

Rep. Bill Posey (FL-08)

Chairman Bishop, Ranking Member Fortenberry, and Members of the Subcommittee:

Thank you for the opportunity to discuss with you an issue of significance to Florida, my district, and small businesses across the country: FDA regulations on premium, hand-made cigars. I urge the Subcommittee to include H.R. 1854 in the FY 20 bill. The bill explicitly defines and exempts premium cigars from burdensome regulations, including a limitation on products which contain flavor additives.

When Congress passed the Family Smoking Prevention and Tobacco Control Act (Tobacco Control Act), there were two key objectives:

- preventing youth access to tobacco products; and
- preventing the negative health effects of addiction.

Traditional, hand-crafted cigars are not a product used by, accessible to, or marketed to, youth; they are an artisan product, produced by skilled craftsmen, sold by small business tobacconists across the country, and consumed by adults in moderation. These small business retailers take great pride in their record of age-verification which is confirmed by data compiled and published online by the FDA.

Despite receiving significant evidence, including research conducted by FDA, that premium hand-made cigars are not utilized by youth, the Agency has still made no changes to these regulations which continue to impose significant economic damage to mom and pop small

businesses and traditional premium cigar manufacturers.

These one-size-fits-all set of requirements will be impossible for manufacturers of these hand-crafted products to meet. As a result, these regulations have hurt Florida which has the most premium cigar industry jobs of any state. The industry is burdened with costly pre-market applications, user fees, warning label administration, and other destructive measures.

To provide a common-sense solution, Rep. Kathy Castor and I reintroduced H.R. 1854 which would define premium cigars and exempt a narrow artisan category from the burdensome FDA regulations which they cannot meet. On day one, our bill attracted the support of 30 of our colleagues from both parties. Last Congress, our bill earned the support of 149 cosponsors from both sides of the aisle.

Please consider including our language in the FY 20 bill. I recognize and appreciate the strides FDA has made reducing the prevalence of youth consumption of tobacco products. No individual under the legal age should consume any tobacco products, period. FDA faces critical challenges addressing existing and new products which have been found to have appeal to youth, and Congress should support those efforts. However, we should not allow the hand-made, premium cigar industry and its tens of thousands of small business jobs to disappear.

Thank you very much for your consideration of my views, and I look forward to working with the Subcommittee and my colleagues on this important issue.