

UNITED STATES OF AMERICA

# TOBACCO INDUSTRY

## INTERFERENCE INDEX

2025

**ASH**  
ACTION  
ON SMOKING & HEALTH  
Dedicated to ZERO Tobacco Deaths



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# ACKNOWLEDGEMENTS

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# TABLE OF CONTENTS

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**INTRODUCTION ..... 4**

**SUMMARY OF FINDINGS ..... 9**

**RECOMMENDATIONS ..... 12**

**RESULTS AND FINDINGS ..... 15**

**RAW AND ADJUSTED SCORE ..... 31**

**ADDITIONAL QUESTIONS ..... 32**

**ANNEX A ..... 35**



**THE U.S. RANKED**

**98 OUT OF 100 COUNTRIES**

**SURVEYED, ITS WORST RANK  
SINCE THE REPORT WAS  
FIRST PUBLISHED IN 2019.**

**THIS REFLECTS A WORSENING  
LANDSCAPE OF TOBACCO  
INDUSTRY INTERFERENCE IN  
PUBLIC HEALTH  
POLICYMAKING.**

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# INTRODUCTION

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The 2025 U.S. Tobacco Industry Interference Index arrives at a time of serious regression in national tobacco control infrastructure. As federal agencies are weakened or dismantled, the tobacco industry has deepened its political influence, delaying long-awaited regulations and obstructing public health safeguards. This year's Index highlights the urgent need for civil society and local governments to step up where the federal government is falling short.

## TOBACCO USE AND ITS TOLL IN THE UNITED STATES

Tobacco use remains the leading cause of preventable death in the U.S., claiming over 480,000 lives annually and costing more than \$240 billion in direct healthcare expenses.<sup>[1]</sup> While the national smoking rate has declined to 11.5%,<sup>[2]</sup> disparities persist, with Black, Indigenous, low-income, and LGBTQ+ communities facing a disproportionate burden. Products like menthol cigarettes and flavored cigars—which the U.S. Food and Drug Administration (FDA) proposed banning—remain



TOBACCO USE REMAINS THE LEADING CAUSE OF PREVENTABLE DEATH IN THE U.S.

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[1] Centers for Disease Control and Prevention. Cigarette Smoking in the United States. U.S. Department of Health & Human Services, Office on Smoking and Health, 2023. Accessed June 1, 2025. <https://www.cdc.gov/tobacco/campaign/tips/resources/data/cigarette-smoking-in-united-states.html>.

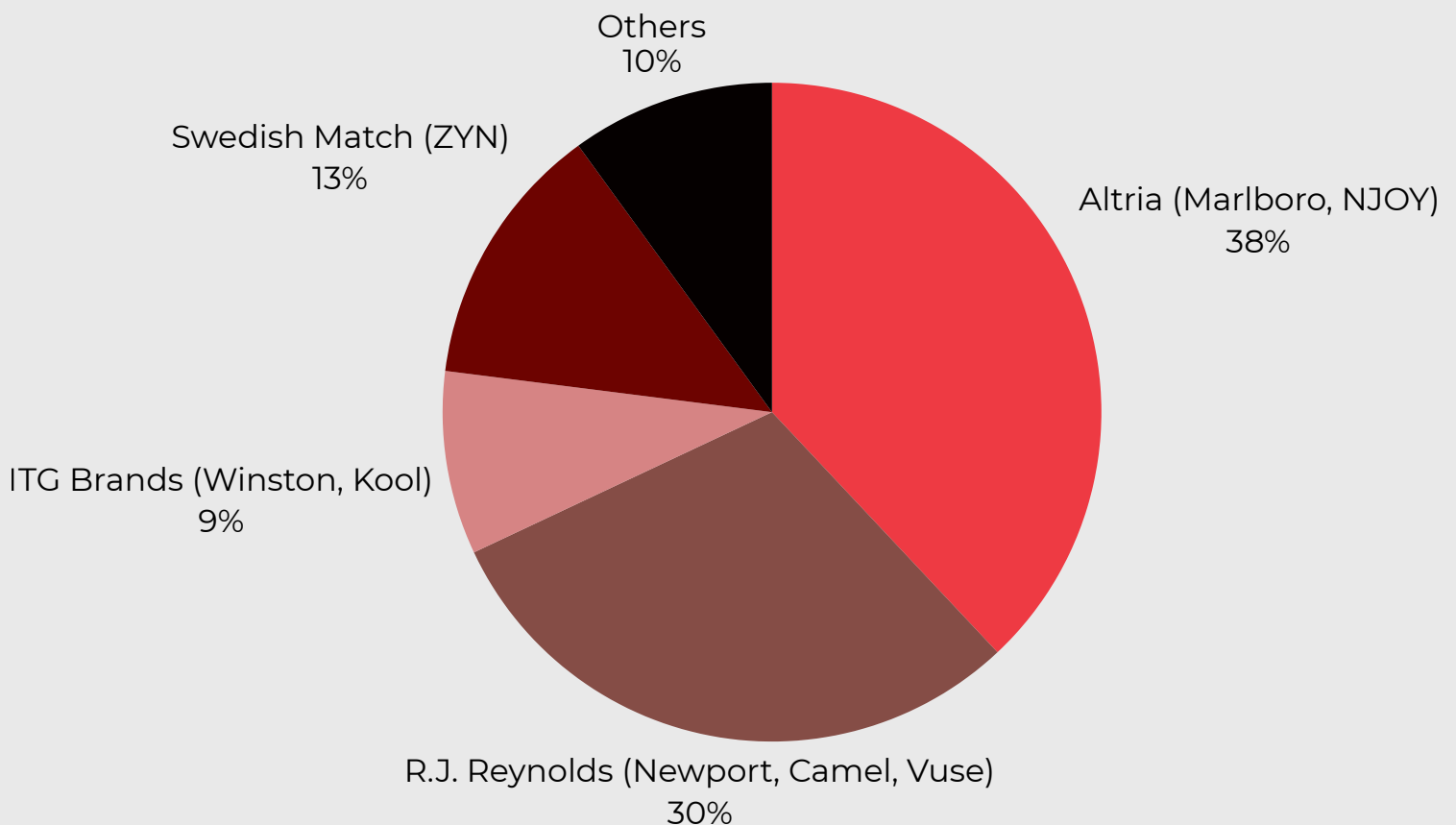
[2] Leonard, Kimberly. "60 Years After Report on Smoking: Rates Down, but Work Remains." U.S. News & World Report, January 11, 2024. Accessed June 1, 2025. <https://www.usnews.com/news/health-news/articles/2024-01-11/60-years-after-report-on-smoking-rates-down-but-work-remains>.

heavily marketed to these populations. However, due to industry pressure, these rules have been delayed indefinitely despite overwhelming support from the public health community.

## MARKET SHARE: WHO CONTROLS THE INDUSTRY?

A small number of companies dominate the U.S. tobacco market. Altria, maker of Marlboro, holds the largest share, followed closely by R.J. Reynolds (Newport, Camel). ITG Brands and several smaller firms round out the rest of the market.<sup>[3],[4]</sup> These companies also hold significant influence in the nicotine product space—including e-cigarettes and oral nicotine pouches. Their economic power fuels political access, enabling interference at every level of government.

**Figure 1: U.S. Tobacco and Nicotine Market Share by Company, 2025**



[3] Altria Group, Inc. "PMUSA." Companies & Brands. Accessed June 20, 2025. <https://www.altria.com/Overlays/Companies-and-Brands/PMUSA>.

[4] Reynolds American Inc. Home. Accessed June 2, 2025. <https://www.reynoldsameric.com/>.

## SPOTLIGHT ON INTERFERENCE: BLOCKING FDA'S MENTHOL BAN

This year's Index focuses on the industry's coordinated effort to delay the FDA's proposed rules banning menthol cigarettes and flavored cigars. Tobacco companies lobbied senior White House and Congressional officials to stall the regulation, aiming to preserve a multibillion-dollar market. Despite scientific consensus and community advocacy, the Biden administration postponed the rule, likely to avoid political fallout in an election year.

## WHAT'S CHANGED SINCE THE LAST INDEX?

Compared to 2023, interference has intensified. The federal government's capacity to regulate the industry has been hollowed out under the new administration. The FDA's Center for Tobacco Products leadership was removed, and the Centers for Disease Control and Prevention's (CDC's) Office on Smoking and Health was eliminated, cutting off key funding and data pipelines. These changes make it harder to track industry activities, regulate harmful products, and protect vulnerable populations.

## 2025 U.S. TOBACCO INDUSTRY INTERFERENCE INDEX SCORE

The U.S. raw score in the 2025 Index increased to 89 out of 100, a notable rise from the previous 2023 score of 80, reflecting a worsening landscape of industry interference in public health policymaking.

This increase is driven by several critical developments during the reporting period. Among them are the elimination of the CDC's Office on Smoking and Health, the removal of FDA leadership and staff involved in tobacco regulation, and the dismantling of cross-agency efforts to track and prevent tobacco use. Additionally, the FDA's proposed bans on menthol cigarettes and flavored cigars were formally withdrawn, representing a major policy concession to industry pressure. There was also a marked increase in industry lobbying, with a 24% rise in registered tobacco lobbyists and lobbying firms across the U.S. compared to 2024. These actions, coupled with continued high-level interactions between government officials and tobacco companies, significant campaign contributions, and the lack of transparency or conflict of interest safeguards, contributed to the elevated score—signaling an urgent need for stronger preventive measures at all levels of government.

Despite some isolated regulatory efforts, the government remains vulnerable to interference across nearly all indicators measured. **This includes ongoing acceptance of industry-drafted or influenced legislation, political contributions from tobacco interests, partnerships under the guise of corporate social responsibility (CSR), and a lack of transparency mechanisms—particularly regarding meetings with tobacco lobbyists and disclosures of industry activities.**

While some corrective measures were enforced during the reporting period—such as court-ordered retail corrective statements and limited FDA penalties—these actions are not part of a broader government strategy to insulate public health policy from industry influence. Most alarmingly, the U.S. still lacks any comprehensive implementation of Article 5.3 of the WHO Framework Convention on Tobacco Control (FCTC), a treaty it has signed but not ratified.

This year's high score underscores the urgent need for reforms that restrict tobacco industry access to public officials, enforce transparency in interactions, and eliminate the political and financial privileges the industry continues to enjoy.





## METHODOLOGY

The report is based on a questionnaire developed by the Southeast Asia Tobacco Control Alliance. There are 20 questions based on the Article 5.3 Guidelines. Information used in this report is obtained from the public domain. A scoring system is applied to make the assessment. The score ranges from 0 to 5, where 5 indicates the highest level of industry interference, and 1 indicates low or no interference. Hence, the lower the score, the better for the country. The 0 score indicates the absence of evidence or not applicable. Where multiple pieces of evidence are found, the score applied reflects an average. The report covers information on incidents from April 2023 up to March 2025, but also includes incidents prior to 2023 that still have relevance today.



RESEARCH

## LIMITATIONS

In the U.S., there are a few significant limitations to undertaking the Index. First, tobacco control policy in the U.S. is governed at the federal, state, and local levels. These widespread points of entry into the policy process allow the industry to remain present at all levels of government. It was beyond the scope of this project to undertake research in every jurisdiction covered in the period of this report. The data collected is a broad sample of tobacco industry interference rather than a comprehensive tally.

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# SUMMARY OF FINDINGS

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## 1 INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT

Tobacco industry participation in policy development continues to be a concern in the U.S., particularly at the state level. In 2023, the Ohio Legislature passed a law that removed local authority to regulate flavored tobacco products, overriding a veto by Governor Mike DeWine. The move was widely seen as a victory for the tobacco industry and a blow to local tobacco control efforts.<sup>[5]</sup> At the federal level, industry representatives remain embedded in government advisory structures like the FDA's Tobacco Products Scientific Advisory Committee (TPSAC), where they serve as non-voting members, yet retain influence over discussions and proceedings.<sup>[6]</sup>

## 2 INDUSTRY CSR ACTIVITIES

Tobacco companies continue to use corporate social responsibility (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).<sup>[7]</sup> In 2023, Altria highlighted its \$4 million annual contribution to KAB's Cigarette Litter Prevention Program, which supports clean-up efforts in parks and waterways.<sup>[8]</sup> These partnerships often involve visible support from public agencies and blur the lines between public health promotion and tobacco company image laundering.

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[5] WKYC Staff. "Ohio Legislature Tobacco Control Bill Becomes Law after Veto Override." WKYC, January 6, 2023. Accessed May 5, 2025. <https://www.wkyc.com/article/news/local/ohio/ohio-legislature-tobacco-control-state-hands-governor-mike-dewine-veto/95-84bc2408-d123-4ea8-bd5d-fla316da6bbf>.

[6] U.S. Food and Drug Administration. "Tobacco Products Scientific Advisory Committee." FDA.gov. Accessed May 5, 2025. <https://www.fda.gov/advisory-committees/committees-and-meeting-materials/tobacco-products-scientific-advisory-committee>.

[7] Keep America Beautiful. Altria Case Study 2023: Cigarette Litter Prevention Program. August 2023. Accessed May 5, 2025. <https://kab.org/wp-content/uploads/2023/08/Altria-Case-Study-2023.pdf>.

[8] Keep America Beautiful. Altria Case Study 2023: Cigarette Litter Prevention Program. August 2023. Accessed May 5, 2025. <https://kab.org/wp-content/uploads/2023/08/Altria-Case-Study-2023.pdf>.

Second, many government-industry interactions forbidden under the WHO FCTC are constitutionally protected in the U.S. In particular, industry lobbyists do not need to hide their efforts to influence policy, which has provided more data for the U.S. in this area. These laws are unlikely to change in the coming years; therefore, this report focuses on illuminating instances of industry interference and educating policymakers.

### 3 BENEFITS TO THE INDUSTRY

During the reporting period, the tobacco industry 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 amid lobbying pressure, eventually being shelved without implementation. Such delays allow continued sales of harmful products and undermine public health objectives. Additionally, longstanding state-level subsidies—like those from North Carolina's Golden LEAF Foundation—continue to support the economic interests of tobacco-growing regions, indirectly benefiting the industry.<sup>[9]</sup>

### 4 UNNECESSARY INTERACTION

The federal government continued to engage in high-level interactions with the tobacco industry. Notably, the White House's Office of Management and Budget (OMB) held meetings with representatives from tobacco companies and trade associations during the lead-up to its decision to delay the menthol ban.<sup>[10],[11]</sup> Although such meetings may be permitted under lobbying rules, the lack of published minutes or transparency around outcomes heightens concerns about undue influence. These meetings further illustrate the access tobacco industry actors retain at the highest levels of policy decision-making.

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[9] Golden LEAF Foundation. "Golden LEAF Board Awards \$32.7 Million in Funding for 61 Projects." GoldenLEAF.org, February 1, 2024. Accessed June 2, 2025. [https://goldenleaf.org/news/12687/#:~:text=Golden%20LEAF's%20mission%20is%20to%20increase%20economic,Scholarship%20Program\\*\\*%20\\$32.7%20million%20for%2061%20projects](https://goldenleaf.org/news/12687/#:~:text=Golden%20LEAF's%20mission%20is%20to%20increase%20economic,Scholarship%20Program**%20$32.7%20million%20for%2061%20projects).

[10] Perrone, Matthew. "FDA Delays Plan to Ban Menthol Cigarettes after White House Meetings." Associated Press, April 5, 2024. Accessed May 5, 2025. <https://apnews.com/article/e9a28fb0ac70fcb0ad8e106c42d4c951>.

[11] American Lung Association. "What's Happening with Menthol Cigarettes?" Lung.org, 2024. Accessed May 5, 2025. <https://www.lung.org/blog/whats-happening-with-menthol-cigarettes>.

## 5 TRANSPARENCY

The U.S. lacks comprehensive transparency mechanisms to govern interactions with the tobacco industry. While TPSAC publishes meeting agendas and participant lists, such practices are the exception rather than the norm. No national or federal agency maintains a public register of meetings between officials and tobacco companies. Moreover, while lobbying disclosure laws exist at the federal level and in some states, they are inconsistent in terms of detail, frequency, and accessibility. There were no new measures introduced during the reporting period to improve transparency.

## 6 CONFLICT OF INTEREST

Conflict of interest remains an unaddressed vulnerability. Federal and state laws do not prohibit campaign contributions from the tobacco industry. 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 public disclosure beyond existing campaign finance regulations. Altria's PAC contributed a total of \$821,000 to federal candidates in the 2023–2024 election cycle and Philip Morris International and affiliates donated at least \$426,000 during the same period.<sup>[12],[13]</sup> Furthermore, there is no policy barring former government officials from working with or lobbying on behalf of the tobacco industry. During this period, several former policymakers and aides were identified as having transitioned into industry lobbying roles.

## 6 PREVENTIVE MEASURES

Preventive measures to protect policymaking from tobacco industry interference remain virtually nonexistent. The U.S. has not ratified the WHO Framework Convention on Tobacco Control and has not adopted any sector-specific code of conduct to guide public officials in their dealings with tobacco companies. While some general ethical standards—such as the Hatch Act—apply, they are insufficient to address the unique challenges posed by tobacco industry interference. No federal or state body introduced new measures during the reporting period to raise awareness of these risks or restrict such interactions.

[12] OpenSecrets. "Altria Group PAC Contributions to Federal Candidates, 2023–2024." OpenSecrets.org. Accessed May 5, 2025. <https://www.opensecrets.org/political-action-committees-pacs/C00089136/candidate-recipients/2024>.

[13] OpenSecrets. "Philip Morris International: Summary." OpenSecrets.org. Accessed May 5, 2025. <https://www.opensecrets.org/orgs/philip-morris-international/summary?id=D000055403>.

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# RECOMMENDATIONS

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## RECOMMENDATION 1:

### **Raise awareness of the WHO FCTC and its provisions regarding tobacco industry interference**

Despite not being a party to the treaty, it is crucial to educate state and federal tobacco-control advocates about Article 5.3 of the WHO FCTC. This provision prohibits tobacco industry interference in policymaking. By promoting awareness and understanding of this provision, advocates can combat industry interference more effectively.

## RECOMMENDATION 2:

### **Strengthen and standardize revolving door prohibitions**

While lobbying is constitutionally protected, implementing longer timeframes between public officials or employees leaving public service and beginning lobbying can reduce interference from regulated industries. By extending the cooling-off period, the potential for conflicts of interest can be minimized.

## RECOMMENDATION 3:

### **Close loopholes in executive branch ethics guidelines**

The current five-year restriction on former executive branch appointees working as lobbyists should be expanded to include a broader definition of “appointees,” covering both full-time, non-career individuals and industry representatives. This step would address conflicts of interest related to past employment and prevent undue influence.

## RECOMMENDATION 4:

### Prevent conflicts of interest in the FDA drug approval process

To ensure unbiased decision-making, the FDA should rely on independent studies rather than industry-conducted research when approving new drugs, including tobacco products containing nicotine. Given the tobacco industry's history of distorting findings, independent studies are essential for reliable public health policy.

## RECOMMENDATION 5:

### Reinstate and Strengthen Public Health Offices to Guard Against Industry Influence

The federal government should reinstate offices like the CDC Office on Smoking and Health (OSH) to lead efforts to protect public policy from tobacco industry interference. This includes re-establishing cross-agency coordination and providing legal and ethical guidance to officials on avoiding undue influence in line with public health goals.



REINSTATE OFFICES LIKE  
THE CDC OFFICE ON  
SMOKING AND HEALTH  
(OSH) TO LEAD EFFORTS TO  
PROTECT PUBLIC POLICY  
FROM TOBACCO INDUSTRY  
INTERFERENCE

## RECOMMENDATION 6:

### Adopt an official code of conduct for public officials

To uphold the public trust, a comprehensive code of conduct should be implemented for all public officials. This code should include strict rules against conflicts of interest and full transparency in all interactions with regulated industries, including the tobacco industry.

## RECOMMENDATION 7:

### Educate lawmakers on industry interference

Advocates can play a crucial role in informing lawmakers about tobacco industry interference. By providing fact sheets, sharing industry quotes, and presenting key findings from federal racketeering cases, advocates can generate political will to rectify industry-supported laws. Leveraging earned media can further amplify these efforts.

## RECOMMENDATION 8:

### Mandate philanthropic donation disclosure

Currently, the US government does not require reporting of philanthropic activities by companies, creating an avenue for hiding tobacco industry contributions. To enhance transparency, mandates should be implemented to disclose all philanthropic donations, ensuring that industry funding to political action funds is not concealed from the public.



# 2025 TOBACCO INDUSTRY INTERFERENCE INDEX

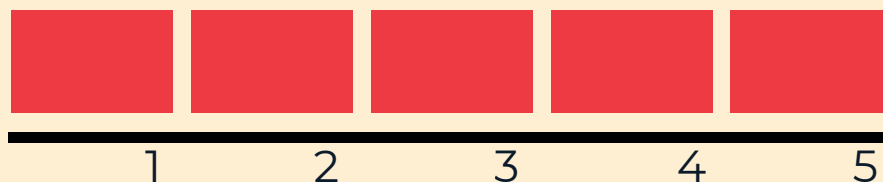
## RESULTS AND FINDINGS



### INDICATOR 1:

#### Level of Industry Participation in Policy-Development

1.) The government accepts, supports or endorses any offer for assistance by or in collaboration with the tobacco industry or any entity or person working to further its interests in setting or implementing public health policies in relation to tobacco control (Rec 3.4)



The Ohio Legislature overrode Governor Mike DeWine's veto of a measure that transfers tobacco regulation authority from local governments to the state, effectively preventing municipalities from enacting their own restrictions on flavored tobacco products.<sup>[14]</sup> This move was criticized by anti-tobacco advocates and the governor himself as favoring the tobacco industry and undermining local control.

[14] Morgan Trau. "Tobacco veto override continues fight between Ohio cities and state." Ohio Capital Journal, December 15, 2023. Accessed June 2, 2025. <https://ohiocapitaljournal.com/2023/12/15/tobacco-veto-override-continues-fight-between-ohio-cities-and-state/>.



**Senator Huffman said “We’re going to try to work with the industry and the governor over the next few weeks, and again, maybe try to get that compromise put in place.”<sup>[15]</sup>**

In Denver Colorado, the Denver City Council proposed banning flavored tobacco, including menthol cigarettes and e-cigarettes, to curb youth nicotine use. Big tobacco pushed back when a group called Smoke-Free Choice, funded by Philip Morris International via CHOICE (Coalition for Health, Opportunity, Innovation and Consumer Education), launched a local ad campaign opposing the ban.<sup>[16]</sup> The campaign emphasized flavored tobacco as a tool for adults to quit smoking. The ads specifically feature testimonials from vape-shop owners and adult users.

Big tobacco companies like BAT and Altria began lobbying the Trump administration to crack down on unauthorized vape imports, especially disposable vapes from Chinese manufacturers, citing unfair competition.<sup>[17]</sup> BAT estimates that illegal disposable vapes make up 70% of U.S. vape sales, cutting into their e-vape and cigarette revenue.<sup>[18]</sup> They began to pressure the FDA for faster, clearer product authorization processes. Reynolds (BAT's U.S. unit) wrote to the U.S. Trade Representative advocating import bans and tariffs.<sup>[19]</sup> The company also has ties to administration-aligned PACs and lobbying firms. All of this is to protect their market share, highlighting tobacco firms' strategic shift: rather than outright opposing vaping, they're attempting to shape the regulatory environment to limit low-cost, unregulated rivals while streamlining the process for their own smoke- and vape-alternative products.



[15] Ohio Legislature overrides DeWine's veto. Ohio Capital Journal, January 24, 2024. Accessed June 2, 2025. <https://ohiocapitaljournal.com/2024/01/24/ohio-senate-overrides-dewine-vetoes-on-trans-youth-gender-affirming-care-and-local-tobacco-bans/>

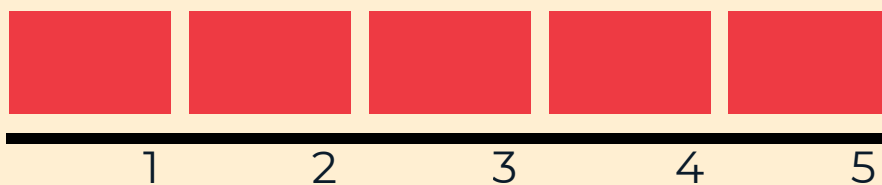
[16] Ryan Fish. “Denver voters to decide future of flavored tobacco ban after successful petition.” Denver7, April 1, 2025. Accessed June 20, 2025. <https://www.denver7.com/news/front-range/denver/denver-voters-to-decide-whether-to-keep-or-overturn-the-citys-flavored-tobacco-ban-after-successful-petition>

[17] “Big Tobacco targets Trump in hope - and fear - of change.” Reuters, March 31, 2025. Accessed June 2, 2025. <https://www.reuters.com/business/healthcare-pharmaceuticals/big-tobacco-targets-trump-hope-fear-change-2025-03-31/>

[18] “Big Tobacco targets Trump in hope - and fear - of change.” Reuters, March 31, 2025. Accessed June 2, 2025. <https://www.reuters.com/business/healthcare-pharmaceuticals/big-tobacco-targets-trump-hope-fear-change-2025-03-31/>

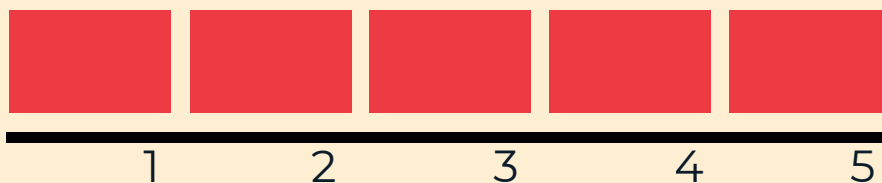
[19] Emma Rumney. “BAT subsidiary wrote USTR seeking vape import ban.” 2Firsts (via Reuters), April 1, 2025. Accessed June 2, 2025. <https://www.reuters.com/business/healthcare-pharmaceuticals/big-tobacco-targets-trump-hope-fear-change-2025-03-31/>

2.) The government accepts, supports or endorses policies or legislation drafted by or in collaboration with the tobacco industry. (Rec 3.4)



In 2023, 2024, and 2025, the tobacco industry continued to exert significant influence in state legislatures throughout the United States. Tobacco companies, trade associations, and retail stores registered a staggering 927, 1,027, and 1,273 lobbyists and lobbying firms (respectively) to represent their interests.<sup>[20]</sup>

3.) The government allows/invites the tobacco industry to sit in government interagency/ multi-sectoral committee/ advisory group body that sets public health policy. (Rec 4.8)



FDA's Tobacco Products Scientific Advisory Committee (TPSAC) consists of 12 members: 9 voting members (experts in science, medicine, public health) and 3 non-voting seats reserved for industry representation (tobacco manufacturers, tobacco growers, and small business tobacco manufacturers).<sup>[21]</sup>

4.) The government nominates or allows representatives from the tobacco industry (including State-owned) in the delegation to the COP or other subsidiary bodies or accepts their sponsorship for delegates. (i.e. COP 4 & 5, INB 4 5, WG) (Rec 4.9 & 8.3)



The U.S. is currently not a Party to the WHO FCTC.

[20] Action on Smoking & Health. "U.S. Tobacco Lobbyist and Lobbying Firm Registration Tracker." ASH.org. Accessed June 10, 2025. <https://ash.org/tobacco-money/>.

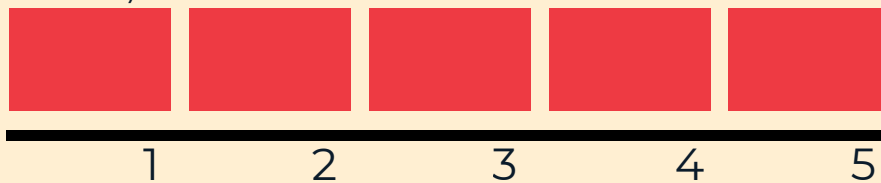
[21] U.S. Food and Drug Administration. "Tobacco Products Scientific Advisory Committee." FDA.gov. Accessed June 20, 2025. <https://www.fda.gov/advisory-committees/committees-and-meeting-materials/tobacco-products-scientific-advisory-committee>.

## INDICATOR 2:

### Industry Corporate Social Responsibility (CSR) activities

5A.) Government agencies or their officials endorse, support, form partnerships with, or participate in activities of the tobacco industry described as socially responsible. For example, environmental programs. (Rec 6.2)

5B.) The government (its agencies and officials) receives CSR contributions (monetary or otherwise, including CSR contributions) from the tobacco industry or those working to further its interests (eg, political, social, financial, educational, community, or other contributions (Rec 6.4) including environmental or EPR activities (COP10 Dec).



Altria's Keep America Beautiful Program:

Altria has continued its longstanding collaboration with Keep America Beautiful (KAB), a national nonprofit focused on combating litter. In August 2023, Altria's case study highlights its \$4 million annual contribution to KAB's Cigarette Litter Prevention Program, funding beach, park, and waterway clean-ups—activities staffed and supported by Altria employees.<sup>[22]</sup>

Keep America Beautiful operates through hundreds of local governments. Public officials often oversee their boards, co-host cleanup events, and help secure municipal permissions. For instance, the Keep Mississippi Beautiful affiliate (funded by Altria) grants \$500–\$2,500 to city governments for the 2025 cleanup season.<sup>[23]</sup>

**These efforts amount to greenwashing, where tobacco companies fund token efforts to mitigate harms while spending far more publicizing the campaign.**

In March 2023, Keep America Beautiful co-hosted the Virginia Green Travel Alliance Conference, a sustainability event attended by environmental officials and supported by KAB—including tobacco-funded programs.<sup>[24], [25]</sup>

[22] Keep America Beautiful. Altria Case Study 2023: Cigarette Litter Prevention Program. August 2023. Accessed June 2, 2025. <https://kab.org/wp-content/uploads/2023/08/Altria-Case-Study-2023.pdf>.

[23] Keep Mississippi Beautiful. "Affiliate Resources." KeepMSBeautiful.com. Accessed June 2, 2025. <https://keepmsbeautiful.com/affiliate-resources/>.

[24] Keep America Beautiful. "Keep America Beautiful to Celebrate 25th Annual Great American Cleanup March 20–June 21, 2023." GlobeNewswire, March 14, 2023. Accessed June 2, 2025. <https://www.globenewswire.com/news-release/2023/03/14/2627059/0/en/KEEP-AMERICA-BEAUTIFUL-TO-CELEBRATE-25TH-ANNUAL-GREAT-AMERICAN-CLEANUP-MARCH-20-JUNE-21-2023.html>.

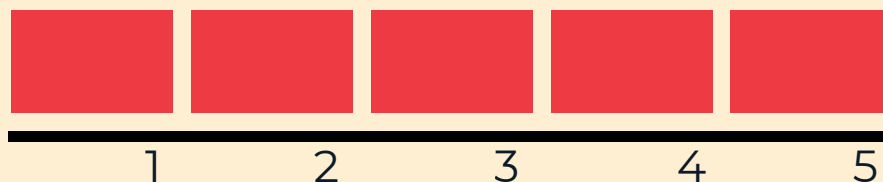
[25] Keep Virginia Beautiful. "Keep America Beautiful." KeepVirginiaBeautiful.org. Accessed June 2, 2025. <https://keepvirginiabeautiful.org/tag/keep-america-beautiful/>.

Altria supports the Grower Alignment for Progress Connections (GAPC), a nonprofit partnering with U.S. growers. In 2024 alone, over 1,800 growers on 160,000+ acres participated in programs involving training on environmental safety, certification, and labor practices. Many of these programs receive government oversight—particularly around labor standards and environmental compliance.<sup>[26]</sup>



## INDICATOR 3: Benefits to the Tobacco Industry

6.) The government accommodates requests from the tobacco industry for a longer time frame for implementation or postponement of tobacco control law. (e.g., 180 days is common for PHW, Tax increase can be implemented within 1 month) (Rec 7.1)



In December 2023, the FDA announced it would postpone enforcement of its proposed ban on menthol cigarettes and flavored cigars, originally targeted for August 2023, now delayed to March 2024, and ultimately shelved amid political pressure.<sup>[27]</sup>

On January 24, 2025, the Trump Administration formally withdrew two FDA proposed product standards: banning menthol in cigarettes and all characterizing flavors (except tobacco) in cigars. A clear benefit to the industry.<sup>[28]</sup>

[26] Altria Group. "Grower Support and Agricultural Sustainability." Altria.com. Accessed June 2, 2025. <https://www.altria.com/en/responsibility/drive-responsibility-through-our-value-chain/grower-support-and-agricultural-sustainability>.

[27] Clason, Lauren. "FDA Delays Menthol Ban Following Lobbying War." Roll Call, December 6, 2023. Accessed June 2, 2025. <https://rollcall.com/2023/12/06/fda-delays-menthol-ban-following-lobbying-war/>.

[28] Network for Public Health Law. "Three Federal Tobacco Regulatory Measures Up for Change in 2025." NetworkforPHL.org, accessed June 2, 2025. <https://www.networkforphl.org/news-insights/three-federal-tobacco-regulatory-measures-up-for-change-in-2025/>.

Since then:

- An FDA Official was removed amid tobacco industry pressure.<sup>[29]</sup>
- The FDA Tobacco Products Center was slashed in March 2025. Staff responsible for reviewing tobacco products were removed or reassigned. Result: delays and cancellations of tobacco product review deadlines. FDA's weakened regulatory capacity has delayed product approvals (e.g., menthol, flavored vapes), leaving harmful products on the market, a direct consequence cited by former FDA Commissioner Califf.<sup>[30], [31]</sup>
- CDC's Office on Smoking and Health (OSH) was shut down in April 2025—cutting 120 full-time staff. With OSH dismantled, federal campaigns like “Tips From Former Smokers” and youth prevention initiatives will end.<sup>[32]</sup>
- The U.S. Department of Health & Human Services (HHS) experienced nearly 25% staff reductions, including 10,000 jobs in children's health and smoking-prevention divisions. Across HHS, reductions in staff and funding truncated cross-agency efforts on tobacco cessation and school-based prevention programs.<sup>[33], [34]</sup>
- The Consumer Financial Protection Bureau (CFPB) temporarily shuttered in early 2025 as OMB took direct control—preventing oversight functions. A federal court eventually intervened.<sup>[35]</sup>

At the state and local level:

Iowa enacted House File 2677 into law on May 17, 2024. It mandated that only FDA-authorized or PMTA-pending e-cigarette products could be sold in the state, with enforcement set to begin in February 2025. In December 2024, industry-aligned groups—including Iowans for Alternatives to Smoking & Tobacco (IFAST) and various vape retailers—filed a lawsuit challenging the law and seeking a delay of enforcement.<sup>[36]</sup> The Iowa Attorney General's Office formally agreed to stay (postpone) enforcement, citing the need to better “understand the new requirements”.<sup>[37]</sup> Enforcement was pushed back to at least after a scheduled March

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[29] Associated Press. “FDA Tobacco Official Is Removed from Post in Latest Blow to Health Workforce Cuts.” AP News, April 15, 2025. Accessed June 2, 2025. <https://apnews.com/article/cf2d5657e5d55410073aace19592be09>.

[30] Joseph, Colby. “FDA Staff Struggle to Meet Product Review Deadlines After ‘Doge’ Layoffs.” Reuters, March 27, 2025. Accessed June 2, 2025. <https://www.reuters.com/business/healthcare-pharmaceuticals/fda-staff-struggle-meet-product-review-deadlines-after-doge-layoffs-2025-03-27/>.

[31] Associated Press. “RFK Jr. Says 20% of Health Agency Job Cuts Were Mistakes.” CBS News, April 3, 2025. Accessed June 2, 2025. <https://www.cbsnews.com/news/rfk-jr-hhs-job-cuts-doge-mistakes/>.

[32] Todd, Sarah. “CDC Closing of Office on Smoking and Health Called ‘Greatest Gift to Tobacco Industry’ by Former OSH Director.” STAT News, April 14, 2025. Accessed June 2, 2025. <https://www.statnews.com/2025/04/14/cdc-closing-office-smoking-health-called-gift-to-big-tobacco-by-former-osh-director/>.

[33] The Guardian. “RFK Jr. Says 20% of Health Agency Job Cuts Were Mistakes.” The Guardian, April 4, 2025. Accessed June 2, 2025. <https://www.theguardian.com/us-news/2025/apr/04/rfk-jr-doge-cuts>.

[34] EPI: Economic Policy Institute. “Trump's Gutting of Public Health Institutions Is Setting the Stage for Our Next Crisis.” EPI Blog, April 21, 2025. Accessed June 2, 2025. <https://www.epi.org/blog/trumps-gutting-of-public-health-institutions-is-setting-the-stage-for-our-next-crisis/>.

[35] Wallace-Wells, Benjamin. “What Did Elon Musk Accomplish at DOGE?” The New Yorker, June 23, 2025. Accessed June 2, 2025. <https://www.newyorker.com/magazine/2025/06/23/what-did-elon-musk-accomplish-at-doge/>.

[36] Kauffman, Clark. “Distributors and Retailers Sue the State over New Law on Vaping Products.” Iowa Capital Dispatch, December 20, 2024. Accessed June 2, 2025. <https://iowacapitaldispatch.com/2024/12/20/distributors-and-retailers-sue-the-state-over-new-law-on-vaping-products/>.

[37] McDonald, Jim. “Federal Judge Grants Injunction, Blocks Iowa PMTA Registry For Now.” Vaping360, May 3, 2025. Accessed June 2, 2025. <https://vaping360.com/vape-news/8405/federal-judge-grants-injunction-blocks-iowa-registry-for-now/>.

2025 court hearing, providing industry actors more time to sell existing products and influence outcomes.

Utah's legislation to ban flavored vape products (SB 61, passed in 2024) was supposed to take effect in January 2025. Prompted by legal threats and lobbying from the Utah Vapor Business Association, vape shop owners, and related industry-aligned groups, the effective date was indefinitely postponed, with lawmakers saying to "never had a chance to be tried" before delaying further action.<sup>[38]</sup>

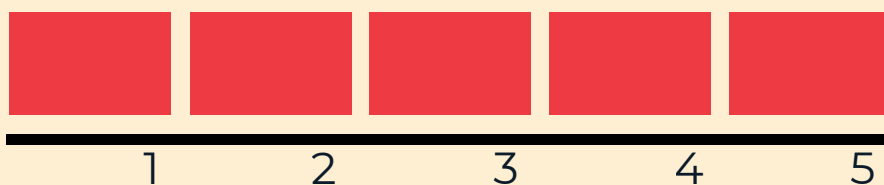
Virginia Vaping Directory Compliance Period (2024). Law in question: Virginia's SB550 mandates that only listed FDA-authorized vape products may be sold. The law's text stated that:

*"Each retailer shall have 60 days from the date that the Attorney General first makes the directory available... to sell existing inventory..."*

This built-in grace period effectively delayed enforcement, giving industry actors time to adapt—even though the law had been passed in 2024 and was set to take effect mid-2025.<sup>[39], [40]</sup>

The Vallejo City Council postponed a proposed tobacco retail licensing ordinance after local business owners voiced concerns that it would hurt their livelihoods and make their stores unsellable.<sup>[41]</sup>

7.) The government gives privileges, incentives, tax exemptions, subsidies, financial incentives, or benefits to the tobacco industry (Rec 7.3)



The 2024 Farm Bill (H.R. 8467), covering crop years 2022–2024, continued to provide Area & Other (A&O) subsidies and reinsurance support for farmers, including tobacco growers—effectively subsidizing tobacco production. Additionally, tobacco farmers participate in Federal Crop Insurance Corporation (FCIC) programs, receiving tens of

[38] Cabrera, Aixel. "With House Split on Whether to Keep Ban on Flavored Vape Sales, Status Quo Remains." Utah News Dispatch, March 4, 2025. Accessed June 2, 2025. <https://utahnewsdispatch.com/2025/03/04/house-split-ban-on-flavored-vapes-sales-continue/>.

[39] Virginia General Assembly. "SB550: Nicotine Vapor Products; Regulation, Sale, and Taxation." Virginia Legislative Information System, 2024. Accessed June 2, 2025. <https://legacylis.virginia.gov/cgi-bin/legp604.exe?241+cab+HC10222SB0550+UCSB2=>.

[40] Virginia General Assembly. "§59.1-293.20. Regulation of Nicotine Vapor Products." Code of Virginia. Accessed June 2, 2025. <https://law.lis.virginia.gov/vacodeupdates/title59.1/section59.1-293.20/>.

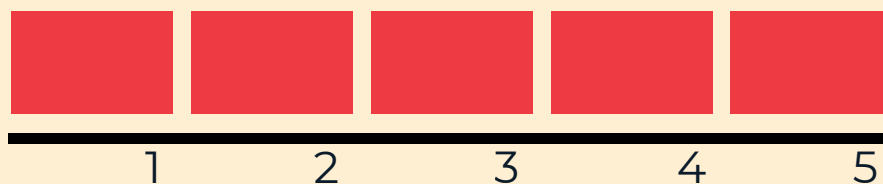
[41] Geller, Ryan. "Vallejo Council Postpones New Tobacco Regulation After Pleas by Business Owners." Vallejo Sun, June 28, 2024. Accessed June 2, 2025. <https://www.vallejosun.com/vallejo-council-postpones-new-tobacco-regulation-after-pleas-by-business-owners/>.

millions of dollars annually—even as U.S. tobacco production declines.<sup>[42], [43]</sup>

North Carolina’s Golden LEAF Foundation was created using Master Settlement Agreement (MSA) tobacco payments. With roughly \$10 million per year in grants, it funds economic and rural development projects. Board appointments are made by governors and legislative leaders, embedding tobacco industry-derived dollars into public development programs.<sup>[44]</sup>

## INDICATOR 4: Forms of Unnecessary Interaction

8.) Top-level government officials (such as President/ Prime Minister or Minister) meet with/ foster relations with the tobacco companies, such as attending social functions and other events sponsored or organized by the tobacco companies or those furthering its interests. (Rec 2.1)



The White House’s Office of Management and Budget scheduled meetings with tobacco and allied trade groups before the menthol rule delay.<sup>[45]</sup>

President Trump, who publicly vowed to protect flavored vaping, met privately with a “leading vape lobbyist.” Following their meeting, he reaffirmed his pledge to “save Vaping,” signaling alignment between political leadership and industry interests.<sup>[46]</sup>

Colorado Governor Jared Polis and Aurora Mayor Mike Coffman, along with local officials, attended a PMI press conference to celebrate a \$600 million ZYN nicotine pouch production plant, specifically praising the economic benefits. They also discussed tax incentives: \$4.5 million from Colorado, \$7.1 million from Aurora, and \$4.3 million from Adams County.<sup>[47]</sup>

[42] U.S. Congress, Congressional Research Service. R48167: “Tobacco: Economic Overview of the U.S. Industry”. Accessed June 2, 2025. <https://www.congress.gov/crs-product/R48167>.

[43] Seidman, Cory. “Growing Tobacco in the United States No Longer Makes Sense.” The Fern, February 2024. Accessed June 2, 2025. <https://thefern.org/2024/02/growing-tobacco-in-the-united-states-no-longer-makes-sense/>.

[44] Golden LEAF Foundation. “About.” Accessed June 2, 2025. <https://www.goldenleaf.org/about>.

[45] Clason, Lauren. “FDA Delays Menthol Ban Following Lobbying War.” Roll Call, December 6, 2023. Accessed June 2, 2025. <https://rollcall.com/2023/12/06/fda-delays-menthol-ban-following-lobbying-war/>.

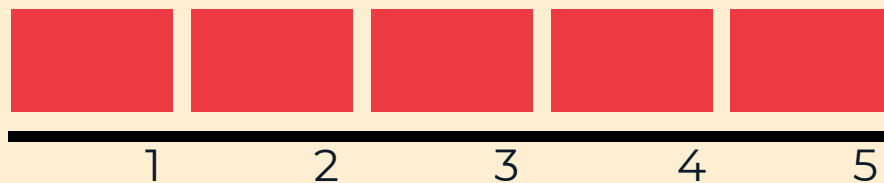
[46] Stanley-Becker, Isaac, and Dan Diamond. “Trump Vows to ‘Save’ Vaping after Private Meeting with Vaping Lobbyist.” The Washington Post, September 21, 2024. Accessed June 2, 2025. <https://www.washingtonpost.com/politics/2024/09/21/trump-vaping-tobacco-lobbyist/>.

[47] Reuters. “Philip Morris to expand Zyn production in US with new plant in Colorado.” Reuters, July 16, 2024. Accessed June 2, 2025. <https://www.reuters.com/markets/commodities/philip-morris-expand-zyn-production-us-with-new-plant-colorado-2024-07-16/>.

Virginia Governor Glenn Youngkin flew aboard Altria’s private jet for an official outing in September 2023, as confirmed by campaign finance records.<sup>[48]</sup>

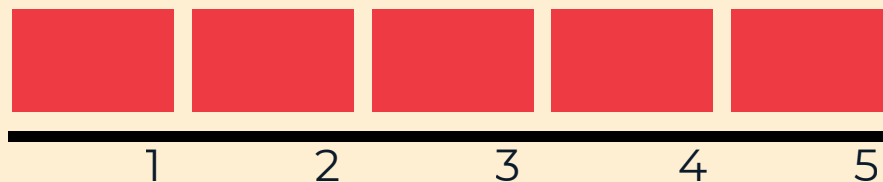


9.) The government accepts assistance/ offers of assistance from the tobacco industry on enforcement, such as conducting raids on tobacco smuggling or enforcing smoke-free policies or no sales to minors. (including monetary contribution for these activities) (Rec 4.3)



Under the DHS–PMI framework, PMI has sponsored multi-week virtual training for state and local law enforcement (“over 500 registrants representing 133 U.S. law enforcement agencies”) directly related to tobacco enforcement.<sup>[49]</sup>

10.) The government accepts, supports, endorses, or enters into partnerships or non-binding agreements with the tobacco industry or any entity working to further its interests. (Rec 3.1)



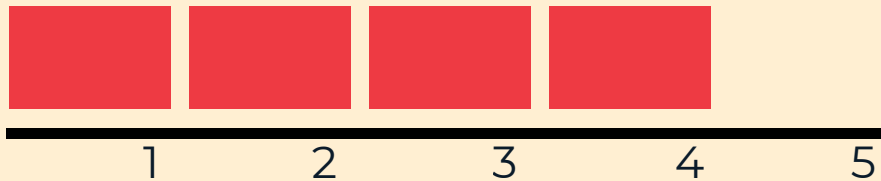
In April 2021, the U.S. Department of Homeland Security (DHS) entered into a Memorandum of Understanding (MoU) with Philip Morris International to collaborate on combating illicit tobacco trade, protecting intellectual property, and working on anti-counterfeiting efforts. **This is still an active agreement.**

[48] Heck, Holly. “Youngkin Borrowed Altria’s Jet – No One Will Say Where He Went.” VPM News, September 11, 2023. Accessed June 2, 2025. <https://www.vpm.org/news/2023-09-11/youngkin-borrowed-altrias-jet-no-one-will-say-where-he-went>.  
[49] Philip Morris International. (2021, January 29). PMI partners with U.S. Department of Homeland Security on combating illicit trade. Retrieved from <https://www.pmi.com/media-center/press-releases/press-details?newsId=23131>



## INDICATOR 5: Transparency

11.) The government does not publicly disclose meetings/ interactions with the tobacco industry in cases where such interactions are strictly necessary for regulation. (Rec 2.2)

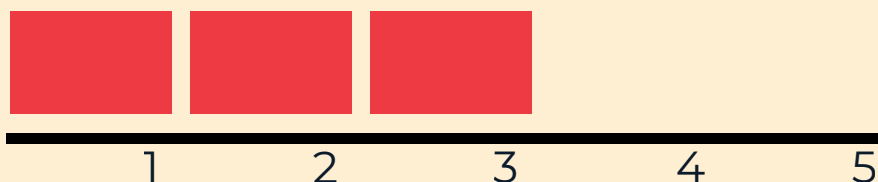


The FDA's Tobacco Products Scientific Advisory Committee (TPSAC) holds publicly announced meetings with downloadable minutes available online. These minutes explicitly mention non-voting industry representatives present and disclose their roles. Example: June 26, 2024, meeting minutes are accessible and include participant lists.<sup>[50]</sup> However, there's no central requirement for agencies (federal or state) to list meetings with tobacco or vape industry representatives outside formal settings like TPSAC.

Virginia's Freedom of Information Act requires all public boards, commissions, and councils to post meeting minutes within 7–10 working days on official websites.<sup>[51]</sup> While not tobacco-specific, any tobacco-policy board or advisory body in Virginia must publish agendas and minutes, ensuring public visibility of interactions.

Most state legislatures do not publish who met with industry actors, when, or on which topics.

12.) The government requires rules for the disclosure or registration of tobacco industry entities, affiliated organizations, and individuals acting on their behalf including lobbyists (Rec 5.3)



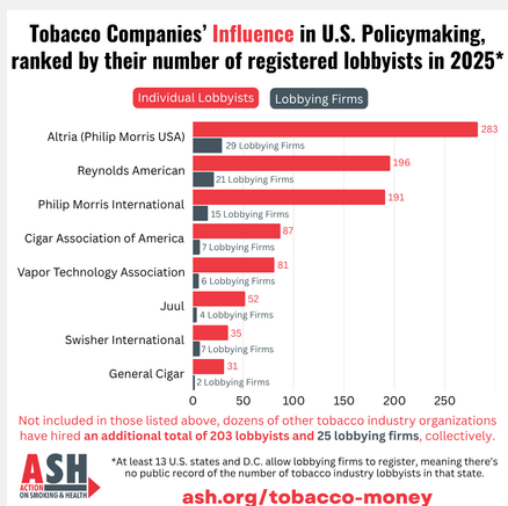
The Federal Lobbying Disclosure Act (LDA, 1995)—updated by the Honest Leadership and Open Government Act (2007)—mandates all lobbyists, including

[50] U.S. Food and Drug Administration. Premarket Tobacco Product Applications (PMTA) Policy Guidance: Enforcement Priorities for New Products. FDA, April 2025. Accessed June 2, 2025. <https://www.fda.gov/media/182104/download>.

[51] Virginia General Assembly. "Virginia Freedom of Information Act." Code of Virginia, accessed June 2, 2025. <https://law.lis.virginia.gov/vacode/popularnames/virginia-freedom-of-information-act/>.

those representing tobacco and vape industries, to register and file quarterly and semiannual reports detailing clients and expenditures. These filings remain publicly available, letting stakeholders track the tobacco industry's federal lobbying activity.<sup>[52]</sup>

However, Individual donors to PACs may not be fully transparent, especially if contributions are aggregated. A combined total of 1,275 registered state-level tobacco lobbyists and lobbying firms were active in 2025, a 24% increase from 2024.<sup>[53]</sup> In at least 13 states and DC, lobbying firms are required to disclose their registrations without listing individual lobbyists, obscuring who specifically represents the tobacco industry.<sup>[54]</sup>



This lack of full transparency makes it difficult to track industry influence in real time and across jurisdictions. The case of JUUL Labs further underscores this concern. Internal JUUL documents made public through litigation reveal that the company employed highly targeted lobbying strategies to influence legislators and regulators. A 2018 presentation uncovered in the UCSF Truth Tobacco Industry Documents Library shows JUUL identifying key Congressional targets and political influencers to reshape public policy in its favor.<sup>[55]</sup> These slides, particularly pages 3 and 4 of the presentation, demonstrate a calculated lobbying effort that was not readily visible in public lobbyist disclosures at the time.<sup>[56]</sup> This example illustrates why a comprehensive, searchable, and timely lobbyist registry at both the federal and state levels is critical to safeguarding public health policy from covert industry influence.

[52] U.S. House of Representatives. "Lobbying Disclosure." Lobbying Disclosure Act, accessed June 2, 2025. <https://lobbyingdisclosure.house.gov/>.

[53] Action on Smoking & Health. "U.S. Tobacco Lobbyist and Lobbying Firm Registration Tracker." ASH.org. Accessed June 10, 2025. <https://ash.org/tobacco-money/>.

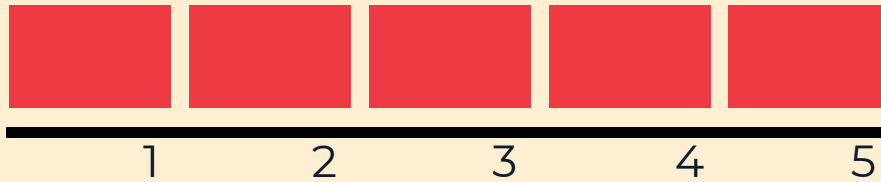
[54] Action on Smoking & Health. "U.S. Tobacco Lobbyist and Lobbying Firm Registration Tracker." ASH.org. Accessed June 10, 2025. <https://ash.org/tobacco-money/>.

[55] Truth Tobacco Industry Documents. (2018). PowerPoint Presentation: "pzm0318." Pages 3–4. Retrieved from <https://www.industrydocuments.ucsf.edu/tobacco/docs/#id=pzm0318>.

[56] Truth Tobacco Industry Documents. (2018). PowerPoint Presentation: "pzm0318." Pages 3–4. Retrieved from <https://www.industrydocuments.ucsf.edu/tobacco/docs/#id=pzm0318>.

## INDICATOR 6: Conflict of Interest

13.) The government does not prohibit contributions from the tobacco industry or any entity working to further its interests to political parties, candidates, or campaigns or to require full disclosure of such contributions. (Rec 4.11)



Federal and state law does not prohibit contributions or require full, real-time public disclosure beyond standard political finance rules.

Tobacco companies—and their PACs—freely donate to campaigns, candidates, and party committees under to existing regulations. Tobacco-affiliated PACs gave \$1.54 million to federal candidates during the 2023–2024 cycle. Altria’s political PAC alone contributed \$821,000 to federal candidates.<sup>[57]</sup>

RAI Services Co. and its affiliated super PACs were the largest contributors to the Trump Campaign during the 2023-2024 election cycle. giving a combined \$10 million to the Make America Great Again Inc. super PAC that supported his 2024 campaign.<sup>[58]</sup>

As of July 1, 2025, the tobacco industry has already spent \$8.3 million on lobbying. In 2024, they spent \$32,289,841 on lobbying.<sup>[59], [60]</sup>

Philip Morris USA, U.S. Smokeless Tobacco Co., John Middleton, Helix Innovations, NJOY (via “Citizens for Tobacco Rights”) spent ad money and lobbied (\$65k+ in ads, plus more unreported) to support Vermont Gov. Phil Scott’s veto of a flavored tobacco and vape ban.<sup>[61], [62]</sup>

[57] OpenSecrets. “Altria Group PAC: 2024 Summary of Contributions.” OpenSecrets.org. Accessed June 2, 2025. <https://www.opensecrets.org/political-action-committees-pacs/altria-group/C00089136/summary/2024>.

[58] Durkee, Alison. “This Tobacco Giant Was the Biggest Corporate Donor to the 2024 Presidential Race.” Forbes, December 27, 2024. Accessed June 2, 2025. <https://www.forbes.com/sites/alisdurkee/2024/12/27/this-tobacco-giant-was-the-biggest-corporate-donor-to-the-2024-presidential-race/>.

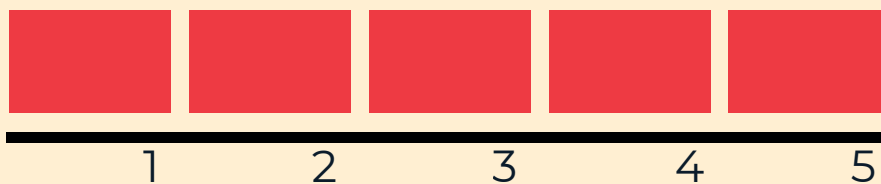
[59] OpenSecrets. “Tobacco: Lobbying, 2025 Year-to-Date.” OpenSecrets.org. Accessed June 2, 2025. <https://www.opensecrets.org/industries/lobbying?cycle=2025&id=A02>.

[60] OpenSecrets. “Tobacco: Lobbying, 2024.” OpenSecrets.org. Accessed June 2, 2025. <https://www.opensecrets.org/industries/lobbying?cycle=2024&ind=A02>.

[61] Dockser, Corey. “Vermont’s Flavored Tobacco Ban Bill Attracted Surge in Lobbying, Ad Spending Before Governor’s Veto.” Vermont Public, May 9, 2024. Accessed June 2, 2025. <https://www.vermontpublic.org/local-news/2024-05-09/vermonts-flavored-tobacco-ban-bill-attracted-surge-in-lobbying-ad-spending-before-governors-veto>.

[62] JC. “Gov. Scott Vetoes Flavored Tobacco Ban.” WCAX, April 3, 2024. Accessed June 2, 2025. <https://www.wcax.com/2024/04/03/gov-scott-vetoes-flavored-tobacco-ban/>.

14.) Retired senior government officials form part of the tobacco industry (former Prime Minister, Minister, Attorney General) (Rec 4.4)

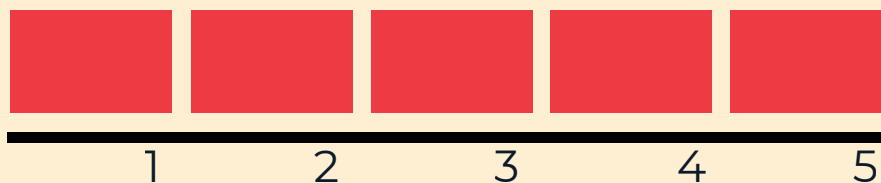


In 2023, about 75.6% of federal tobacco lobbyists were former government employees, indicating a substantial revolving door. That percentage was 73.79% in 2024 and is 72.35% in 2025 to date.<sup>[63]</sup>

In October 2024, Perham Gorji, a senior career lawyer at the FDA who was involved in FDA tobacco and e-cigarette regulatory enforcement, left the agency and joined DLA Piper, a law firm that represents major tobacco companies to help lead their legal battles against FDA tobacco regulations and challenge flavor bans.<sup>[64]</sup>

Mary-Sumpter Lapinski — Ex-Trump HHS Counselor, March 9, 2017 → Juul Executive Previously served as Counselor for Public Health and Science to HHS Secretary Alex Azar under Trump. In January 2025, she joined Juul Labs to lead its federal lobbying office.<sup>[65]</sup>

15.) Current government officials and relatives hold positions in the tobacco business including consultancy positions. (Rec 4.5, 4.8, 4.10)



Susie Wiles, who served as a top advisor during Trump's 2024 campaign and early 2025 transition period, simultaneously worked as a registered lobbyist for Swisher International, a major tobacco company.<sup>[66]</sup> She is now White House Chief of Staff.

Rep. Ron Marshall (R-Hamilton), owns two vape stores while serving in the Montana state House of Representatives (2021–Mar 2025).<sup>[67]</sup>

[63] OpenSecrets. "Tobacco Industry — Federal Lobbying, 2024 Summary." OpenSecrets.org. Accessed June 2, 2025.

<https://www.opensecrets.org/federal-lobbying/industries/summary?id=A02>.

[64] Kranhold, Kathryn. "Former FDA Lawyers Join Tobacco Industry in 'Epic' Fight Against the Agency." The Examination, October 21, 2024. Accessed June 2, 2025. <https://www.theexamination.org/articles/fda-revolving-door-tobacco>.

[65] Linskey, Annie. "Juul Turns to Trump Alum to Lead D.C. Office." Politico Influence, January 17, 2025. Accessed June 2, 2025.

<https://www.politico.com/newsletters/politico-influence/2025/01/17/juul-turns-to-trump-alum-to-lead-dc-office-00199141>.

[66] Moore, David. "Trump's Top Campaign Aide Is a Tobacco Lobbyist." Sludge, August 29, 2023. Accessed June 2, 2025.

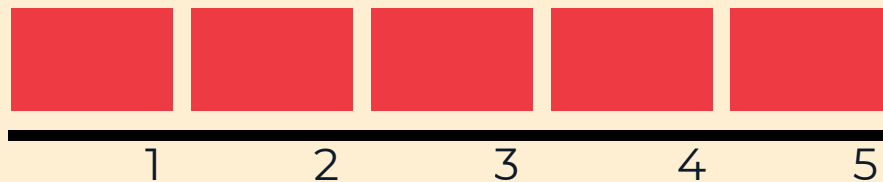
<https://readsludge.com/2023/08/29/top-trump-campaign-aide-lobbies-congress-for-swisher/>.

[67] Drew, Micah. "Ravalli County Rep. Ron Marshall Resigns, Cites Influence of Lobbyists in Legislature." Daily Montanan, March 3, 2025. Accessed June 2, 2025. <https://dailymontanan.com/2025/03/03/ravalli-county-rep-ron-marshall-resigns-citing-corruption-among-lawmakers-lobbyists/>.

Colleen Kopp, a former lobbyist for U.S. Smokeless Tobacco Company, returned to a governmental role in Pennsylvania as Secretary of Legislative Affairs. Her prior lobbying activities for the tobacco industry present potential conflicts of interest in her governmental position.<sup>[68]</sup>

## INDICATOR 7: Preventive Measures

16.) The government has put in place a procedure for disclosing the records of the interaction (such as agenda, attendees, minutes, and outcome) with the tobacco industry and its representatives. (Rec 5.1)

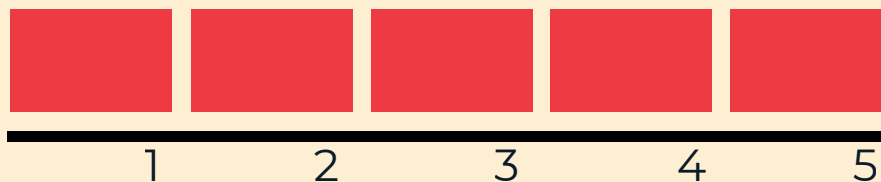


While the U.S. has general ethical rules like the Hatch Act, there is no tobacco-specific code of conduct requiring officials to limit interactions, avoid conflicts of interest, or refuse partnerships with the tobacco industry.

Despite some states mandating open meeting and lobbyist disclosure rules, none adopted new, sector-specific ethics rules for public officials interacting with tobacco during this period.

No records show cities or counties introducing tailored rules—e.g., banning public officials from attending tobacco-industry events or requiring special disclosures.

17.) The government has formulated, adopted or implemented a code of conduct for public officials, prescribing the standards with which they should comply in their dealings with the tobacco industry. (Rec 4.2);



No evidence could be identified to indicate that federal, state or local U.S. governments have adopted codes of conduct for public officials, prescribing the standards with which they should comply in their dealings with the tobacco industry.

[68] Bumsted, Brad. "Rendell Appoints Ex-Aide with Lobbying Ties to Top Post." *Tribune-Review*, May 4, 2009. Accessed June 2, 2025. <https://triblive.com/news/rendell-appoints-ex-aide-with-lobbying-ties-to-top-post/>.

18.) The government requires the tobacco industry to periodically submit information on tobacco production, manufacture, market share, marketing expenditures, revenues and any other activity, including lobbying, philanthropy, political contributions and all other TAPS activities such as CSR or EPR (COP10), as well as on tobacco industry entities, affiliated organizations and individuals acting on their behalf, and tobacco industry funded groups and their research and marketing activities (Rec 5.2, 5.3, and COP9 and 10 Decision)



### **CDC Ingredient & Nicotine Reporting (FCLAA / CSTHEA):**

Tobacco manufacturers, packagers, and importers must submit annual ingredient lists and nicotine reports for cigarettes and smokeless tobacco to the CDC by March 31 each year.<sup>[69]</sup>

### **FDA Tobacco User Fees – Industry Submissions:<sup>[70], [71]</sup>**

Under the FDA’s User Fee regulations (Section 919 of FD&C Act), all registered domestic manufacturers and importers must:

- Provide monthly excise removal data,
- Submit quarterly product class breakdowns, market shares, and
- Pay associated user fees by month-end

### **Federal Trade Commission (FTC) Marketing Expenditure Reports:<sup>[72]</sup>**

The FTC collects mandatory reports from top cigarette manufacturers (e.g., Altria, Reynolds) on:

- Annual advertising & promotion spending, including price discounts,
- Sales volumes (units sold/given away), and
- Market share data

The Alcohol and Tobacco Tax and Trade Bureau (TTB) requires permits to authorize tobacco product manufacturers, importers, warehouse proprietors, and other tobacco industry businesses for operations in the US.<sup>[73], [74]</sup>

[69] Centers for Disease Control and Prevention. “State and Community Tobacco Prevention Reporting.” CDC.gov. Accessed June 2, 2025. <https://www.cdc.gov/tobacco/php/state-and-community-work/reporting.html>.

[70] Centers for Disease Control and Prevention. “State and Community Tobacco Prevention Reporting.” CDC.gov. Accessed June 2, 2025. <https://www.cdc.gov/tobacco/php/state-and-community-work/reporting.html>.

[71] U.S. Food and Drug Administration. “Tobacco User Fees.” FDA.gov. Accessed June 2, 2025. <https://www.fda.gov/tobacco-products/manufacturing/tobacco-user-fees>.

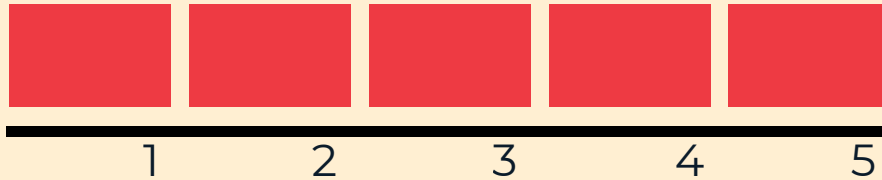
[72] Federal Trade Commission. Cigarette Report for 2022. FTC.gov, 2023. Accessed June 2, 2025. [https://www.ftc.gov/system/files/ftc\\_gov/pdf/2022-Cigarette-Report.pdf](https://www.ftc.gov/system/files/ftc_gov/pdf/2022-Cigarette-Report.pdf).

[73] Alcohol and Tobacco Tax and Trade Bureau. “Permits.” TTB.gov. Accessed June 2, 2025. <https://www.ttb.gov/regulated-commodities/tobacco/permits>.

[74] American Lung Association. “State Legislated Actions on Tobacco Issues (SLATI) Overview.” Lung.org. Accessed June 2, 2025. <https://www.lung.org/policy-advocacy/tobacco/slati/slati-overview>.

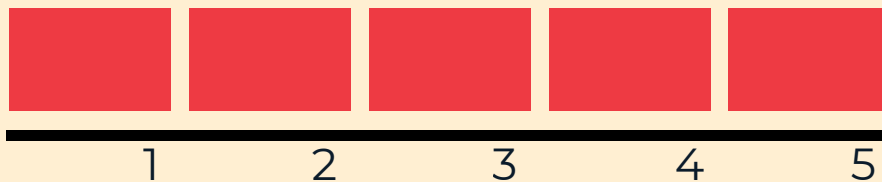
At least six U.S. states, including Massachusetts and Texas, require tobacco manufacturers and importers to file periodic marketing expenditure and sales disclosures, often as part of Master Settlement Agreement compliance. The level of detail varies by state, but often includes sales volume, distribution channels, and promotional investments.

19.) The government has a program / system/ plan to consistently raise awareness within its departments on policies relating to FCTC Article 5.3 Guidelines. (Rec 1.1, 1.2)



No evidence could be identified to indicate that federal, state or local U.S. governments have programs or systems in place to consistently raise awareness within its departments on policies relating to FCTC Article 5.3 Guidelines.

20.) The government has put in place a policy to disallow the acceptance of all forms of contributions/ gifts from the tobacco industry (monetary or otherwise) including offers of assistance, policy drafts, or study visit invitations given or offered to the government, its agencies, officials and their relatives. (3.4)



No evidence could be identified to indicate that federal, state or local U.S. governments have put in place a policy to disallow the acceptance of all forms of contributions/gifts from the tobacco industry (monetary or otherwise).





US TOTAL  
RAW SCORE 89/100

US TOTAL  
ADJUSTED SCORE 94/95

In 2025, the U.S. achieved a raw score of 89 out of 100. This score was adjusted in the STOP Global Index, releasing November 11, 2025. The adjustment reflects the fact that the U.S. has signed but not ratified the WHO FCTC. Non-parties to the FCTC are scored differently in the Global Index because Question 4 of the questionnaire does not apply to them, therefore, their final score is divided by 95 instead of 100.

**A higher score signifies a greater level of interference by the tobacco industry.** As in previous years, the United States' score demonstrates the ongoing need for the U.S. to address tobacco industry interference on a national scale.



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# ADDITIONAL QUESTIONS

*Based on COP9 and COP10 Decisions highlighting Article 5.3 recommendations*

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## A. LIABILITY:

Government has adopted or enforced mandatory penalties for the tobacco industry in case it provided false or misleading information (Rec 5.4) [5.4 Parties should impose mandatory penalties on the tobacco industry in case of the provision of false or misleading information in accordance with national law.]

### Evidence

- RICO Court Orders — Corrective Statements (July 2023 onward)<sup>[75]</sup>  
Case: United States v. Philip Morris et al. (RICO lawsuit)

Action: The U.S. District Court required major tobacco companies to issue corrective statements acknowledging:

- Nicotine's addictiveness
- Health risks of secondhand smoke
- Manipulation of nicotine levels
- Misleading "light" branding

Enforcement:

Statements must be published through: TV, newspapers, corporate websites, and—most relevant—\*\*retail point-of-sale signage.

In July 2023, the court mandated the display of these signs in stores for at least 21 months, with strict size, placement, and auditing requirements. Unlike voluntary campaigns, this order compels factual corrections under threat of contempt or further judicial penalties.

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[75] Counter Tools. "Retailers Required to Post Tobacco Industry Corrective Statements at the Point of Sale." CounterTobacco.org. Accessed June 2, 2025. <https://countertobacco.org/retailers-required-to-post-tobacco-industry-corrective-statements-at-the-point-of-sale/>.

- Regulatory Authority: Under the Family Smoking Prevention and Tobacco Control Act and the Federal Food, Drug, and Cosmetic Act, the FDA can levy civil money penalties (CMPs).

Recent Actions: On February 21, 2023, the FDA filed its first-ever CMP complaints against e-cigarette manufacturers for marketing unauthorized products—many of which included false or misleading premarket submissions.<sup>[76]</sup>

- For retailers, the FDA issued Sept 2024 CMPs (~\$20,678 each) after confirming continued sale of unauthorized e-cigarettes despite prior warning.<sup>[77]</sup> CMPs are automatically enforceable after administrative due process; maximum fines of ~\$21,348 per violation apply.<sup>[78]</sup>

Several state-level entities have invoked mandatory enforcement for false or misleading marketing by tobacco/e-cigarette companies during the May 2023–June 2025 period, using authority under consumer protection laws, civil suits, and flavor ban regulations.

- Minnesota Attorney General, Keith Ellison sues misleading “High Light Vapes.”<sup>[79]</sup>

Action: Filed a lawsuit under state laws against High Light Vapes for misleading marketing, including products designed to mimic highlighters and appeal to youth.

Penalty mechanism: Civil enforcement with consumer fraud/false marketing penalties.

- New York’s Attorney General sued vape companies for flavor ban violations.<sup>[80]</sup>

Action: Prosecuted vape firms for violating state flavor bans and deceptively marketing to minors.

Outcome: Ongoing. Lawsuit seeks hundreds of millions in penalties and restitution specifically tied to misleading marketing practices.

[76] U.S. Food and Drug Administration. “Advisory and Enforcement Actions Against Industry and Unauthorized Tobacco Products.” FDA.gov. Accessed June 2, 2025. <https://www.fda.gov/tobacco-products/compliance-enforcement-training/advisory-and-enforcement-actions-against-industry-unauthorized-tobacco-products>.

[77] U.S. Food and Drug Administration. “FDA Seeks Civil Money Penalties Against 11 Retailers Selling Unauthorized E-Cigarettes.” FDA.gov, January 17, 2025. Accessed June 2, 2025. <https://www.fda.gov/tobacco-products/ctp-newsroom/fda-seeks-civil-money-penalties-against-11-retailers-selling-unauthorized-e-cigarettes>.

[78] U.S. Food and Drug Administration. “Advisory and Enforcement Actions Against Industry and Unauthorized Tobacco Products.” FDA.gov. Accessed June 2, 2025. <https://www.fda.gov/tobacco-products/compliance-enforcement-training/advisory-and-enforcement-actions-against-industry-unauthorized-tobacco-products>.

[79] Olson, Doni. “Minnesota Judge Orders High Light Vapes to Cease Operations.” 2Firsts (via Minnesota Reformer), March 12, 2025. Accessed June 2, 2025. <https://www.2firsts.com/news/minnesota-judge-orders-high-light-vapes-to-cease-operations>.

[80] Office of the New York State Attorney General. “Attorney General James Sues Nation’s Largest Vape Distributors for Fueling the Youth Vaping Epidemic.” New York State Office of the Attorney General, February 20, 2025. Accessed June 2, 2025. <https://ag.ny.gov/press-release/2025/attorney-general-james-sues-nations-largest-vape-distributors-fueling-youth>.

- New Jersey Attorney General Matthew Platkin issued cease and desist letters.<sup>[81]</sup>

Action: Issued nearly 11,000 warning letters to retailers selling flavored e-cigarettes in violation of state law. Initial notices in Aug 2024, followed by civil penalties and enforcement in Jan 2025.

Penalty mechanism: Civil money penalties applied for each violation.

- Class-action lawsuit in New York courts<sup>[82]</sup>

Action: Alleged at state level that Puff Bar violated New York General Business Law by using false nicotine claims ("5% nicotine") and misleading "tobacco-free" branding.

Penalty mechanism: State consumer protection statutes (§349, §350 NY law) allow statutory damages, injunctions, and restitution.

## B. KNOWLEDGE HUB RESOURCE DATABASE

Government adopted and implemented measures to ensure public access to information on tobacco industry activities. [5.5 Parties should adopt and implement effective legislative, executive, administrative and other measures to ensure public access, in accordance with Article 12(c) of the Convention, to a wide range of information on tobacco industry activities as relevant to the objectives of the Convention, such as in a public repository.]

### Evidence

No evidence could be identified to indicate that federal, state or local U.S. governments adopted and implemented measures to ensure public access to information on tobacco industry activities.



[81] Office of the New York State Attorney General. "Attorney General James Sues Nation's Largest Vape Distributors for Fueling the Youth Vaping Epidemic." New York State Office of the Attorney General, February 20, 2025. Accessed June 10, 2025. <https://ag.ny.gov/press-release/2025/attorney-general-james-sues-nations-largest-vape-distributors-fueling-youth>.

[82] Tobacco-Free Kids. "State Court Cases Against Illegal Flavored E-Cigarette Products." TobaccoFreeKids.org. Accessed June 2, 2025. <https://www.tobaccofreekids.org/what-we-do/us/us-state-court-cases-illegal-products>.

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# ANNEX A: SOURCES OF INFORMATION

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## TOP TOBACCO COMPANIES

### 1.) Altria Group, Inc.

~50–60% of U.S. cigarette market

Brands: Marlboro, Parliament, Virginia Slims, Black & Mild, Copenhagen, Skoal, On!

Source: <https://www.altria.com/>

### 2.) Reynolds American Inc. (BAT)

~30% of U.S. cigarette market; 42% of e-cigarette market in convenience stores

Brands: Camel, Newport, Pall Mall, Vuse, Grizzly, Kodiak, Natural American Spirit

Source: <https://www.reynoldsamerican.com/>

### 3.) ITG Brands (Imperial Brands)

~8–12% of U.S. cigarette market

Brands: Newport (licensed), Blu eCigs

Source: <https://www.itgbrands.com/>

### 4.) Liggett Group (JTI)

4th largest U.S. tobacco company

Brands: Eve, Liggett Select, Grand Prix, USA

Source: <https://liggettvectorbrands.com/>

### 5.) Swedish Match / Philip Morris International

~60% of U.S. nicotine pouch market

Brands: Zyn, Copenhagen (via PMI acquisition)

Source: <https://www.swedishmatch.com/>

# TOP TOBACCO INDUSTRY ALLIES/ FRONT GROUPS

	Top Tobacco Industry Allies/ Front Groups	Type (Front Group, Affiliate, Individual)	Source
1	American E-Liquid Manufacturing Standards Association (AEMSA)	Industry Trade Association (vape standards)	<a href="https://www.aemsa.org/">https://www.aemsa.org/</a>
2	American Vaping Association (AVA)	Advocacy / Front Group	<a href="https://vaping.org/">https://vaping.org/</a>
3	Americans for Tax Reform (ATR)	Front Group / Astroturf	<a href="https://no-smoke.org/smokefree-threats/opposition-groups/">https://no-smoke.org/smokefree-threats/opposition-groups/</a>
4	American Legislative Exchange Council (ALEC)	Policy Network / Front Group	<a href="https://no-smoke.org/smokefree-threats/opposition-groups/">https://no-smoke.org/smokefree-threats/opposition-groups/</a>
5	Berman and Company	Lobby / PR Firm	<a href="https://no-smoke.org/smokefree-threats/opposition-groups/">https://no-smoke.org/smokefree-threats/opposition-groups/</a>
6	Competitive Enterprise Institute (CEI)	Think Tank / Front Group	<a href="https://no-smoke.org/smokefree-threats/opposition-groups/">https://no-smoke.org/smokefree-threats/opposition-groups/</a>
7	Cigar Rights of America	Trade / Retail Group	<a href="https://no-smoke.org/smokefree-threats/opposition-groups/">https://no-smoke.org/smokefree-threats/opposition-groups/</a>
8	Citizens for Tobacco Rights	Front Group	<a href="https://no-smoke.org/smokefree-threats/opposition-groups/">https://no-smoke.org/smokefree-threats/opposition-groups/</a>
9	Burley Tobacco Growers Cooperative Association	Trade Association	<a href="https://no-smoke.org/smokefree-threats/opposition-groups/">https://no-smoke.org/smokefree-threats/opposition-groups/</a>
10	American Council on Science and Health (ACSH)	Affiliate / Front Group	<a href="https://no-smoke.org/smokefree-threats/opposition-groups/">https://no-smoke.org/smokefree-threats/opposition-groups/</a>
11	Foundation for a Smoke-Free World (Global Action to End Smoking)	Front Group	<a href="https://globalactiontoendsmoking.org/">https://globalactiontoendsmoking.org/</a>
12	Steven J. Milloy	Public Scientist / Industry-affiliated	<a href="https://tobaccotactics.org/wiki/steven-j-milloy/">https://tobaccotactics.org/wiki/steven-j-milloy/</a>
13	Jim Tozzi	Industry Lobbyist (Federal Focus founder)	<a href="https://tobaccotactics.org/wiki/federal-focus/">https://tobaccotactics.org/wiki/federal-focus/</a>
14	Thomas “Tom” Griscom	Tobacco Executive & Ex-government official	<a href="https://tobaccotactics.org/wiki/thomas-griscom/">https://tobaccotactics.org/wiki/thomas-griscom/</a>

UNITED STATES OF AMERICA

# TOBACCO INDUSTRY INTERFERENCE INDEX 2025



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