AACR Calls for Appeal to Ruling Blocking Graphic Warning Labels on Cigarettes

PHILADELPHIA — The American Association for Cancer Research strongly disagrees with the recent ruling by the U.S. Court of Appeals for the D.C. Circuit that blocks implementation of the new health warning labels for cigarette packaging and advertising, and urges the Justice Department to swiftly appeal the decision. The mandate for new health warnings was a critical component of the Family Smoking Prevention and Tobacco Control Act, which was passed with bipartisan support by Congress in 2009.

“We are troubled by the court’s determination that the FDA has not provided the evidence that these warnings will reduce the number of Americans who smoke. There are numerous studies showing that visual warnings of this type are effective in communicating dangers and evoking behavioral changes,” said Roy S. Herbst, M.D., Ph.D., chairperson of the AACR Task Force on Tobacco and Cancer and chief of medical oncology at Yale University, New Haven, Conn.

Herbst pointed to the impact of a recent television ad campaign by the Centers for Disease Control and Prevention (CDC) titled “Tips From Former Smokers,” in which former smokers showed how they dealt with the health consequences of their tobacco use, ranging from amputated legs to a tracheotomy. The goals of the campaign were to increase public awareness about the health risks of smoking and secondhand smoke exposure, motivate smokers to quit, encourage smokers who need help to call 1-800-QUITNOW and encourage adults to actively protect their kids from exposure to secondhand smoke. The 12-week campaign more than doubled the calls to national tobacco quit lines.

“The flood of individuals seeking smoking-cessation assistance in response to these graphic ads is a testament to how powerful it is to visually communicate the negative impacts of smoking,” Herbst added.

The parameters in the law are based on decades of science showing that large, graphic warnings are an effective way to increase awareness about the dangers of tobacco use, to dissuade nonsmokers from starting to smoke and to motivate smokers to quit. The nine proposed labels that were unveiled by the FDA in June 2011 use large, color photos or drawings to depict the negative health consequences of smoking and include concise statements, such as “cigarettes cause cancer,” and were due to appear on cigarette packs by September 2012.

In 2010, the AACR released a comprehensive policy statement on tobacco and cancer composed of policy recommendations and a road map for future research to stem the tide of tobacco-related death and disease. The statement urged more stringent and effective warning labels based on scientific evidence and recommended inclusion of the 1-800-QUIT-NOW cessation resource on cigarette labels.