



SMOKELESS TOBACCO IN THE UNITED STATES

Leading health care authorities in the U.S. and around the world have unequivocally stated that smokeless tobacco products are harmful to health. However, tobacco companies – and increasingly more cigarette companies – continue to produce and market new smokeless tobacco products to attract new users and keep smokers addicted. At the same time, tobacco companies continue to deny that smokeless tobacco products cause any harm.

Health Care Authorities on Smokeless Tobacco Products in the USA

U.S. Surgeon General¹

- “After a careful examination of the relevant epidemiologic, experimental, and clinical data, the committee concludes that ***the oral use of smokeless tobacco represents a significant health risk. It is not a safe substitute for smoking cigarettes. It can cause cancer and a number of non-cancerous oral conditions and can lead to nicotine addiction and dependence.***”
- “***The scientific evidence is strong that the use of snuff can cause cancer in humans.*** The evidence for causality is strongest for cancer of the oral cavity, wherein cancer may occur several times more frequently in snuff dippers compared to non-tobacco users.”

U.S. National Cancer Institute²

- “***The bioassay data strongly support the epidemiological observation that ST is carcinogenic to humans.*** Twenty-eight carcinogens have been identified in chewing tobacco and snuff. The high concentrations of N-nitrosamines in ST, and especially the high levels of TSNA, are of great concern.”
- “***The evidence that NNK and NNN play a role in human oral cancer induced by snuff is strong.*** Both compounds are present in significant amounts in snuff and in the saliva of snuff dippers. They are metabolically activated in snuff dippers to intermediates that bind to hemoglobin. They cause oral tumors in rats and are metabolically activated by rat and human oral tissue. Although there are many questions about the mechanisms by which snuff causes oral tumors in rats and humans, there is no doubt that the presence of NNK and NNN in snuff is an unacceptable risk to people who choose to use these products.”

U.S. National Toxicology Program³

- “***The oral use of smokeless tobacco is known to be a human carcinogen*** based on sufficient evidence of carcinogenicity from studies in humans which indicate a causal relationship between exposure to smokeless tobacco and human cancer.”
- “***Smokeless tobacco has been determined to cause cancers of the oral cavity.*** Cancers of the oral cavity have been associated with the use of chewing tobacco as well as snuff which are the two main forms of smokeless tobacco used in the United States.”

World Health Organization (WHO)

- “***There is conclusive evidence that certain smokeless tobacco products increase risk of oral cancer, specifically ... smokeless tobacco in the United States.***”⁴

Smokeless Tobacco Use in the U.S.

Despite some recent declines in youth spit tobacco use, 13.4 percent of U.S. high school boys and 2.3 percent of high school girls currently use smokeless tobacco products. In some states, smokeless tobacco use among high school boys is particularly high, including Kentucky (26.7 percent), Montana (20.3 percent), Oklahoma (24.8 percent), Tennessee (22.8 percent), West Virginia (27.0 percent), and Wyoming (21.3 percent).⁵

Accurate smokeless tobacco prevalence data for adults are not as readily available. The National Survey on Drug Use and Health reported that 5.2 percent of young adults between ages 18 and 25 and 3.2 percent of adults over age 26 used smokeless tobacco in 2006.⁶

Marketing Smokeless Tobacco to Kids

Smokeless tobacco companies in the U.S., particularly the U.S. Smokeless Tobacco Company (UST), have a long history of creating new products that appeal to kids and marketing them aggressively to children.⁷ There has been an onslaught of new spitless and flavored smokeless tobacco products on the market and these aggressive marketing strategies to attract new users will most likely capture youth into a lifetime of addiction.

Tobacco documents show that UST had a specific strategy to “graduate” new, young smokeless tobacco users from candy- or fruit-flavored starter products to more potent varieties. A 1985 internal UST newsletter indicates the company’s desire to appeal to youth: “Skoal Bandits is the introductory product, and then we look towards establishing a normal graduation process”⁸ and a former UST sales representative revealed that “Cherry Skoal is for somebody who likes the taste of candy, if you know what I’m saying.”⁹

From 1998 to 2005 (the most recent year for which data are available), the total advertising and marketing expenditures of the top-five smokeless tobacco companies in the U.S. (Conwood Company, National Tobacco Company, Swedish Match North America, Inc., Swisher International, and UST) increased by 72.4 percent. In 2005, these smokeless tobacco companies spent more than \$250.7 million to advertise and market their products.¹⁰ Some of these funds pay for smokeless tobacco ads in magazines with high youth readership, such as *Sports Illustrated* and *Rolling Stone*.¹¹ In fact, despite the restrictions placed on youth advertising by the Smokeless Tobacco Master Settlement Agreement, UST has continued to advertise in youth-oriented magazines. From 1997 to 2001, UST’s expenditures in youth magazines increased 161 percent, from \$3.6 million to \$9.4 million.¹²

Although the state tobacco settlement agreements have limited UST’s ability to continue to do brand-name sponsorships of events and teams, UST continues to be a promotional sponsor of both professional motorsports and rodeo and bull riding.¹³ As the general manager of the College Finals said, “U.S. Tobacco is the oldest and best friend college rodeo ever had.”¹⁴ Some cities, including Boulder and Greeley, CO, have prohibited free tobacco product giveaways, making it more difficult for UST to lure new users at these events.

Of equal or greater concern to UST’s acts is the recent entry of Reynolds-American – labeled as a “serial violator” of the Master Settlement Agreement by the U.S. Department of Justice – into the smokeless tobacco market with its purchase of Conwood.

New Products and “New” Companies Enter the Smokeless Market

Seeing the downward trend in smoking rates and the increasing popularity of smokeless tobacco products, cigarette companies have released their own smokeless tobacco products that draw on the brand names of their popular cigarettes to attract new users. Most notable are the snus products, which are small, teabag-like pouches containing tobacco and other flavorings that users place between their upper gum and lip. R.J. Reynolds’s Camel Snus, Philip Morris USA’s Marlboro Snus, Liggett Group’s Grand Prix Snus, and Lorillard’s Triumph Snus have been released into test market within the last year. Because these products do not require spitting, their use can be easily concealed. One high school student admitted using Camel Snus during class, saying, “It’s easy, it’s super-discreet...and none of the teachers will ever know what I’m doing.”¹⁵

In April 2006, within two weeks of each other, both Philip Morris USA and Reynolds-American International (RAI) Tobacco Company (the two largest domestic cigarette manufacturers) announced plans to enter the smokeless tobacco market. First, RAI announced its acquisition of the Conwood Smokeless Tobacco Company (makers of Kodiak and Grizzly moist snuff and Levi Garrett chewing tobacco), the second largest moist snuff manufacturers in the U.S., and soon followed with an announcement that it will be test marketing (in Austin, TX and Portland, OR) a smokeless product called “Camel Snus” – a smokeless, pouch product using the traditional Camel cigarette brand name and logo.¹⁶ As of August 2007, Camel Snus is being test-marketed in half a dozen cities across the U.S.

Also in the spring of 2006, Philip Morris USA announced plans to test market (in Indianapolis, IN) a smokeless, pouch product called “Taboka” beginning in July 2006.¹⁷ On June 8, 2007, Philip Morris USA

announced plans to test market (in Dallas/Ft. Worth, TX) a smokeless, spitless, pouch product called “Marlboro Snus” beginning in August 2007.¹⁸ It is widely believed that Taboka was only introduced to provide test market data for Marlboro Snus.¹⁹ On August 21, 2007, PM USA announced that it would test market Marlboro Moist Smokeless Tobacco – a completely separate product from Marlboro Snus – in Atlanta, GA beginning in October 2007, as a part of their “growth strategy...to add tobacco or tobacco-related products that are adjacent to its existing business, cigarettes.”²⁰

Not to be left behind, the Liggett Group began test-marketing Grand Prix Snus and Tourney Snus in May 2008. Liggett Group President and CEO has said, “We have been watching the growth and development of the U.S. snus market with great interest over the past 18 months and believe there is a significant opportunity to introduce our own snus product and build on our highly successful Grand Prix tobacco franchise.”²¹ And in the spring of 2008, Newport cigarette maker Lorillard began test marketing Triumph Snus in Ohio and most recently, Georgia.

In the last several years, other notable smokeless tobacco products have launched. UST test marketed Revel (in Colorado and North Carolina) as a way to consume tobacco in places or situations when smoking is not allowed or is not socially acceptable.²² In addition to Revel, UST makes Skoal Pouches and Skoal Bandits, another pouch product being positioned as “spitless.”²³ Other products include Star Scientific’s Ariva tobacco lozenges and Stonewall Hard Snuff.²⁴ In an agreement with Star Scientific and just prior to its merger with RJ Reynolds, Brown & Williamson briefly test marketed (in Louisville, KY) Interval tobacco tabs (similar in concept to the Star Scientific products).²⁵

While very new, these developments could possibly result in changes in the smokeless tobacco market specifically, and more generally in the market for all tobacco products, but the nature of those changes is not certain. Potential outcomes could include:

- Increased efforts by smokeless manufacturers to encourage adult smokers who are concerned about their health or who are interested in quitting to switch to smokeless tobacco.
- Increase in dual use of smokeless and combusted tobacco products in light of increasing limitations on public indoor and workplace smoking.
- Increased youth experimentation with smokeless tobacco (due to the ability to use it discretely/secretly) and it could be a deterrent to youth tobacco use cessation efforts.

These potential changes speak to the need for effective product regulation of all tobacco products, including smokeless tobacco, along with efforts to increase access to clean, safe and effective medicinal forms of nicotine versus more toxic forms found in tobacco products.

There is reason for concern given the track record of UST and its prior marketing behavior aimed at kids and adolescents as well as the recent entry of Reynolds-American and now Philip Morris USA into the smokeless tobacco category.²⁶ In her landmark ruling in the Department of Justice (DOJ) lawsuit against Philip Morris USA and RJ Reynolds (and the other defendant companies), Judge Kessler found, “The evidence is clear and convincing – and beyond any reasonable doubt – that Defendants have marketed to young people twenty-one and under while consistently, publicly, and falsely, denying they do so.”²⁷

During the course of the DOJ lawsuit, RJ Reynolds was labeled by the Justice Department as a “serial violator” of the Master Settlement Agreement. Just one example is a recent California Supreme Court ruling that found RJ Reynolds (which is owned by Reynolds-American) had, on six separate occasions, violated California state law banning the free distribution of cigarettes at events attended by minors.²⁸ Effective regulation of tobacco manufacturer marketing and claims, along with product regulation, would significantly limit behavior that continues to this day and is counter to public health interests.

Smokeless Tobacco and Harm Reduction

There exist different views as to whether smokeless tobacco can be used to reduce the harm caused by tobacco use in the U.S. Some argue that even though smokeless tobacco products are not safe, if addicted smokers who would otherwise not quit smoking were to switch to smokeless tobacco they would reduce their risk of disease. Others argue that, especially in the absence of rigorous government regulation of tobacco products, there is concern that the marketing of these smokeless tobacco products will result in more tobacco users, fewer people who quit using tobacco and an increased number of

tobacco product users who use both cigarettes and smokeless tobacco products; they also argue that addicted smokers should be encouraged to use products that have been shown to be safe (e.g., nicotine replacement therapy) and that the emphasis should be on improving products regulated by the FDA. In addition, contrary to what tobacco companies claim, evidence shows that adolescent boys who use smokeless tobacco products have a higher risk of becoming cigarette smokers within four years.²⁹

Several researchers and at least two smokeless tobacco companies that have significant sales in the U.S. (UST and Swedish Match) point to the experience of Sweden and their use of a type of smokeless product called “snus”, as a prime example of why smokeless tobacco is less harmful than smoking and should be promoted as a harm reduction and/or smoking cessation aid.³⁰ A recent example of this view is found in the findings of a nine-member panel of public health/tobacco control experts that concluded, based on a literature review, relative to cigarette smoking, that use of low-nitrosamine smokeless tobacco (such as Swedish snus) presented a total mortality risk of nine and five percent for smokers ages 35 to 49 and older than 50 years, respectively. Median mortality risks relative to smoking were estimated to be two to three percent for lung cancer, 10 percent for heart disease, and 15 to 30 percent for oral cancer. In comparison with smoking, the expert panel perceived that there exists at least a 90 percent reduction in the relative risk of low nitrosamine smokeless tobacco use compared to cigarette smoking. The panel also recommended that the risks of using low nitrosamine smokeless tobacco should not be portrayed as comparable with those of smoking cigarettes.³¹ A 2008 study from the WHO International Agency for Research on Cancer concluded that smokeless tobacco users have an 80 percent higher risk of developing oral cancer and a 60 percent higher risk of developing pancreatic and esophageal cancer.³²

Contrasting the evidence and arguments of those favoring and opposing the use of smokeless tobacco products as harm reducing products demonstrates a clear need for strong and effective regulation of all tobacco products, their marketing and associated health claims, including the ability to make evidence-based, comparative health claims among all tobacco products. The evidence is clear that smokeless tobacco in various forms poses significant health risks and is not safe. The evidence is equally clear that smokeless tobacco is not safer than the use of clean, medicinal forms of nicotine, and that there is no restraint to prevent smokeless tobacco products from being marketed to non-tobacco users or to discourage quitting. In any of these cases, the use of smokeless tobacco would increase the risk of harm to both individuals and society as a whole. There is also nothing to prevent a tobacco company from altering the content of the smokeless tobacco product in ways that make it more toxic. In the absence of regulation, there is no evidence that smokeless tobacco as sold and marketed in the United States has reduced the harm of tobacco use to the population.

In general, consensus is lacking within the scientific community as to whether Swedish snus has, in fact, played a role in reducing smoking in Sweden, including whether the role of traditional tobacco control policy efforts in Sweden are the main reason (versus the role of Swedish snus) for reductions in smoking and lung cancer rates among Swedish men.³³

Campaign for Tobacco-Free Kids, July 9, 2008 / Ann Boonn

Types of Smokeless Tobacco

- *Oral (moist) snuff* is a finely cut, processed tobacco, which the user places between the cheek and gum, that releases nicotine which, in turn, is absorbed by the membranes of the mouth.
- *Looseleaf* chewing tobacco is stripped and processed cigar-type tobacco leaves, loosely packed to form small strips. It is often sold in a foil-lined pouch and usually treated with sugar or licorice.
- *Plug* chewing tobacco consists of small, oblong blocks of semi-soft chewing tobacco that often contain sweeteners and other flavoring agents.
- *Nasal snuff* is a fine tobacco powder that is sniffed into the nostrils. Flavorings may be added during fermentation, and perfumes may be added after grinding.

For more information on smokeless tobacco, see the Campaign’s website at <http://www.tobaccofreekids.org/research/factsheets/index.php?CategoryID=33>.

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