

The New York Times

This copy is for your personal, noncommercial use only. You can order presentation-ready copies for distribution to your colleagues, clients or customers [here](#) or use the "Reprints" tool that appears next to any article. Visit www.nytimes.com for samples and additional information. [Order a reprint of this article now.](#)

February 28, 2009

House Bill Expected on F.D.A. Control of Tobacco

By **[DUFF WILSON](#)**

Landmark legislation to put tobacco under control of the [Food and Drug Administration](#) will surface in Congress next Wednesday and may be passed along to the president early this year.

The House Committee on Energy and Commerce is expected to vote on the legislation on Wednesday, a spokeswoman, Karen Lightfoot, said Friday.

A majority in both the House and Senate co-sponsored a virtually identical bill last year, led by Representative [Henry A. Waxman](#) of California, chairman of the House committee, and Senator [Edward M. Kennedy](#) of Massachusetts. [President Obama](#) supports the legislation, while [George W. Bush](#) opposed it.

"It's good news — it's great," Matthew L. Myers, president of the Campaign for Tobacco-Free Kids, the lead Washington advocacy group on the measure, said in a phone interview Friday. "Our hope is that this bill will move quickly, reflecting the broad support, and be on the president's desk."

The legislation would set up a new office in the F.D.A., financed by industry fees, to focus on tobacco. It would allow further restraints on sales and marketing to young people, including stronger warning labels with graphic depictions of [smoking](#)-related illnesses.

But the legislation does not ban [cigarettes](#) or [menthol](#), an additive thought to make smoking more attractive to some people. A carefully crafted compromise reached last year would leave it up to the F.D.A. to decide whether menthol should be restricted.

Both pro- and anti-tobacco forces have been waiting months to learn when the new Democratic Congress would bring up the F.D.A. legislation. It passed by wide margins in the Senate in 2004 and in the House last July.

The proposal's broad range of supporters includes the industry sales leader, Philip Morris, although other cigarette makers oppose it.

David M. Sylvia, spokesman for [Altria](#), the parent company of Philip Morris, said Friday that the company supports "tough but reasonable federal regulation of tobacco products."

But Dr. Joel L. Nitzkin, chairman of the tobacco control task force of the American Association of Public Health Physicians, criticized the compromise. "This bill will be worse than no bill at all," he said in a phone interview.

Copyright 2009 The New York Times Company

[Privacy Policy](#) | [Search](#) | [Corrections](#) | [RSS](#) | [First Look](#) | [Help](#) | [Contact Us](#) | [Work for Us](#) | [Site Map](#)