

SENATE No. 839

The Commonwealth of Massachusetts

PRESENTED BY:

Mark C. Montigny

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act providing for disclosure of certain information relating to tobacco products sold in the Commonwealth

PETITION OF:

NAME:

Mark C. Montigny

DISTRICT/ADDRESS:

Second Bristol and Plymouth

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S01241 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT PROVIDING FOR DISCLOSURE OF CERTAIN INFORMATION RELATING TO
TOBACCO PRODUCTS SOLD IN THE COMMONWEALTH.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority
of the same, as follows:*

1 SECTION 1. Section 307B of Chapter 94 of the General Laws, as appearing in the 2004
2 Official Edition, is hereby amended by striking out the first 2 paragraphs and inserting in place
3 thereof the following 2 paragraphs:-

4 For the purpose of protecting the public health, a manufacturer of cigarettes, snuff or chewing
5 tobacco sold in the commonwealth shall provide the department of public health with an annual
6 report, in a form and at a time specified by the department, which lists for each brand of the
7 product sold the following information:

8 (a) the identity and location of any added constituent to be listed, in descending order by weight
9 or other measure;

10 (b) the nicotine yield ratings, which shall accurately predict human nicotine intake based on
11 standards to be established by the department of public health;

12 (c) the identity and quantity of any known toxic constituents that are present in the whole
13 tobacco by brand and a toxicity yield rating by brand, as specified by the department; and

14 (d) for cigarettes, the identity and quantity of any known toxic constituents in the mainstream
15 and sidestream smoke by brand and a toxicity yield rating by brand, as specified by the
16 department.

17 The department of public health shall investigate health risks associated with exposure to added
18 constituents, toxic constituents and nicotine and may develop standards for manufacturers to
19 reduce risks associated with exposure to added constituents, toxic constituents and nicotine. The
20 information provided to the department in an annual report pursuant to clauses (b), (c) and (d) of
21 the preceding paragraph shall be a public record. That portion of an annual report identifying
22 added constituents pursuant to clause (a) shall be protected as a trade secret to the extent
23 provided under federal law. The department may promulgate regulations to implement this
24 section.