

1 [Urging the United States Congress to amend the Federal Cigarette Labeling and Advertising
2 Act to allow local regulation of cigarette advertising.]

3 **Resolution urging the United States Congress to amend the Federal Cigarette Labeling**
4 **and Advertising Act to allow state and local governments to regulate tobacco**
5 **advertising and directing the City's Federal Legislative Representative to take**
6 **appropriate steps in order to further the enactment of this legislation.**

7 WHEREAS, We as a community recognize that tobacco use is the leading cause of
8 preventable illness in the United States, causing 430,000 tobacco-related deaths annually in
9 the United States, and that almost 90% of adults who have ever smoked tried their first
10 cigarette by the age of 18; and

11 WHEREAS, The State of California has found and declared that smoking is the single
12 most important source of preventable disease and death in California (Health and Safety
13 Code Section 118950); and,

14 WHEREAS, The marketing and sale of tobacco products remains a multi-billion dollar
15 industry with cigarette companies spending \$8.24 billion to advertise and market their
16 products in 1999; and

17 WHEREAS, The City and County of San Francisco ("City") has adopted several
18 ordinances regulating the advertisement of cigarettes and other tobacco products to protect
19 minors from advertisements that can increase the incidence of addiction to tobacco products;
20 and

21 WHEREAS, The Supreme Court has recently ruled that the Federal Cigarette Labeling
22 and Advertising Act (15 U.S.C. §1331 *et seq.*) ("FCLAA") preempted Massachusetts'
23 regulation of cigarette advertising intended to reduce the incidence of smoking among minors;
24 and
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WHEREAS, the FCLAA, as interpreted by the Supreme Court, impairs the ability of the City to enforce its regulation of cigarette advertising; now, therefore, be it

RESOLVED, That Board calls upon the United States Congress to amend the Federal Cigarette Labeling and Advertising Act to allow state and local governments to regulate cigarette advertising; and, be it

FURTHER RESOLVED, That the City's Federal Legislative Representative shall take all appropriate steps to communicate with federal officials in order to further the enactment of this legislation.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails
Resolution

File Number: 020157

Date Passed:


Resolution urging the United States Congress to amend the Federal Cigarette Labeling and Advertising Act to allow state and local governments to regulate tobacco advertising and directing the City's Federal Legislative Representative to take appropriate steps in order to further the enacting of this legislation.

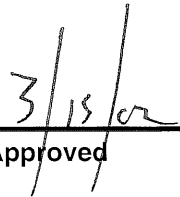
March 4, 2002 Board of Supervisors — ADOPTED

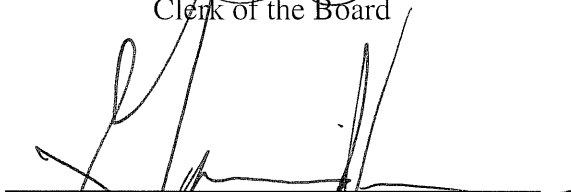
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020157

I hereby certify that the foregoing Resolution was ADOPTED on March 4, 2002 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board


Date Approved


Mayor Willie L. Brown Jr.