

The Center for Tobacco Products and Native Communities



Despite decades of progress, tobacco use is still the greatest cause of preventable disease and death in the United States—something that FDA’s Center for Tobacco Products (CTP) is seeking to change. Tobacco use has had a serious impact on Native communities. The American Indian and Alaska Native (AI/AN) population has the highest prevalence of cigarette smoking (21.9 percent) compared to any other population group in the United States, according to the Centers for Disease Control and Prevention (CDC).¹ Because of the prevalence of smoking and other tobacco use, AI/ANs have an especially high risk of suffering from tobacco-related death and disease. AI/AN youth are particularly affected: CDC’s Youth Risk Behavior Surveillance System for 2015 found that 10.7 percent of AI/AN high school students smoked a cigarette before age 13, compared to 6.6 percent of the total U.S. high school population.² Among AI/AN high school students, 12.2 percent smoked cigarettes in 2015, compared to 10.8 percent of the total U.S. high school population.³

Building a Healthier Future

Our vision at CTP is to make tobacco-related death and disease part of America’s past, not America’s future, and by doing so, to ensure a healthier life for every family. We understand and appreciate that many tribal governments have been working actively to reduce tobacco use within their tribes and to prevent smoking and other tobacco use among tribal youth.

In May 2016, to further improve public health and protect future generations from the risks of tobacco use, the FDA extended its regulatory authority to cover all tobacco products, including e-cigarettes, all cigars, and pipe and hookah tobacco, among others. FDA has regulated cigarettes, cigarette tobacco, roll-your-own tobacco, and smokeless tobacco since 2009.



CTP Takes Action Every Day

CTP educates the public about the harms of tobacco products, working to reduce their appeal and keep them out of the hands of America’s youth. Every day, CTP takes action to protect American families, charting a new course for comprehensive change. Some of these actions include:

- Developing science-based regulations to safeguard the nation’s health
- Publishing guidance to help the industry comply with the regulatory requirements for tobacco products
- Conducting retailer inspections to ensure compliance with laws restricting sales of tobacco products to youth, and issuing warning letters and monetary penalties for violations

- Launching public information and education campaigns, particularly targeted to youth, about the dangers of regulated tobacco products
- Partnering with other public health agencies to conduct cutting-edge research on a range of topics such as tobacco use initiation and nicotine addiction

CTP maintains contact with tribal stakeholders—including tribal government leaders, tribal health leaders, public health professionals, and other relevant federal agencies—by various methods:

- Engaging in formal and informal consultations
- Conducting manufacturing inspections
- Holding face-to-face meetings
- Disseminating “Dear Tribal Leader” letters
- Communicating through presentations, webinars, and email updates
- Participating in quarterly calls among tribal stakeholders
- Getting involved in listening sessions
- Arranging meet-and-greets
- Hiring tribal policy analysts with special expertise to serve as liaisons
- Awarding retail inspection contracts to tribes to conduct retail inspections within tribal jurisdictions

Recognizing Tribal Sovereignty

FDA respects tribal sovereignty and honors the government-to-government relationship it has with federally recognized AI/AN tribes. We understand the importance of collaboration and consultation, as appropriate, with tribal governments on the implementation of the Tobacco Control Act and related regulations. The Tobacco Control Act specifically:

- Does not limit the authority of tribes to enact, adopt, issue, and enforce laws or regulations in addition to, or more stringent than, the Tobacco Control Act.
- Authorizes FDA to award tobacco retail inspection contracts to states, tribes, territories, and third parties to conduct retail inspections, but prohibits FDA from contracting with any state to exercise enforcement authority under the Tobacco Control Act in Indian Country without the express written consent from the tribe involved.

Through a collaborative partnership, we can protect the health of AI/AN communities, including youth, by ensuring compliance with the Tobacco Control Act.

Traditional or Ceremonial Tobacco Use

The FDA does not regulate the use of traditional (ceremonial) tobacco. The FDA understands and respects the use of traditional tobacco by Native tribes.

Resources for Tribes

FDA invites tribes to engage in a collaborative and respectful government-to-government approach to the implementation and enforcement of the Tobacco Control Act.

- Retailers in Native communities can find a training video on our website. Visit www.fda.gov and search for “retailer training videos.”
- To learn about current tribal outreach efforts, visit www.fda.gov and search for “tribal governments tobacco.”
- Subscribe to email updates by visiting www.fda.gov/ctpconnect.
- CTP follows the FDA Tribal Consultation Policy. The policy can be found at: <https://www.fda.gov/ForFederalStateandLocalOfficials/TribalAffairs/default.htm>.

Endnotes

1. Centers for Disease Control and Prevention (CDC). Current cigarette smoking among adults – United States, 2005-2015. *Morbidity and Mortality Weekly Report*. 2016; 65(44):1205-1211. Accessed Feb 15, 2017.
2. Centers for Disease Control and Prevention (CDC). *1991-2015 High School Youth Risk Behavior Survey Data: 2015 Results (Initiation of Cigarette Use)*. <https://nccd.cdc.gov/Youthonline/App>. Accessed Feb 15, 2017.
3. Centers for Disease Control and Prevention (CDC). *1991-2015 High School Youth Risk Behavior Survey Data: 2015 Results (Current Cigarette Use)*. <https://nccd.cdc.gov/Youthonline/App>. Accessed Feb 15, 2017.

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