives from the tobacco industry. The Tobacco Products Scientific Advisory Committee, within the FDA, advises the Commissioner of Food and Drugs on matters related to the public health implications and safety of tobacco products. This committee includes non-voting members representing the tobacco manufacturing industry, tobacco growers, and small businesses involved in tobacco manufacturing.

It is also worth noting that the U.S. is currently not a Party to the WHO FCTC and is not bound by its obligations.

INDUSTRY CSR ACTIVITIES (Indicator 5)

Although direct endorsement or active support from government agencies is difficult to document, one major U.S. tobacco company, Altria, provided charitable support to offices and organizations linked to elected officials.¹⁷ Their 2022 recipient list for "charitable contributions" included various organizations such as the Congressional Black Caucus Foundation, Congressional Hispanic Caucus Institute, National Governors Association Center for Best Practices, and others.¹⁸

R.J. Reynolds, another tobacco company, funded a lunch event with a USD \$40,000 contribution at the National Black Caucus of State Legislators in 2022.¹⁹ During this event, Retired Deputy Police Chief Wayne Harris raised concerns about the potential impact of banning menthol cigarettes on policing in Black communities. Harris also serves as the chair of the board of the Law Enforcement Action Partnership, which received a significant portion of its funding from Reynolds American in 2019.²⁰

Philip Morris International (PMI) made efforts to enhance its public image through corporate social responsibility (CSR) initiatives related to public policy and governmental activities. In 2021, PMI donated USD \$750,000 to the Hartford Foundation for Public Giving to support their COVID-19 relief response program.²¹ In 2022, PMI continued its CSR efforts by donating USD \$500,000 to the Iraq and Afghanistan Veterans of America (IAVA) to facilitate national conversations on veteran issues.²² PMI also donated USD \$250,000 to the Ukrainian Congress Committee of America Inc (UCCA) to provide humanitarian assistance to Ukrainian civilians affected by armed conflict.²³

These instances highlight the tobacco industry's engagement in CSR activities with connections to government entities and elected officials. Although direct endorsements or active support from government agencies may not be explicitly documented, the tobacco industry's involvement in charitable contributions and events targeting specific organizations and individuals underscores their efforts to enhance their public image and potentially influence policy discussions.

BENEFITS TO THE INDUSTRY (Indicators 6-7)

In 2021, the FDA began working on a public list to disclose tobacco products for which they had received applications.²⁴ However, the FDA decided to defer enforcement of premarket requirements for up to one year for products that submitted timely applications.

Meanwhile, in Washington County, Oregon, the Board of Commissioners passed Ordinance 878 in November 2021, prohibiting the sale of flavored tobacco products.²⁵ The enforcement of this restriction was temporarily halted when an industry-supported referendum petition garnered enough signatures to bring the ban to a ballot in May 2022.²⁶ Ultimately, voters upheld the measure, indicating public support for the ban. However, retailers contested the ban in court, and in July 2022, Circuit Judge Andrew Erwin issued a preliminary injunction against the measure.²⁷

In 2022, the tobacco industry continued its efforts to influence tobacco control laws, using tactics such as referendums and direct requests to the government. For example, Altria and Reynolds American, Inc.

(RAI) filed a lawsuit to block California's law prohibiting the sale of flavored tobacco products.²⁸ The law had received bipartisan support in the Assembly and Senate and was signed by Governor Newsom in August 2020.²⁹ The tobacco companies invested \$21 million in gathering enough signatures to place a referendum on the November 2022 ballot, effectively delaying the law's implementation for 22 months.³⁰ These strategies showcase the tobacco industry's efforts to impede the enforcement of regulations restricting the sale of flavored tobacco products.

There are many examples of exemptions and loopholes in current state and local tobacco control laws that reflect the tobacco industry's interference. These include exemptions in smoke-free laws for certain indoor workplaces, discrepancies in taxing tobacco products, low licensing fees for tobacco retailers/wholesalers, and a focus on penalizing youth rather than non-compliant retailers in youth access to tobacco laws. Many states also prevent local action on tobacco-related policy issues through preemption.

Between 2021 and 2022, the FDA granted certain privileges and exemptions to the tobacco industry. These included allowing e-cigarettes to remain in the U.S. market, approving marketing for discontinued smokeless tobacco products, revisiting premarket tobacco applications due to challenges from companies against FDA denial orders, and relaxing standards for a subset of cigarette marketing applications submitted in 2019.^{31,32,33, 34, 35}

Furthermore, reports have highlighted significant loopholes in the regulation of synthetic nicotine devices.^{36,37}

Overall, these events and actions demonstrate the ongoing efforts by the tobacco industry to influence tobacco control laws and regulations, delay or block restrictions on flavored tobacco products, and exploit loopholes in the system.

UNNECESSARY INTERACTION (Indicators 8-10)

During the period examined, no instances of high-ranking government officials fostering relationships with tobacco companies were found. However, the tobacco industry continues to employ tactics to promote minimal government regulation.

One example is Altria’s “We Card” program, which is used nationwide to enhance Big Tobacco’s public image and impede public health efforts to enforce existing laws or introduce stricter regulations.³⁸

Juul, a prominent tobacco company, also utilized similar tactics through its Track + Trace program, which aims to ensure compliance with federal laws and educate retailers on new tobacco legislation.

The American Legislative Exchange Council (ALEC), an organization of state legislators, has served as a channel for promoting tobacco industry messaging and policy priorities. The tobacco industry has financially supported ALEC for years, with major companies providing cash contributions, covering legal expenses, and sponsoring events at ALEC meetings.³⁹ ALEC’s Private Enterprise Advisory Council includes representatives from Altria and the Oklahoma Council of Public Affairs, a recipient of Altria funds.⁴⁰ ALEC’s influence extends beyond state legislators, with several current governors, senators, and members of the U.S. House of Representatives having been affiliated with ALEC.⁴¹

The 1998 Master Settlement Agreement (MSA) between the tobacco industry and the U.S. government remains in effect. This legal settlement mandates that the industry annually pays billions of dollars to states and imposes restrictions on marketing, promotional programs, and targeting minors.⁴² However, the MSA also grants key legal immunities to the tobacco companies.⁴³

TRANSPARENCY (Indicators 11-12)

The FDA, as the main regulator of tobacco, has established disclosure rules, but the level of transparency in its interactions with the tobacco industry is inconsistent. While the FDA Scientific Advisory Committee follows a transparent process by disclosing meeting agendas and materials, other interactions with industry representatives are not as openly documented.⁴⁴

At the state level, formal interactions covered by open meeting laws must be disclosed, but the tobacco industry often prefers to work behind the scenes through front groups and informal interactions with lawmakers.⁴⁵

Several government agencies and legislation enforce disclosure requirements at the national level, such as the Alcohol and Tobacco Tax and Trade Bureau and the Family Smoking Prevention and Control Act.^{46,47} The U.S. Lobbying Disclosure Act of 1995 also mandates that all lobbyists, including those representing the tobacco industry, must register when operating at the national level.⁴⁸ Similarly, all 50 states have some form of lobbyist registration to promote transparency in political activities.⁴⁹

Still, public records indicate that in 12 states and Washington, D.C., lobbying firms can register instead of individual lobbyists, making it difficult to identify specific individuals working on behalf of the tobacco industry.⁵⁰

Moreover, lobbying registration requirements often do not mandate disclosure of financial support or cooperative relationships with closely affiliated organizations, allowing the tobacco industry to maintain front group relationships with associations like restaurant associations, retail associations, and chambers of commerce.⁵¹

Additionally, certain entities like Political Action Committees (PACs) may find ways to circumvent state and federal disclosure regulations.⁵²

CONFLICT OF INTEREST (Indicators 13-15)

The U.S. Federal Elections Commission does not explicitly ban contributions from the tobacco industry, but it restricts corporate donations.⁵³ However, the tobacco industry finds ways to circumvent this restriction by using PACs and other eligible groups to continue their financial support for political campaigns.⁵⁴ This allows them to indirectly influence the political landscape and maintain a presence in the electoral process.

According to Open Secrets, the tobacco industry made substantial contributions during the 2021-2022 election cycle. Federal members of Congress received a total of \$1,414,785 in contributions, while members of the Senate received \$400,301.⁵⁵ These figures include contributions from PACs and individual donors who contributed \$200 or more.⁵⁶

In 2021, Reynolds American distributed millions of dollars to various state-level political campaigns and PACs.⁵⁷ The company made donations to 34 candidates in California, accounting for about 28% of all seats in the state legislature.⁵⁸ They also made significant contributions to Florida Governor Ron DeSantis and Florida Attorney General Ashley Moody.⁵⁹

Interestingly, some members of Congress who publicly advocate for restrictions on cigarettes and vaping have quietly invested in tobacco giants.⁶⁰

In 2022, PMI appointed three former government officials to prominent positions within their organization, including a former FDA official and individuals with extensive experience in the agency.⁶¹ However, no instances of current government officials or their relatives holding positions in the tobacco industry were identified during the reporting period.

PREVENTIVE MEASURES (Indicators 16-20)

The government has implemented some preventive measures to regulate interactions with the tobacco industry, however, there is a need for further improvements in transparency and accountability.

The level of transparency and public availability of records regarding the interaction between the government and the tobacco industry in the U.S. is inconsistent. While the FDA Tobacco Scientific Advisory Committee provides comprehensive information about their meetings, including agendas, minutes, and webcasts, other interactions with the FDA are not subject to public disclosure.⁶² Furthermore, there is no universally prescribed code of conduct for government officials when engaging with the tobacco industry.

Most states have regulations in place that prohibit public officials from soliciting funds or accepting gifts from principals, lobbyists, or subordinates of lobbyists.⁶³ However, representatives from the tobacco industry can still have informal interactions with lawmakers without public disclosure.⁶⁴

The tobacco industry reports federal lobbying expenditures and revenues as mandated by the

Lobbying Disclosure Act of 1995, but there is no requirement to report philanthropy.⁶⁵ This allows the industry to donate to social welfare organizations that contribute industry funding to political action funds, effectively hiding these contributions from the public. Reporting efforts for direct political contributions, while required by state and federal laws, may still have loopholes.

The Family Smoking Prevention and Tobacco Control Act grants the FDA the power to regulate tobacco products, and it requires registration and public accessibility of information from tobacco companies.⁶⁶ However, there is no established government program to consistently raise awareness about WHO FCTC Article 5.3 Guidelines.

The Alcohol and Tobacco Tax and Trade Bureau (TTB) enforces permit requirements for businesses operating in the tobacco industry.⁶⁷ However, there is no specific policy in place that prohibits contributions, gifts, offers of assistance, or invitations related to policy drafts or study visits from being given to the government and its officials.

U.S. lobbying laws prohibit gifts or financial assistance from lobbyists to public officials, but tobacco lobbyists can still provide campaign contributions, creating a potential avenue for influence. Additionally, the FDA has considered scientific research conducted by the tobacco industry in the past when formulating public health policies.⁶⁸



RECOMMENDATIONS

To address the issue of tobacco industry interference and strengthen tobacco control measures, the following comprehensive steps can be taken:

1. Raise awareness on the WHO FCTC and its provisions regarding tobacco industry interference:

Despite not being a party to the treaty, it is crucial to educate state and federal tobacco-control advocates about Article 5.3 of the WHO FCTC. This provision prohibits tobacco industry interference in policymaking. By promoting awareness and understanding of this provision, advocates can combat industry interference more effectively.

2. Strengthen and standardize revolving door prohibitions:

While lobbying is constitutionally protected, implementing longer timeframes between public officials or employees leaving public service and beginning lobbying can reduce interference from regulated industries. By extending the cooling-off period, the potential for conflicts of interest can be minimized.

3. Close loopholes in executive branch ethics guidelines:

The current five-year restriction on former executive branch appointees working as lobbyists should be expanded to include a broader definition of “appointees,” covering both full-time, non-career individuals and industry representatives. This step would address conflicts of interest related to past employment and prevent undue influence.

4. Prevent conflicts of interest in the FDA drug approval process:

To ensure unbiased decision-making, the FDA should rely on independent studies rather than industry-conducted research when approving new drugs, including tobacco products

containing nicotine. Given the tobacco industry’s history of distorting findings, independent studies are essential for reliable public health policy.

5. Adopt an official code of conduct for public officials:

To uphold the public trust, a comprehensive code of conduct should be implemented for all public officials. This code should include strict rules against conflicts of interest and full transparency in all interactions with regulated industries, including the tobacco industry.

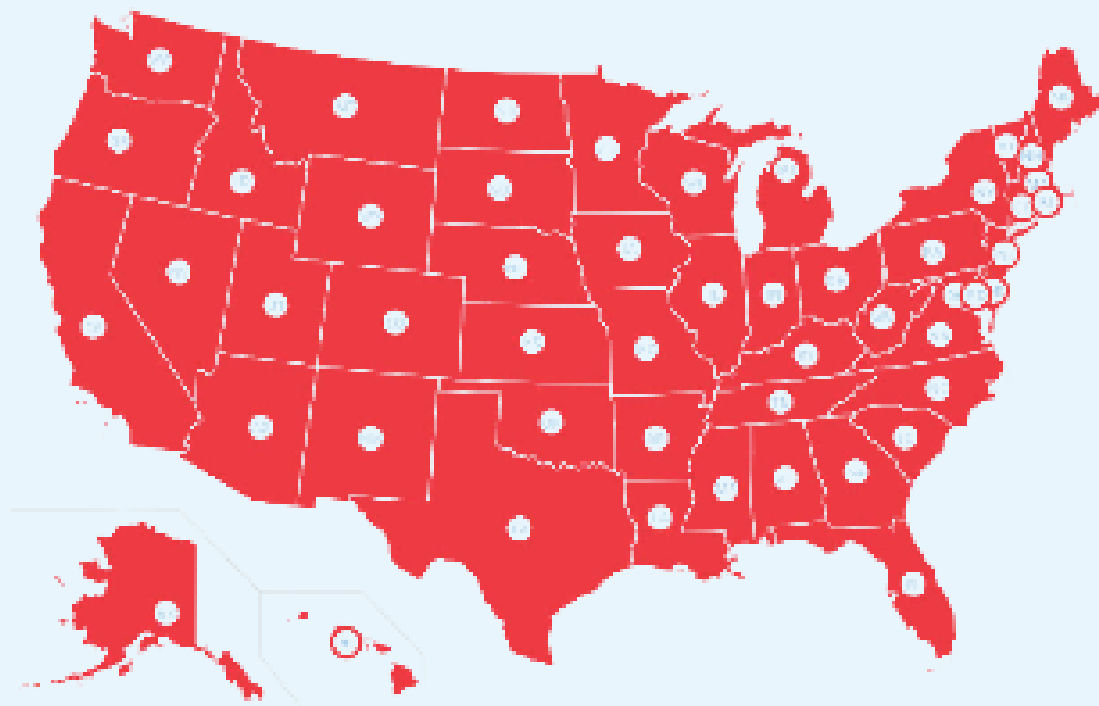
6. Educate lawmakers on industry interference:

Advocates can play a crucial role in informing lawmakers about tobacco industry interference. By providing fact sheets, sharing industry quotes, and presenting key findings from federal racketeering cases, advocates can generate political will to rectify industry-supported laws. Leveraging earned media can further amplify these efforts.

7. Mandate philanthropic donation disclosure:

Currently, the US government does not require reporting of philanthropic activities by companies, creating an avenue for hiding tobacco industry contributions. To enhance transparency, mandates should be implemented to disclose all philanthropic donations, ensuring that industry funding to political action funds is not concealed from the public.

By implementing these comprehensive measures, the government can address the loopholes, conflicts of interest, and lack of transparency that facilitate tobacco industry interference. This will contribute to more effective tobacco control policies and protect public health. In addition to these recommendations, guidance from the 2021 U.S. Tobacco Industry Interference Index still apply.



U.S. TOBACCO LOBBYIST AND LOBBYING FIRM REGISTRATION TRACKER

2023 UPDATE

The ASH Lobbyist Tracker continues to play a crucial role in shedding light on publicly available registrations of lobbyists and lobbying firms working on behalf of tobacco companies, tobacco industry trade associations, and tobacco retail outlets.

In 2023, at the state level, there have been 927 lobbying registrations identified involving 856 lobbyists and lobbying firms. There were 213 registered lobbyists on the federal level, with a striking 80.75% of them having previously worked within the government.

It remains essential to emphasize that allowing tobacco companies to influence the regulation of their

own products not only poses a threat to public health but also contravenes the global standards for tobacco regulation outlined in Article 5.3 of the WHO FCTC. To safeguard public health interests, it is imperative that tobacco companies are actively excluded from the policymaking process. To achieve this, it is important to first identify these stakeholders, and the ASH Lobbyist Tracker serves as a valuable tool in revealing tobacco industry allies. The tracker can serve as a resource for public health advocates, elected officials, and the media, enabling them to identify these tobacco industry representatives. This knowledge can help them exercise caution and skepticism when considering any “advice” or opinions on public health offered by these individuals.



2023 TOBACCO INDUSTRY INTERFERENCE INDEX

RESULTS AND FINDINGS

INDICATOR 1: Level of Industry Participation in Policy Development

The government⁶⁹ accepts, supports or endorses any offer for assistance by or in collaboration with the tobacco industry⁷⁰ in setting or implementing public health policies in relation to tobacco control⁷¹ (Rec 3.1)



Tobacco industry lobbyists are ubiquitous in state legislatures across the country, demonstrating a favorable return on their investment. Tobacco companies, tobacco industry trade associations and tobacco retail stores registered at least 927 state-level lobbying registrations in 2023, involving 856 lobbyists or lobbying firms.⁷²

Legislative outcomes include a continued failure of

states' efforts to adopt best practices in tobacco control policy.⁷³

Legislative collaboration with the tobacco industry is also reflected through formal involvement in advisory committees and task forces on tobacco issues. For example, the Oklahoma State Legislature adopted HB2292 in 2021, creating a tobacco industry advisory committee to represent the Oklahoma Tax Commission regarding concerns and suggestions regarding tobacco products tax enforcement.⁷⁴ In 2023, the statute was amended by SB601 to specify that the committee shall meet quarterly and be comprised of five members: three licensed tobacco wholesalers and two licensed tobacco retailers, four of whom are to be appointed by the Governor, Senate President ProTem, or Speaker of the House of Representatives. The fifth member of the committee is to be appointed by the other four.⁷⁵

Also in recent years, several Colorado cities failed to adopt tobacco control ordinances that had been considered likely to pass after well-connected tobacco industry lobbyists were deployed to interfere in their consideration.⁷⁶

The government accepts, supports or endorses policies or legislation drafted by or in collaboration with the tobacco industry. **(Rec 3.4)**

0 1 2 3 4 5

During the COVID-19 pandemic, Big Tobacco likely was more successful in drafting and passing their legislation, as many tobacco control advocates could not meet with legislators in person. An inability to meet in person also prohibited advocates from successfully tracking instances of legislation drafted by and in collaboration with the industry.

In a hurried move at the end of the 2021 legislative session, an Oklahoma bill was passed, altering the definition of smokeless tobacco products, and granting exemptions to new and emerging products.⁷⁷ The bill was supported by Big Tobacco and was similar in its wording to previous legislation they had promoted among their legislative allies, signifying their likely involvement and influence in developing the language.

In 2023, a bill was presented in South Carolina with the aim of restricting local governments from imposing additional regulations on tobacco products.⁷⁸ The proposed measures include safeguarding any existing local ordinances implemented before December 31, 2020, while prohibiting cities from establishing their own tobacco licensing rules.⁷⁹ Notably, Senator Lawrence K. Grooms, one of the proponents of the bill, has previously received campaign contributions from the tobacco industry.⁸⁰ Consequently, the bill was passed by the South Carolina subcommittee, thus aiding the tobacco industry's long-standing priority of seeking to diminish the authority of local communities to enact tobacco-related legislation.⁸¹

The government allows/invites the tobacco industry to sit in government interagency/ multi-sectoral committee/ advisory group body that sets public health policy. **(Rec 4.8)**

0 1 2 3 4 5

The regulation of tobacco product manufacturing, marketing, and sales in the United States is under the jurisdiction of the U.S. Food and Drug Administration (FDA).⁸² However, a significant aspect of the FDA's organizational framework involves the inclusion of representatives from the tobacco industry. Within the FDA, the Tobacco Products Scientific Advisory Committee plays a crucial role in advising the Commissioner of Food and Drugs on matters concerning the public health implications and safety of tobacco products. This committee consists of three non-voting members, specifically representing the tobacco manufacturing industry, tobacco growers, and small businesses involved in tobacco manufacturing.⁸³

The government nominates or allows representatives from the tobacco industry (including State-owned) in the delegation to the COP or other subsidiary bodies or accepts their sponsorship for delegates. (i.e. COP 4 & 5, INB 4 5, WG)**(Rec 4.9 & 8.3)**

0 1 2 3 4 5

The US is not currently a Party to the WHO FCTC and therefore not bound by its obligations.



INDICATOR 2: Industry CSR Activities

A. The government agencies or its officials endorses, supports, forms partnerships with or participates in so-called CSR activities organized by the tobacco industry. **(Rec 6.2)**

B. The government (its agencies and officials) receives contributions⁸⁴ (monetary or otherwise) from the tobacco industry (including so-called CSR contributions). **(Rec 6.4)**

0 1 2 3 4 5



Although it is difficult to document direct examples of government agencies endorsing or actively supporting corporate social responsibility (CSR) activities organized by the tobacco industry during this period, at least one major U.S. tobacco company provided charitable support to offices and organizations directly linked to elected officials. For example, Altria’s 2022 recipient list for “charitable contributions” included the Congressional Black Caucus Foundation, Congressional Black Caucus Institute, Congressional Hispanic Caucus Institute, Congressional Hispanic Leadership Institute, Latino Legislative Caucus Foundation, Louisiana Governor’s Mansion Preservation Foundation, National Black Caucus of State Legislators, National Governors Association Center for Best Practices, National Hispanic Caucus of State Legislators, National Lieutenant Governors Association, South Dakota Governor’s Office of Economic Development, and the Wyoming Governor’s Residence Foundation.⁸⁵

Also, during 2022, R.J. Reynolds funded USD \$40,000 for a lunch event at the National Black Caucus of State Legislators.⁸⁶ At the conference, Reynolds invited Retired Deputy Police Chief Wayne Harris to raise concerns regarding the potential impact of banning menthol cigarettes on policing in Black communities. Harris also serves as the chair of the board of the Law Enforcement Action Partnership (LEAP), which has received more than a third of its funding from Reynolds American in 2019.⁸⁷

In addition, PMI made notable efforts to enhance their public image on high-profile issues related to public policy and governmental activities. In 2021, PMI made a substantial donation of USD \$750,000 to the Hartford Foundation for Public Giving, specifically to support their COVID-19 relief response program.⁸⁸ In 2022, PMI continued their CSR initiatives by donating USD \$500,000 to the Iraq and Afghanistan Veterans of America (IAVA).⁸⁹ This donation aimed to facilitate national conversations on issues faced by veterans, underscoring their commitment to supporting those who served. Additionally, PMI donated USD \$250,000 to the Ukrainian Congress Committee of America Inc (UCCA), providing humanitarian assistance to Ukrainian civilians affected by armed conflict, demonstrating their dedication to aiding communities in need.⁹⁰

INDICATOR 3: Benefits to the Tobacco Industry

The government accommodates requests from the tobacco industry for a longer time frame for implementation or postponement of tobacco control law. (e.g., 180 days is common for pictorial health warnings. Tax increase can be implemented within 1 month) **(Rec 7.1)**

0 1 2 3 4 5



In 2021, the FDA initiated the development of a public list that would disclose the tobacco products for which the agency received applications.⁹¹ However, the FDA exercised discretion by deferring enforcement of premarket requirements for a duration of up to one year for products that submitted timely applications.⁹²

Additionally in 2021, the Board of Commissioners in Washington County, Oregon, made the decision to prohibit the sale of flavored tobacco products through Ordinance 878.⁹³ This measure was passed on November 2nd and was scheduled to be enforced from January 1, 2022.⁹⁴ However, the implementation of the restriction was temporarily halted after an industry-supported referendum petition gained enough signatures to bring the proposed ban to a ballot in May 2022.⁹⁵ Ultimately, voters upheld the

measure, demonstrating public support for the restriction.⁹⁶ Nevertheless, retailers contested the ban in court, leading to Circuit Judge Andrew Erwin issuing a preliminary injunction against the measure in July of that same year.⁹⁷

In 2022, the tobacco industry continued its efforts to influence tobacco control laws by resorting to referendums and direct requests to the government. A notable example is the lawsuit filed by Altria and Reynolds American, Inc. (RAI) in an attempt to block California’s new law that prohibited the sale of flavored tobacco products. The law, known as S.B. 793, received significant bipartisan support in both the Assembly and Senate, and it was signed by Governor Newsom shortly after its passage in August 2020.⁹⁸ In addition to the legal action, tobacco companies invested \$21 million in gathering enough signatures to place the referendum on the November 2022 ballot.⁹⁹ This strategy effectively delayed the implementation of the law for a period of 22 months.¹⁰⁰ By utilizing referendums and pouring substantial financial resources into these campaigns, the tobacco industry aimed to impede the enforcement of regulations that would have restricted the sale of flavored tobacco products.

The government gives privileges, incentives, exemptions, or benefits to the tobacco industry **(Rec 7.3)**



There continue to be many examples of exemptions in many current state and local tobacco control laws that reflect past and present tobacco industry interference. These include loopholes in smoke-free laws for certain types of indoor workplaces, disproportionate rates and assessment methods for taxing tobacco products, low tobacco retailer/wholesaler licensing fees, and youth access to tobacco laws that focus on penalizing youth rather than non-compliant retailers. Many states pre-empt local action on tobacco-related policy issues.

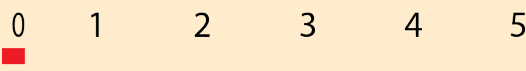
In 2021 and 2022, there were occurrences where the FDA granted certain privileges and exemptions to the

tobacco industry. These instances included authorizing the continued presence of e-cigarettes in the U.S. market, approving marketing for discontinued smokeless tobacco products, revisiting premarket tobacco applications due to challenges from companies against the FDA’s denial orders, and relaxing certain standards for a specific subset of cigarette marketing applications that were submitted in 2019 according to a report from the Office of Special Counsel.^{101,102,103,104}

Additionally, there have been reports highlighting significant loopholes in the regulation of synthetic nicotine devices.^{105,106}

INDICATOR 4: Forms of Unnecessary Interaction

Top-level government officials (such as President/ Prime Minister or Minister¹⁰⁷) meet with/ foster relations with the tobacco companies such as attending social functions and other events sponsored or organized by the tobacco companies or those furthering its interests. **(Rec 2.1)**



No instances of top-level government officials fostering relations with tobacco companies could be identified for this period.

The government accepts assistance/ offers of assistance from the tobacco industry on enforcement such as conducting raids on tobacco smuggling or enforcing smoke free policies or no sales to minors. (Including monetary contribution for these activities) **(Rec 4.3)**



Big Tobacco promotes regulatory compliance programs of their own design, purportedly to aid the government in enforcing no sales to minors. This tactic has been successfully used by Big Tobacco for decades to justify minimal government regulation. For example, Altria’s “We Card” program continues to be used across the U.S. to promote Big Tobacco’s public image and thwart public health efforts to fund and

implement enforcement of existing laws or adopt new stricter regulations.¹⁰⁸

Using similar government relations tactics, Juul promotes on its website their Track + Trace program to “help ensure adherence of federal laws” and to “help educate retailers on new tobacco legislation.”¹⁰⁹

The government accepts, supports, endorses, or enters into partnerships or agreements with the tobacco industry. **(Rec 3.1)** NOTE: This does not involve CSR, enforcement activity, or tobacco control policy development since these are already covered in the previous questions.



The American Legislative Exchange Council (ALEC) is a voluntary membership organization of state legislators that has often served as a conduit for promoting tobacco industry messaging and policy priorities, including interference with local control, smoke-free laws, and regulation of emerging tobacco products.¹¹⁰ For years, the tobacco industry has been one of ALEC’s chief underwriters with the nation’s major tobacco companies giving large cash contributions as well as paying legal bills and sponsoring golf and tennis events at ALEC meetings.¹¹¹ Central to its structure and mission, ALEC’s Private Enterprise Advisory Council includes representatives from Altria and the Oklahoma Council of Public Affairs, a long-time recipient of Altria funds.¹¹² Past members and funders have included Lorillard Tobacco Company, Philip Morris Management Corporation, R.J. Reynolds Tobacco Company, Smokeless Tobacco Council, Cigar Association of America, Inc., and NJOY.¹¹³ According to its website, ALEC’s membership currently includes nearly one-quarter of the country’s state legislators with 23 comprising its governing board. Its legacy of tobacco industry influence extends beyond state legislators, with past ALEC members including six current Governors, 13 current U.S. Senators, and 65 current members of the U.S. House of Representatives.¹¹⁴

The 1998 Master Settlement Agreement (MSA) between the tobacco industry and US government remains in effect. The MSA is a legal settlement

between the state Attorneys General of 46 states, the District of Columbia, five US territories and the four largest tobacco companies in the US.¹¹⁵ The MSA mandates that the industry pays billions of dollars annually to these states and restricts marketing, promotional programs, and targeting minors. Concessions won by the tobacco companies through the MSA include key legal immunities.¹¹⁶

INDICATOR 5: Transparency

The government does not publicly disclose meetings/ interactions with the tobacco industry in cases where such interactions are strictly necessary for regulation. **(Rec 2.2)**



The FDA, as the primary regulatory authority for tobacco, has established various rules regarding disclosure. The FDA Scientific Advisory Committee follows a transparent process by disclosing meeting agendas, materials, minutes, and webcast recordings.¹¹⁷ However, when it comes to other interactions between the FDA and the tobacco industry, the level of disclosure is inconsistent. Meeting minutes with industry representatives are not published, and certain dockets can remain confidential.

At the state level, formal interactions covered by open meeting laws must be disclosed.¹¹⁸ However, the tobacco industry rarely directly participates in such meetings, preferring to work behind the scenes through front groups and informal interactions with lawmakers.

The government requires rules for the disclosure or registration of tobacco industry entities, affiliated organizations, and individuals acting on their behalf including lobbyists. **(Rec 5.3)**



At the national level, several government agencies, such as the Alcohol and Tobacco Tax and Trade Bureau and the Internal Revenue Service, along with legislation like the Family Smoking Prevention and Control Act, enforce industry disclosure requirements.^{119,120} These regulations aim to ensure transparency and accountability. Additionally, the U.S.

Lobbying Disclosure Act of 1995 mandates that all lobbyists, including those representing the tobacco industry, must register with the federal government when operating at the national level.¹²¹

Similarly, all 50 states have implemented some form of lobbyist registration, further promoting transparency in political activities.¹²² However, public records indicate that 12 states and DC require or allow lobbying firms to register, instead of individual lobbyists.¹²³ Because lobbying firms often employ many lobbyists, the tobacco industry can typically mask from public view the actual number and names of individual lobbyists who are working on their behalf in those states.

Also, state and federal lobbying registration requirements typically do not require disclosure of financial support or other cooperative relationships by closely affiliated organizations. Such “front group” relationships are commonly nurtured and maintained by the tobacco industry with restaurant associations, retail associations, and chambers of commerce.¹²⁴

Further, certain entities, such as Political Action Committees (PACs), may be able to circumvent state and federal disclosure regulations.¹²⁵

INDICATOR 6: Conflict of Interest

The government does not prohibit contributions from the tobacco industry or any entity working to further its interests to political parties, candidates, or campaigns or to require full disclosure of such contributions. **(Rec 4.11)**

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The U.S. Federal Elections Commission does not explicitly prohibit contributions from the tobacco industry, but it does restrict corporate donations. However, the tobacco industry employs alternative means to navigate this prohibition. They utilize Political Action Committees (PACs) and other eligible groups as a workaround to continue their financial support in political campaigns.¹²⁶ This allows the tobacco industry to indirectly influence the political landscape and maintain a presence in the electoral process.

According to Open Secrets, a trusted source for

campaign finance data, the tobacco industry made substantial contributions during the 2021-2022 election cycle. Federal members of Congress received a total of USD \$1,414,785 in contributions, while members of the Senate received USD \$400,301.¹²⁷ It is important to note that these figures are based on contributions from Political Action Committees (PACs) as well as individual donors who contributed \$200 or more. During that period, the US House of Representatives consisted of 435 members and 5 non-voting delegates, while the U.S. Senate comprised 100 members.¹²⁸

In 2021, Reynolds American actively distributed millions of dollars across numerous state-level political campaigns and Political Action Committees (PACs), as revealed by an internal corporate governance document.¹²⁹ The company made donations to 34 candidates in California, accounting for approximately 28% of all seats in the state legislature.¹³⁰ Florida Governor Ron DeSantis received a \$25,000 contribution from Reynolds American in March 2021, followed by an additional \$25,000.¹³¹ Furthermore, the company made multiple donations, totaling \$50,000, to the campaign of Florida Attorney General Ashley Moody in late 2021 and early 2022.¹³²

Extraordinarily, some members of Congress who publicly advocate for restrictions on cigarettes and vaping have discreetly invested in tobacco giants.¹³³

Tobacco companies typically do not contribute to many Democratic candidates for political office. However, during the 2021-2022 election cycle, there was a notable increase in campaign contributions from cigarette manufacturers to African American Democrats.¹³⁴ These donations coincided with the efforts of Altria and Reynolds American to rally opposition within the African American community against the FDA’s proposal to ban menthol cigarettes.

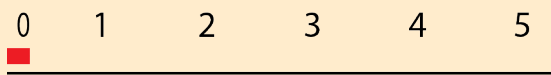
Retired senior government officials form part of the tobacco industry (former Prime Minister, Minister, Attorney General) **(Rec 4.4)**

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In 2022, PMI made strategic appointments by bringing on board three former FDA officials to prominent positions within their organization. Keagan Lenihan, a former FDA official, was appointed to a senior role early in the year.¹³⁵ Additionally, Badrul Chowdhury, who had over two decades of experience at the FDA, was named Chief Life Sciences Officer, while Matthew Holman assumed the role of Vice President of U.S. Scientific Engagement and Regulatory Strategy.¹³⁶ Matthew played a crucial role during his time at the FDA, providing guidance on policy decisions and overseeing a research program focused on regulatory science for tobacco products.¹³⁷

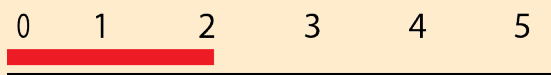
Current government officials and relatives hold positions in the tobacco business including consultancy positions. **(Rec 4.5, 4.8, 4.10)**



No examples of government officials and/or their relatives holding positions in the tobacco business were identified during the reporting period.

INDICATOR 7: Preventive Measures

The government has put in place a procedure for disclosing the records of the interaction (such as agenda, attendees, minutes and outcome) with the tobacco industry and its representatives. **(Rec 5.1)**



As mentioned above, the FDA Tobacco Scientific Advisory Committee provides links to agendas, rosters, webcasts, presentations, public submissions, minutes, and questions for their meetings.¹³⁸ Federal oversight is also conducted by several government agencies (for example FDA, IRS, CDC, ATB). Public availability of records pertaining to the interaction between the government and the tobacco industry is not consistently ensured. Specifically, interactions with the FDA are not subject to public disclosure.¹³⁹

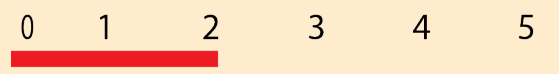
The government has formulated, adopted or implemented a code of conduct for public officials, prescribing the standards with which they should comply in their dealings with the tobacco industry. **(Rec 4.2)**



When government officials engage with the tobacco industry, there is a lack of universally prescribed code of conduct. Like other lobbyists, representatives from the tobacco industry can have informal interactions with lawmakers without disclosing these interactions to the public.¹⁴⁰ Some states require disclosure for payment of meals or social events for lawmakers but lobbyists can typically avoid any public disclosure of what is discussed at such private gatherings or of their level of influence through other informal but influential interactions, such as assisting lawmakers with behind the scenes fundraising efforts.

Compounding this failure to implement preventive measures, most tobacco industry lobbyists represent companies known to have engaged in an organized conspiracy to commit fraud. There were at least 927 state-level lobbying registrations for the tobacco industry in 2023, involving 856 lobbyists or lobbying firms.¹⁴¹ Almost two-thirds (577) of the registrations represent a company that is owned by or has a licensing agreement with federally adjudicated racketeers, including Altria, Reynolds American, Inc (RAI), and Juul.¹⁴² Altria (previously known as Philip Morris USA) had a total of 293 registrations of lobbyists or lobbying firms, covering all 50 states and DC. Juul, with which Altria has an irrevocable licensing agreement, had a total of 95 registrations of lobbyists or firms covering 39 states and DC.¹⁴³ Reynolds American had a total of 189 registrations of lobbyists or lobbying firms covering 49 states and DC.¹⁴⁴

The government requires the tobacco industry to periodically submit information on tobacco production, manufacture, market share, marketing expenditures, revenues, and any other activity, including lobbying, philanthropy, political contributions and all other activities. **(Rec 5.2)**



In 2021, the Federal Trade Commission (FTC) announced that U.S. marketing expenditures increased from USD \$7.84 billion in 2020 to \$8.06 billion in 2021.¹⁴⁵ While marketing expenditures for smokeless tobacco products increased from USD \$567.3 million in 2020 to USD \$575.5 million in 2021.¹⁴⁶

The tobacco industry regularly reports federal lobbying expenditures and revenues as mandated under the Lobbying Disclosure Act of 1995. However, there is no requirement to report philanthropy.¹⁴⁷ This exemption allows the tobacco industry to donate to social welfare organizations that contribute industry funding to political action funds, effectively hiding these Big Tobacco monies from the public. State and federal laws require reporting of direct political contributions, but loopholes exist. Government bodies listed in Annex A oversee and regulate reporting in some of these areas, but reporting efforts are not comprehensive.

As mentioned above, the Family Smoking Prevention and Tobacco Control Act grants the FDA the power to regulate the production, advertising, and distribution of tobacco products.¹⁴⁸ This legislation requires tobacco company owners and operators to register annually, and any updates to their product lists must be submitted to the FDA biannually.¹⁴⁹ Furthermore, the act stipulates that all this information should be accessible to the public.¹⁵⁰

The Alcohol and Tobacco Tax and Trade Bureau (TTB) enforces the requirement for permits to be obtained by tobacco product manufacturers, importers, warehouse proprietors, and other businesses operating in the tobacco industry within the United States. This permits them to engage in their operations in compliance with the regulations set by the TTB.¹⁵¹

The government has a program / system / plan to consistently¹⁵² raise awareness within its departments on policies relating to FCTC Article 5.3 Guidelines. **(Rec 1.1, 1.2)**

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As often mentioned in previous reports, there is currently no established government program, system, or plan in place to consistently raise awareness within

its departments regarding policies related to the World Health Organization Framework Convention on Tobacco Control (WHO FCTC) Article 5.3 Guidelines. Again, it is important to emphasize that the U.S. is not a Party to the WHO FCTC.

The government has put in place a policy to disallow the acceptance of all forms of contributions/gifts from the tobacco industry (monetary or otherwise) including offers of assistance, policy drafts, or study visit invitations given or offered to the government, its agencies, officials and their relatives. **(Rec 3.4)**

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Currently, there is no specific policy in place that prohibits contributions, gifts, offers of assistance, policy drafts, or study visit invitations from being given or offered to the government, its agencies, officials, and their relatives.

While US lobbying laws do prohibit gifts or financial assistance from lobbyists to public officials, tobacco lobbyists are still legally allowed to provide campaign contributions to these officials. This creates a potential avenue for influence through financial support. Additionally, the FDA has a history of considering scientific research conducted by the tobacco industry when formulating public health policies.¹⁵³





US TOTAL RAW SCORE 76/100

In 2023, the U.S. achieved a raw score of 76 out of 100. This score is subject to adjustment in the forthcoming STOP Global Index, set to be released later this year. The adjustment will reflect the fact that the U.S. has signed but still needs to ratify the WHO FCTC. A penalty rating is applied to all countries included in the global report that have not yet become Parties to the WHO FCTC.

A higher score signifies a greater level of interference by the tobacco industry. As in previous years, this raw score demonstrates the ongoing need for the U.S. to address tobacco industry interference on a national scale.

“The tobacco industry
continuously undermines
public health efforts aimed at
addressing the *harmful*
effects of tobacco use to
protect their market interests.”

- NICHELLE GRAY

ASH Manager of Engagement and Special Programs

ANNEX A: SOURCES OF INFORMATION

TOBACCO INDUSTRY ACTIVITY

TOBACCO COMPANIES

TOP 5 TOBACCO COMPANY DISTRIBUTORS

1. Altria (Phillip Morris USA)

SOURCE

<https://investor.altria.com/press-releases/news-details/2020/Altria-Reports-2020-Third-Quarter-and-Nine-Months-Results-Tobacco-Businesses-Demonstrate-Resilience-Narrows-2020-Full-Year-Earnings-Guidance/default.aspx>

3. ITG Brands (Imperial Brands)

SOURCE

https://www.imperialbrandsplc.com/content/dam/imperial-brands/corporate/investors/annual-report-and-accounts/2020/Online-Annual-Report/Annual_Report_2020.pdf

5. Vector Group

SOURCE

<http://ir.vectorgrouppltd.com/news-releases/news-release-details/vector-group-reports-third-quarter-2020-financial-results>

2. Reynolds American Inc.

SOURCE

<https://www.businesswire.com/news/home/20201111005827/en/Reynolds-Consumer-Products-Reports-Third-Quarter-2020-Financial-Results>

4. Japan Tobacco International

SOURCE

<https://www.jti.com/sites/default/files/press-releases/documents/2020/jt-group-2020-third-quarter-financial-results.pdf>

TOBACCO INDUSTRY FRONT GROUPS

1. Al Sharpton's National Action Network
2. American E-Liquids Manufacturing Standards Association
3. American Enterprise institute (AEI)
4. Americans for Tax Reform
5. American Smokers Alliance
6. American Vaping Assn
7. Ballantyne Brands
8. Berman and Company
9. Burley Tobacco Growers Cooperative Association
10. Center for Consumer Freedom
11. Cheyenne International
12. Cigar Rights of America Cigarette Store
13. Citizens for Tobacco Rights
14. Competitive Enterprise Institute
15. Convenience Distribution Association
16. Corona Cigar
17. Covance Laboratories
18. Dosal Tobacco
19. Foundation for a Smoke free World
20. FreedomWorks Foundation
21. Georgia Chamber of Commerce
22. Goldwater Institute
23. Hay Island Holding
24. Heartland Institute
25. Holt's Cigar
26. Idaho Freedom Foundation
27. Independent Women's Forum
28. Indiana Grocery and Convenience Store Association
29. Indiana Petroleum Marketers and Convenience Store Association (IPCA)
30. Intl Premium Cigar & Pipe Retailers Association
31. Intrepid Brands
32. JC Newman Cigars
33. John Locke Foundation
34. Law Enforcement Action Partnership
35. Liggett Vector Brands
36. National Association of Convenience Stores
37. National Association of Tobacco Outlets (NATO)
38. National Center for Public Policy Research
39. National Council of State Legislators (NCSL)
40. National Governors Association
41. National Newspapers Publishers Association
42. National Smokers Alliance National Tobacco
43. North Dakota Petroleum Marketers Association (NDPMA)
44. Oklahoma Council of Public Affairs
45. Padron Cigars
46. Petroleum Marketers Association
47. Pipe Tobacco Council
48. Price & Co
49. PURO PAC
50. Pyxus International
51. R Street Institute
52. Reason Foundation
53. RYO Machine Rental
54. Scandinavian Tobacco Group
55. Smoke Free Alternatives Trade Association
56. Specialty Tobacco Council
57. State Policy Network (SPN)
58. TechFreedom
59. The American Legislative Exchange Council (ALEC)
60. The Cigarette Shop
61. The Institute for Policy Innovation
62. The James Madison Institute
63. The Mackinac Center for Public Policy
64. The Maryland Public Policy Institute
65. United States Conference of Mayors
66. Universal Leaf Tobacco
67. US Tobacco Cooperative
68. VGR Holding
69. Wild Bill's Tobacco
- 70.

NEWS SOURCES

TOP 5 NEWSPAPERS/ DAILIES	TYPE (PRINT/ONLINE)	URL
<i>USA Today</i>	Online	https://marketing.usatoday.com/about-us/
<i>The Wallstreet Journal</i>	Online	https://mediakit.wsjbarrons.com/media-kit/p/1
<i>Newsday</i>	Online	https://assets.projects.newsday.com/media-kit/2019_Newsday_MediaKit.pdf
<i>Los Angeles Times</i>	Online	https://www.elliott.org/company-contacts/los-angeles-times/
<i>The New York Times</i>	Online	https://www.statista.com/statistics/273503/average-paid-weekday-circulation-of-the-new-york-times/

GOVERNMENT AGENCIES

AGENCY	SPECIFY IF THE AGENCY HAS A SPECIFIC BRANCH DEDICATED TO TOBACCO CONTROL	GENERAL SOURCES OF INFORMATION/ NEWS FOR EACH OFFICE
US Food and Drug Administration (FDA)	Center for Tobacco Products (CTP)	https://www.fda.gov/about-fda/office-medical-products-and-tobacco/
Centers for Disease Control and Prevention (CDC)	Office on Smoking and Health (OSH)	https://www.cdc.gov/tobacco/about/osh/index.htm
US Department of Health and Human Services (HHS)		https://www.hhs.gov/
Internal Revenue Service (IRS)		https://www.irs.gov/

GOVERNMENT AGENCIES

AGENCY	SPECIFY IF THE AGENCY HAS A SPECIFIC BRANCH DEDICATED TO TOBACCO CONTROL	GENERAL SOURCES OF INFORMATION/ NEWS FOR EACH OFFICE
Alcohol and Tobacco Tax and Trade Bureau (TTB)		https://www.ttb.gov/
Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)		https://www.atf.gov/
Substance Abuse and Mental Health Services Administration (SAMHSA)		https://www.samhsa.gov/
US Department of Justice		https://www.justice.gov/
Federal Communications Commission		https://www.fcc.gov/
US Environmental Protection Agency		https://www.epa.gov/
Agency for Healthcare Research and Quality		https://www.ahrq.gov/
Department of Agriculture (USDA)		https://www.usda.gov/
Indian Health Service (IHS)		https://www.ihs.gov/Epi/index.cfm?module=epi_tobacco_projects
Occupational Safety and Health Administration (OSHA)		https://www.osha.gov/
Federal Trade Commission (FTC)		https://www.ftc.gov/

ENDNOTES

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152 For purposes of this question, “consistently” means: a. Each time the FCTC is discussed, 5.3 is explained. AND b. Whenever the opportunity arises such when the tobacco industry intervention is discovered or reported.
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