

HENRY A. WAXMAN, CALIFORNIA
CHAIRMAN

JOHN D. DINGELL, MICHIGAN
CHAIRMAN EMERITUS
EDWARD J. MARKEY, MASSACHUSETTS
RICK BOUCHER, VIRGINIA
FRANK PALLONE, JR., NEW JERSEY
BART GORDON, TENNESSEE
BOBBY L. RUSH, ILLINOIS
ANNA G. ESHOO, CALIFORNIA
BART STUPAK, MICHIGAN
ELIOT L. ENGEL, NEW YORK
GENE GREEN, TEXAS
DIANA DEGETTE, COLORADO
VICE CHAIRMAN

LOIS CAPPAS, CALIFORNIA
MIKE DOYLE, PENNSYLVANIA
JANE HARMAN, CALIFORNIA
JAN SCHAKOWSKY, ILLINOIS
CHARLES A. GONZALEZ, TEXAS
JAY INSLEE, WASHINGTON
TAMMY BALDWIN, WISCONSIN
MIKE ROSS, ARKANSAS
ANTHONY D. WEINER, NEW YORK
JIM MATHESON, UTAH
G.K. BUTTERFIELD, NORTH CAROLINA
CHARLIE MELANCON, LOUISIANA
JOHN BARROW, GEORGIA
BARON P. HILL, INDIANA
DORIS O. MATSUI, CALIFORNIA
DONNA CHRISTENSEN, VIRGIN ISLANDS
KATHY CASTOR, FLORIDA
JOHN SARBANES, MARYLAND
CHRISTOPHER MURPHY, CONNECTICUT
ZACHARY T. SPACE, OHIO
JERRY MCNERNEY, CALIFORNIA
BETTY SUTTON, OHIO
BRUCE BRALEY, IOWA
PETER WELCH, VERMONT

JOE BARTON, TEXAS
RANKING MEMBER

RALPH M. HALL, TEXAS
FRED UPTON, MICHIGAN
CLIFF STEARNS, FLORIDA
NATHAN DEAL, GEORGIA
ED WHITFIELD, KENTUCKY
JOHN SHIMKUS, ILLINOIS
JOHN B. SHADEGG, ARIZONA
ROY BLUNT, MISSOURI
STEVE BUYER, INDIANA
GEORGE RADANOVICH, CALIFORNIA
JOSEPH R. PITTS, PENNSYLVANIA
MARY BONO MACK, CALIFORNIA
GREG WALDEN, OREGON
LEE TERRY, NEBRASKA
MIKE ROGERS, MICHIGAN
SUE WILKINS MYRICK, NORTH CAROLINA
JOHN SULLIVAN, OKLAHOMA
TIM MURPHY, PENNSYLVANIA
MICHAEL C. BURGESS, TEXAS
MARSHA BLACKBURN, TENNESSEE
PHIL GINGREY, GEORGIA
STEVE SCALISE, LOUISIANA

ONE HUNDRED ELEVENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6115

MAJORITY (202) 225-2927
FACSIMILE (202) 225-2525
MINORITY (202) 225-3641

energycommerce.house.gov

Statement of Rep. Henry A. Waxman Chairman, Committee on Energy and Commerce

“Smokeless Tobacco: Impact on the Health of our Nation's Youth and Use in Major League Baseball”

Subcommittee on Health

April 14, 2010

Last year, the Family Smoking Prevention and Tobacco Control Act was signed into law. It grants the Food and Drug Administration (FDA) the authority to regulate the content, advertising, and marketing of tobacco products in order to protect the public health.

This legislation marked one critical step in a long history of efforts to reduce tobacco use by teens. Today, teen smoking rates are down, and while we still have a long way to go, at least the trend is moving in the right direction.

But there is one exception to this improvement: smokeless tobacco. With smokeless tobacco, the trends are moving in the wrong direction, and the tobacco companies know it.

Throughout the 1980s and 1990s, the use of smokeless tobacco by teens declined at about the same rate as cigarette smoking. But over the last few years, the decline in smokeless tobacco use has stagnated, and use has even increased. Last year, smokeless tobacco use among 10th graders reached its highest level since 2002.

This is a serious health risk. The increased use of smokeless tobacco will mean millions more teens getting hooked on nicotine.

That's why I want to thank Chairman Pallone for holding today's hearing. We will hear from some of the nation's leading experts in smokeless tobacco use, learn about its risks, and learn about how to stem the rising tide of use among youth.

Two of our witnesses are not new to this Committee. In 1994, as Chairman of the Subcommittee on Health and the Environment, I chaired hearings on the health effects of smokeless tobacco. At those hearings, we heard from Dr. Connolly and from Joe Garagiola, both of whom will be testifying on the second panel today. Mr. Garagiola's 1994 testimony

discussed the same subject we will focus on today: the impact of tobacco use by Major League Baseball players and its impact on youth.

We appreciate the work they have done for decades now to reduce the use of smokeless tobacco by kids and by Major League Baseball players.

Unfortunately, Major League Baseball, and the players' union have yet to take decisive steps to end this terrible scourge.

Some progress has been made. In 1993, Commissioner Selig banned smokeless tobacco in Minor League clubhouses and dugouts. Baseball no longer allows tobacco companies to provide free samples to players. And the league and the union continue to educate players and fund efforts to reduce tobacco use by youth.

But at the Major League level, there continues to be no restrictions on the use of smokeless tobacco by players.

This means that millions of young fans are exposed on a daily basis to the use of smokeless tobacco by their heroes. The camera shots are relentless. A recent study by Dr. Connolly's colleagues at Harvard found that in just one game of the 2004 World Series, ballplayers provided \$6.4 million worth of free advertising for smokeless tobacco.

If you're a Major League Baseball player, and you are chewing tobacco, you can bet that many thousands of young, impressionable ballplayers are watching you chew. Too many of them will take up the habit to be just like you.

That's why Major League Baseball and the players' association need to take action to end the use of smokeless tobacco by big league players.

Mr. Manfred and Mr. Prouty: over the next year, you will begin to negotiate a new collective bargaining agreement for Major League Baseball and its players. As part of that agreement, you will have the opportunity to make the same decision about smokeless tobacco that you made about cigarettes and cigars decades ago: banning its use by big league players in the dugout and on the field.

You prohibited smoking on and off the field. It's time to prohibit smokeless tobacco on and off the field.

You have the opportunity to protect your players' health, and to protect the health of millions of young adults.

This Committee will continue its vigorous and ongoing oversight of these issues. The protection of young Americans from the ravages of tobacco – in all its forms – demands no less.

And Major League Baseball and its players must step up to the plate to do their part.