

AAP, health groups file lawsuit pushing for graphic cigarette warnings

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The Academy and seven other medical and public health groups are taking legal action to force federal officials to follow through on a requirement for graphic warnings on cigarette packs.

The groups filed a [federal lawsuit](#) Tuesday in Boston against the Food and Drug Administration (FDA) and stressed the importance of using images to deter adolescents from smoking.

“They’re growing up in a very graphic-oriented world and this ... will capture their attention and make the point about the dangers in a way I think the text alone does not,” said AAP President Benard P. Dreyer, M.D., FAAP.

The Campaign for Tobacco-Free Kids is leading the legal efforts and is joined by the Academy, the Massachusetts Chapter of the American Academy of Pediatrics (MCAAP), the American Cancer Society, the American Cancer Society Cancer Action Network, the American Heart Association, the American Lung Association and Truth Initiative. Three AAP Fellows also have signed onto the lawsuit — Lynda M. Young, M.D., FAAP, Ted M. Kremer, M.D., FAAP, and Jonathan P. Winickoff, M.D., M.P.H., FAAP.

The suit seeks to enforce the 2009 Family Smoking Prevention and Tobacco Control Act provision that requires graphic warnings on the front and back of cigarette packs and 20% of cigarette advertising. In 2011, the FDA released the images to be used, but they were challenged in court by tobacco companies.

In 2012, U.S. Court of Appeals judges struck down those specific images but left intact the FDA’s legal obligation to implement some type of graphic warnings.

Four years later, the FDA has not issued new images for the warnings. The health organizations’ lawsuit asks the court to order the agency to do so. AAP leaders say they value the Academy’s relationship with the FDA but want to ensure the warnings are implemented.

“They have a big job, but I think for children it’s really important they do what they said they would do ... and that is to produce these labels and hopefully this will help address any barriers to that becoming a priority for the FDA,” said MCAAP President DeWayne Pursley, M.D., M.P.H., FAAP.

Smoking causes an array of serious health issues, including cancer, heart disease and lung diseases, and more than 480,000 people in the U.S. die each year from tobacco-related illnesses, according to the Centers for Disease Control and Prevention.

The health groups argue cigarette packs have had text warnings since the 1960s and they have not been updated for 30 years, so they often go unnoticed. Graphic warnings, which are required in more than 90 countries, have been shown to prevent people from starting to smoke and encourage others to quit.

In a 2013 study, researchers found if such warnings had been adopted in the U.S. in 2012, the number of adult smokers would have decreased by 5.3 million to 8.6 million the following year.

Because most smokers start before age 18, counseling youths about the risks is an important part of a pediatrician's work, and the warnings would capture their attention in a way text warnings cannot, said Dr. Young, who chairs both the AAP Committee on Federal Government Affairs and Tobacco Free Mass.

"The graphic warnings to me are very powerful," Dr. Young said. "You say actions speak louder than words. Well, in this case, pictures will speak louder than words."

Resources

- [AAP Julius B. Richmond Center of Excellence](#)
- [AAP policy "Clinical Practice Policy to Protect Children From Tobacco, Nicotine, and Tobacco Smoke"](#)
- [AAP policy "Public Policy to Protect Children From Tobacco, Nicotine, and Tobacco Smoke"](#)
- [AAP technical report "Protecting Children From Tobacco, Nicotine, and Tobacco Smoke"](#)

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