



# Key Dates for Implementation of the Family Smoking Prevention and Tobacco Control Act

On June 22, 2009, President Obama signed into law the Family Smoking Prevention and Tobacco Control Act (FSPTCA) which grants the U.S. Food and Drug Administration (FDA) the authority to regulate tobacco products and their marketing. The Center for Tobacco Products at the FDA was launched on August 19, 2009.

For the first time ever, the FDA will have the authority to restrict the tobacco industry’s marketing to children, ban the use of flavorings in tobacco products, ban misleading terms such as “light and “low,” require larger, more effective warning labels, require the tobacco industry to disclose all ingredients, additives, and smoke constituents in their products and require changes to tobacco products to make them less harmful and addictive.

The law establishes several key dates for federal action that are also important for states and localities to be aware of, not only for enforcement purposes, but as an opportunity to promote comprehensive tobacco control programs and policies in their community.

Provision	Effective Date
Characterizing flavors, other than tobacco and menthol, are banned in cigarettes	September 22, 2009
Tobacco manufacturers must provide the FDA with a list of all ingredients (tobacco, substances, compounds and additives) in their products	By January 2010
Manufacturers must provide the FDA with all documents developed after June 22, 2009 related to health, toxicological, behavioral and physiological effects of its current and future products, ingredients, constituents and additives	Beginning January 2010
Smokeless tobacco products’ labeling and packaging requirements, including new warning labels, take effect	June 22, 2010
The descriptors “light,” “low” and “mild” are banned from use	June 22, 2010
Restrictions on marketing to youth takes effect*	June 22, 2010
FDA shall publish an action plan for enforcement of the restrictions on marketing to youth	By October 2010
U.S. Comptroller General shall report to the Congress on the illicit trade of tobacco products	By January 2011
The Tobacco Products Scientific Advisory Committee to complete a report and recommendations on the use of menthol in tobacco products	By March 23, 2011
FDA shall issue regulations on the scientific evidence required for an application of a modified risk or health claim for a tobacco product	By July 2011
FDA shall issue regulations on the sale and distribution for tobacco purchases that are not face-to-face transactions	By October 2011
The Tobacco Products Scientific Advisory Committee to complete a report and recommendations on dissolvable tobacco products	By March 23, 2012

\*Restrictions can include: banning all remaining tobacco brand sponsorships of sports and entertainment events, and banning free giveaways of non-tobacco items with the purchase of a tobacco product or in exchange for coupons or proofs of purchase.

Implementation of the ban on outdoor tobacco advertising within 1,000 feet of schools and playgrounds and limitations on advertising in publications with significant teen readership and outdoor and point-of-sale advertising is currently the subject of pending litigation which could impede and delay the implementation of these provisions

Provision	Effective Date
FDA shall issue regulations on the marketing and promotion of tobacco purchases that are not face-to-face transactions	By April 2012
FDA shall issue regulations on the graphic warning labels on cigarettes; industry has 15 months to comply	By June 22, 2011; 15 months later for industry compliance
FDA shall publish a list of harmful tobacco constituents (tobacco, substances, compounds and additives) by brand and quantity	By April 2013
FDA to issue a report on how best to regulate, promote and encourage innovative tobacco dependence products and treatments	By April 2013
FDA shall report to the Congress on tobacco exports, including policy recommendations	By April 2013
FDA shall report to Congress on the implications of raising the minimum tobacco purchasing age	By April 2015
FDA shall report to appropriate Congress on the impact of providing the public with list of harmful tobacco constituents (tobacco, substances, compounds and additives)	By April 2015

Other provisions in the law require regulatory action by the FDA before an effective date can be set.

The American Cancer Society Cancer Action Network (ACS CAN) joined with more than 1,000 national, state and local organizations in support for passage of this law and is currently working with the FDA and its other tobacco control partners to ensure that the law is implemented swiftly and effectively for the best protection of public health.

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