
SENATE CONCURRENT RESOLUTION

ENCOURAGING THE UNITED STATES CONGRESS TO ENACT LEGISLATION
REGULATING THE SALE AND MARKETING OF TOBACCO PRODUCTS.

1 WHEREAS, tobacco companies have launched an array of
2 smoking products and marketing initiatives in an attempt to hold
3 market share in the face of declining tobacco sales; and
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5 WHEREAS, at least one new product, "purse packs" of ultra
6 slim or super slim cigarettes that are packaged in pink and teal
7 colored boxes approximately the size of a lipstick tube, are
8 clearly designed to appeal to teenage girls; and
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10 WHEREAS, according to The American Cancer Society, Cancer
11 Action Network, American Heart Association, American Lung
12 Association, American Medical Association, the Campaign for
13 Tobacco-Free Kids, and two-dozen other health and women's
14 groups, the marketing of "purse packs" demonstrate that tobacco
15 manufacturers show contempt for women and their health by
16 putting a pink gloss on a product that causes lung cancer and
17 heart disease which are two of the leading killers of women in
18 this country; and
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20 WHEREAS, the Federal Cigarette Labeling and Advertising Act
21 (FCLA), 15 United States Code section 1334, provides that "no
22 requirement or prohibition based on smoking and health shall be
23 imposed under State law with respect to the advertising and
24 promotion of any cigarettes the packages of which are labeled in
25 conformity with the provisions of this Act," thereby preempting
26 state regulation; and
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28 WHEREAS, currently pending federal regulation, including
29 the Family Smoking Prevention and Tobacco Control Act,
30 H.R. 1256, would allow the federal Food and Drug Administration
31 to regulate the marketing, branding, and sale of cigarettes and

1 other tobacco products, which would likely preempt any attempts
2 by the Legislature to regulate the same; and
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4 WHEREAS, the State of Hawaii has an interest in encouraging
5 restrictions on the marketing, branding, and sale of cigarettes
6 and other tobacco products in order to promote the health,
7 safety, and welfare of Hawaii's residents; now, therefore,
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9 BE IT RESOLVED by the Senate of the Twenty-fifth
10 Legislature of the State of Hawaii, Regular Session of 2009, the
11 House of Representatives concurring, that the United States
12 Congress is respectfully requested and encouraged to pass the
13 Family Smoking Prevention and Tobacco Control Act or other
14 similar legislation to restrict the marketing, promotion, and
15 sale of tobacco products in the United States; and
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17 BE IT FURTHER RESOLVED that the Congress is respectfully
18 requested to include a prohibition on the sale of "purse packs,"
19 ultra slim, or super slim cigarettes as a means of addressing
20 the marketing of cigarettes towards teenage girls; and
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22 BE IT FURTHER RESOLVED that certified copies of this
23 Concurrent Resolution be transmitted to the Speaker of the
24 United States House of Representatives, Majority Leader of the
25 United States Senate, and the members of Hawaii's congressional
26 delegation.