



Commonwealth of Kentucky Public Protection Cabinet

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Kentucky Awarded FDA Contract to Enforce Provisions of Tobacco Control Act

FRANKFORT, Ky. (Sept. 29, 2011) – The Kentucky Department of Alcoholic Beverage Control (ABC) has been awarded a \$428,278 contract by the Food and Drug Administration (FDA) to enforce provisions of the Family Smoking Prevention and Tobacco Control Act of 2009. Under the law, tobacco retailers will be inspected to ensure they are complying with new marketing and sales standards. The FDA contract is awarded on an annual basis.

The Tobacco Control Act seeks to prevent and reduce tobacco use by young people by enforcing the minimum legal age to purchase tobacco products. The Act also prohibits false or misleading labeling and advertising for tobacco products and gives authority to the FDA to enforce all the provisions of this law.

“Our investigators are trained and experienced in tobacco inspections due to our work in tobacco compliance checks,” said ABC Commissioner Tony Dehner. “The transition to conduct these FDA checks will be smooth and fit well within our overall priority to ensure compliant sales of tobacco in Kentucky.”

Statistics from the American Lung Association indicate each day, almost 3,900 children nationally under 18 years of age try their first cigarette, and more than 950 of them will become new, regular daily smokers.

Under the contract, ABC investigators conduct undercover buys, as well as advertising and labeling tobacco inspections each month in accordance with the FDA Tobacco Compliance Check contract. The results of the inspections are

documented and are provided to the state program coordinator to ensure the checks are in compliance according to the provisions of the contract. Any non-compliance reported will be handled through hearings conducted by the FDA, and sanctions will be imposed on violators.

Kentucky ABC will begin the inspections and undercover buys this fall. Approximately 250 retailers will be inspected per month.

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