

SMOKE SIGNALS

In 2009, the Family Smoking Prevention and Tobacco Control Act became law. It requires, among other things, that cigarette packages have more explicit and dramatic health warnings, and display emphatic health warning messages and graphic, color images meant to discourage smoking. The Food and Drug Administration (FDA) posted thirty-six images on the Internet from which the agency will select nine for use on cigarette packages. Among the messages is “Smoking can kill you”, and the images include a rotting lung, a diseased mouth, and a corpse. Business Week (November 10, 2010), quoted FDA Commissioner Dr. Margaret A. Hamburg: “When the rule takes effect, the health consequences of smoking will be obvious every time someone picks up a pack of cigarettes.”

Critics claim the packaging insults, embarrasses, and humiliates smokers and discriminates against them. They also claim that government should not impose its views about label content and that the legislation violates cigarette companies’ rights to free speech.

Supporters of the governmental approach claim that the traditional warning labels on cigarette packages have been much too small to offset the emotional appeals and glamorization of smoking in advertising. They also point to studies documenting the effectiveness of more explicit warnings. On the basis of these findings, many other countries have mandated that more package surface area be devoted to health warnings.