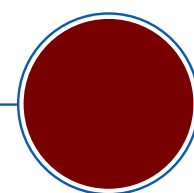


United States of America



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SUMMARY OF FINDINGS

1. Industry Participation in Policy Development

The tobacco industry (TI) participation in policy development remains a concern, particularly at the state level. In 2023, the Ohio Legislature passed a law removing local authority to regulate flavored tobacco products, overriding a veto by Governor Mike DeWine. The move was widely viewed as a victory for the TI and a setback for local tobacco control efforts. At the federal level, TI representatives remain embedded in government advisory structures such as the FDA's Tobacco Products Scientific Advisory Committee (TPSAC), where they serve as non-voting members but retain influence over discussions and proceedings.

2. Industry CSR Activities

Tobacco companies continue to use CSR as a tool to rehabilitate their image and build goodwill with the public and government institutions. A prominent example is Altria's longstanding partnership with Keep America Beautiful (KAB). In 2023, Altria contributed about \$4 million to KAB's Cigarette Litter Prevention Program, which supports clean-up efforts in parks and waterways. Interactions that are restricted under the WHO FCTC are constitutionally protected in the U.S., enabling TI lobbyists to operate openly.

3. Benefits to the Industry

During the reporting period, the TI benefited from regulatory delays and favorable policies. The FDA's proposed ban on menthol cigarettes and flavored cigars, initially expected in 2023, was postponed multiple times under lobbying pressure and ultimately shelved. Additionally, longstanding state-level subsidies, such as those from North Carolina's Golden LEAF Foundation, continue to support the economic interests of tobacco-growing regions, indirectly benefiting the TI.

4. Unnecessary Interaction

The federal government continued high-level engagement with the TI. The White House's Office of Management and Budget held meetings with representatives from tobacco companies and trade associations during the lead-up to its decision to delay the menthol ban. Although such meetings may be permitted under lobbying rules, the absence of published minutes or outcomes raises concerns about undue influence.

5. Transparency

The U.S. lacks comprehensive transparency mechanisms governing interactions with the TI. While TPSAC publishes meeting agendas and participant lists, such practices are the exception. No national or federal agency maintains a public register of meetings between officials and tobacco companies. Lobbying disclosure laws exist at the federal level and in some states, but they are inconsistent in detail, frequency, and accessibility. No new transparency measures were introduced during the reporting period.



6. Conflict of Interest

Conflicts of interest remain unaddressed. Federal and state laws do not prohibit campaign contributions from the TI. Tobacco companies and their political action committees (PACs) continued to donate to candidates and parties across the political spectrum, with no requirement for real-time disclosure beyond existing campaign finance rules. Altria's PAC contributed \$821,000 to federal candidates in the 2023–2024 cycle, while Philip Morris International and affiliates donated at least \$426,000. There is no policy barring former officials from working with or lobbying on behalf of the TI, and several have transitioned into lobbying roles. The revolving door between government service and TI employment continues to pose risks to policymaking integrity.

7. Preventive Measures

Preventive measures to protect policymaking from TI interference remain minimal. The U.S. has not ratified the WHO FCTC and has not adopted a code of conduct to guide public officials in their dealings with tobacco companies. General ethics rules, such as the Hatch Act, apply but are insufficient to address TI-specific risks. No federal or state body introduced new measures during the reporting period to raise awareness of these risks or restrict such interactions.

RECOMMENDATIONS

1. Raise awareness of the WHO FCTC and its provisions regarding tobacco industry interference.
2. Strengthen and standardize revolving door prohibitions.
3. Close loopholes in executive branch ethics guidelines.
4. Prevent conflicts of interest in the FDA drug approval process.
5. Reinstate and strengthen public health offices to guard against industry influence.
6. Adopt an official code of conduct for public officials.
7. Educate lawmakers on industry interference.
8. Mandate philanthropic donation disclosure.