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HOUSE JOINT RESOLUTION NO. 58

Offered January 16, 1998

Memorializing Congress to adopt, as part of the global tobacco settlement, the 10 core principles recommended by Virginia's tobacco growers and public health advocates.

Patrons—Bennett, Abbitt, Clement, Councill and Van Yahres; Senator: Reynolds

Referred to Committee on Rules

WHEREAS, currently pending before the U. S. Congress is the proposed global tobacco settlement regarding the use of tobacco products; and

WHEREAS, this proposal does not include a provision which will provide relief or protection for America's tobacco growers or the communities in which they live; and

WHEREAS, American tobacco farmers and their families have, for the past 60 years, relied on the price-support and production-control policies of the federal government; and

WHEREAS, based on such policies, tobacco growers have made occupational, educational, and financial investment decisions; and

WHEREAS, termination of the current tobacco program and policies will result in catastrophic consequences not only for farm families but for entire communities; and

WHEREAS, actions must be taken to ensure the economic, social, and emotional well-being and viability of tobacco communities; and

WHEREAS, the imminent threat to the vitality and prosperity of tobacco communities of not providing economic relief to tobacco farmers in the global tobacco settlement has been recognized by numerous health organizations such as the American Lung Association, the American Cancer Society, and the American Heart Association, as well as tobacco organizations such as the Virginia Tobacco Growers Association, the Virginia Agricultural Growers Association, Allies for Tobacco, Inc. (Burley), and the Concerned Friends of Tobacco in Virginia; and

WHEREAS, these organizations agree that on issues related to the agricultural production of tobacco the following principles should be included in the global tobacco settlement:

1. That a tobacco production control program which limits supply and which sets a minimum purchase price is in the best interest of the public health community and the tobacco producer community. A tobacco program provides stability to tobacco farmers and their communities, and elimination of a program should not take place during the period in which the terms of any national legislative proposals are implemented. Should no national legislation occur, no changes should take place until after a thorough review of the program, with full participation in decision-making by tobacco producers, which ensures that adequate economic safeguards have been put in place to provide economic stability to producers and their communities.

2. That any costs associated with the administration or operation of a tobacco program be guaranteed to be paid for under any legislative proposal, and that the federal government no longer bear the costs for the administration or operation of such a program.

3. That there be greater cooperation between the tobacco-growing community and the public health community to ensure that quality control and health and safety standards are maintained in the production of tobacco and that industry information and research should be made available for public review, both domestically and abroad. Agencies with public health responsibility, including the U. S. Food and Drug Administration (FDA), whose authority over manufactured tobacco products should not extend to on-farm tobacco production, should work cooperatively through structures already in place in the U. S. Department of Agriculture and the Environmental Protection Agency so as not to extend any additional control and bureaucracy over the on-farm production of tobacco.

4. That tobacco quota holders and tobacco lease holders should be given the opportunity to have their quotas compensated for at a fair and equitable level, and that the protection of tenant farmers be given special consideration as part of this process to ensure that they are not adversely affected.

5. That a significant amount of money be allocated so that tobacco-growing states and communities have options and opportunities to ensure their economic viability into the twenty-first century. There must be significant involvement of tobacco-growing communities in determining the allocation of these funds, and decision-making for plans to enhance the economic infrastructures of these communities should be governed primarily through community-based input. Agricultural-based development, in particular, should be given a high priority; and

WHEREAS, these organizations agree that on issues related to public health the following principles should be included in the global tobacco settlement:

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60 1. That it is in the best interests of the public health community and the tobacco producer
61 community that the FDA should have authority to establish fair and equitable regulatory controls over
62 the manufacture, sale, distribution, labeling (including country of origin), and marketing of tobacco
63 products, both domestic and imported, comparable to regulations established for other products regulated
64 by the FDA. Such regulations should have as their goal the protection of public health and assurance
65 that users of tobacco products are provided with full and complete information about the products they
66 are using. In order to accomplish this goal, industry information and research should be made available
67 for public review. From a harm-reduction standpoint, it is in the best interest of the public health
68 community to support enhanced assurance of quota stability for domestic production of tobacco.

69 2. That there should be strong complementary federal, state, and local laws which guarantee that
70 tobacco products are not marketed, advertised, sold, or otherwise made available to anyone under the
71 age of 18.

72 3. That prohibition of the use of tobacco products by informed adults of legal age is not a goal of
73 public health advocates or tobacco producers.

74 4. That there should be mechanisms in place to prevent the importation of foreign tobacco, whether
75 in raw agricultural leaf, reconstituted or homogenized leaf, tobacco by-products, or any other form or
76 alteration of tobacco, that does not meet pesticide residue requirements and other quality controls
77 required for domestically grown and produced tobacco.

78 5. That if there is an increase in the federal excise tax in any legislative proposal, that in addition to
79 the tax being used for carrying out public health initiatives, a portion of the tax should be used to assist
80 farmers and their communities in addressing their economic dependence on tobacco; now, therefore, be
81 it

82 RESOLVED by the House of Delegates, the Senate concurring, That the Congress be urged to adopt,
83 as part of the global tobacco settlement, the ten core principles recommended by Virginia's tobacco
84 growers and health advocates; and, be it

85 RESOLVED FURTHER, That the Clerk of the House of Delegates transmit a copy of this resolution
86 to the Congressional Delegation of Virginia in order that they may be apprised of the sense of the
87 General Assembly of Virginia.