

Summary of comments by James Goold, Covington & Burling
Before the Senate Health & Human Services Committee
In opposition to SB 2070

- Reports by the Consumer Product Safety Commission, National Cancer Institute, Department of Health and Human Services and an array of other experts who concluded that the down side of a [fire safety] standard is vastly larger than any potential up side. It would be playing Russian Roulette with fire safety in this state, with the finances of this state, the economy, law enforcement and, above all, public health.
- In 1993, it was reported to Congress by CPSC, with participation from the National Institute of Standards and Technology, Department of Health Services, and Dr. David Burns, that: "It is unclear that such a standard will effectively address the number of cigarette ignited fires."
- CPSC's recommendation to Congress: It is essential to include and consider toxicity tests as part of any such effort "since even a small increase in toxicity could outweigh the beneficial effect of fewer fires."
- There has been a major effort over the last twenty years to reduce tar, nicotine, carbon monoxide. The changes that make a cigarette burn less efficiently are things that drive-up tar, nicotine and carbon monoxide. That was the issue with Marlboro (Hamlet) cigarette. (Goold alleges that there is proof that these elements went up in CPSC's report, prepared by their panel of health experts on toxicity.)
- The best example of a cigarette that would go out on paper had 50% more tar, nicotine, carbon monoxide. This is the consistent result that has been achieved.
- There are no cigarettes on the market that are fire safe. Any cigarette that burns has a risk of fire. The commercial fire safe cigarettes were tested on commercial fabrics -- real world material in people's homes -- and results have consistently been that there is no difference between those brands and non-fire safe cigarettes.
- Regarding effects on the economy: People will get cigarettes from non-law abiding channels.
- Regarding commercial acceptability: People are not interested in increased tar and nicotine, and not interested in a cigarette that has to be re-lit every time you take a puff.
- Companies have done an enormous amount of research -- which began before the federal studies, and it has continued after the federal studies -- and as technological innovations come forward that fit within criteria for not increasing tar, nicotine and carbon monoxide they are market tested. Nobody has come up with a product yet that has achieved any kind of commercial acceptance. Products are not being held back [by companies]. But results so far are discouraging.
- This is an issue that should be and has been addressed at the federal level, and that is where the focus of efforts will continue.
- Does not know how the fire marshal will be able to deal with the multiple tier of animal experiments that the health experts have requested and indicated are essential.

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Does not know how the [fire marshal] office can deal with the physics and test issues that have been wrestled with for \$15 million of federal funds, and produced reports that say we have more problems than we have solutions.

- Regarding the approximate 3% reduction in cost to produce a fire-safe cigarette: Does not know where that number comes from. It is not referring to any product that has any commercial viability whatsoever.
- No chemicals are added to enhance burning

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