MEMORANDUM January 28, 1983

TO: JACK KELLY

FROM: WALTER WOODSON WWW

RE: CA. STATE SEN. GARAMENDI'S "FIRE-SAFE" CIGARETTE BILL

TI received printed information on Garamendi's bill yesterday afternoon. The information, which is on file, contains two press releases, the bill (SB-197), a "fact sheet", two fire charts, and several newspaper clippings sympathetic to the idea of a "self-extinguishing" cigarette.

If enacted into law, the State Fire Marshal would be required to establish performance standards by June, 1985; and anyone selling or distributing (even sample) cigarettes or little cigars not meeting the standards--18 months after they are announced--would be subject to fine.

The bill was coauthored by Sen. Diane Watson (D-L.A.)

The Garamendi quotes in the press releases are not remarkable. They include:

> This is not an anti-smoking bill nor legis- designed to address any health issue.
>
> This is a fire prevention bill aimed at saving lives and property. (emphasis his)
>
> Passing this legislation will give cigarette manufacturers ample time to extend the 'fire-safe' techniques, already used in some marketed cigarettes, to all brands sold in California.

In the language of the bill, there are some statements which may be difficult for Garamendi to support fully.

Example one, PAGE NO. TWO, Section 1., paragraph (c):
---"As presently marketed, cigarettes and little cigars are a dangerous ignition source which present an unreasonable risk of injury." (emphasis mine)

Example two, PAGE NO.TWO, Section 1., paragraph (d):
---"It is feasible and practical to produce cigarettes and little cigars which do not present an unreasonable risk of injury."

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On PAGE NOS. TWO AND THREE, Section (e), subsections (1) and (2), two requirements are listed--cigarettes and little cigars must meet either.

The first requirement is the standard burn out time requirement.

The other (2) requires these products "Meet some other performance standard promulgated by the State Fire Marshal to ensure that the cigarettes or little cigars do not ignite smoldering upholstered furniture and mattress fires."

The standards are to be based on studies conducted by the Ca. Bureau of Home Furnishings of the Department of Consumer Affairs in conjunction with the State Fire Marshal.

The bill calls for the standard studies to be financed entirely through private gifts and grants. The bill does not ask for any state money to be appropriated for this purpose. This approach could work to their advantage.

cc: Chilcote
Kloepfer
Duffin
Marshall
Panzer
Stuntz

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