

MARPHLI Case Study in Assessment

Public Health Response to a New Threat in Indiana: Dissolvable Tobacco

Team TIME (MARPHLI Year 18 Team)

A. Title: Public Health Response to a New Threat in Indiana: Dissolvable Tobacco

B. Functional Area: Assessment

C. Case Setting:

Over twenty years of public health campaigns against smoking and the implementation of numerous non-smoking regulations in public places has resulted in a lowering of the adult smoking rate and the consumption of cigarettes in the United States. The tobacco industry countered by introducing a series of dissolvable tobacco products marketed as an “alternative” to smoking when the user is in a situation where they cannot smoke. In late 2008, the Carmel Company began test marketing dissolvable tobacco in Indianapolis and surrounding area retail markets. Team TIME conducted an assessment of the public health leadership response to the introduction of dissolvable tobacco products throughout Indiana.

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Introduction

Over twenty years of public health campaigns against smoking and the implementation of numerous non-smoking regulations in public places has resulted in a lowering of the adult smoking rate and the consumption of cigarettes in the United States. Responding to the declining smoking rates, the tobacco manufacturers are finding novel ways to entice new users, especially children, and to discourage quitting. One such product introduced is a series of dissolvable tobacco products marketed as an “alternative” to smoking when the user is in a situation where they cannot smoke.

Carmel Company began test marketing three variations of dissolvable tobacco in early 2009. The three products, Carmel Slips, Logs and Cancer Orbits, are made from finely milled tobacco, held together with food grade binders. The products are designed to be placed in the mouth, on the tongue or between the cheek and gum where it dissolves to release nicotine. The new products carry the name of Carmel Company cigarettes, one of the most popular brands among underage smokers. ¹ These new products pose serious threats to the nation’s health.

Slips, Logs and Orbits are not the first dissolvable tobacco products to be introduced. In late 2001, a product called Areba which was test marketed in the Dallas, Texas, metro area and in a group of stores in Richmond, Virginia. Areba is a compressed, powdered tobacco product designed to dissolve in the mouth without expectoration, and to be used during situations when smoking is prohibited or inconvenient. Spokespersons for the tobacco company said that these products are being created for the tobacco user that still wants to use tobacco in a time when smoke-free air laws are sweeping the nation.

"As adult tobacco needs have changed, societal expectations have changed as it relates to tobacco use," says Davis Hollard of T.C. Metals, the company that makes Carmel products. "Our goal is to continue to be at the forefront of that change." ²

"One new business opportunity for us is filling the increasing demand for smokeless products among adult smokers who do not find current MST [moist smokeless tobacco, or snuff] satisfactory," says Mike Sizemanski, Baltria’s Chairman and Chief Executive Officer. "Those tobacco users are seeking smokeless tobacco that doesn’t require them to spit the way they must with moist snuff." ³

The Cancer Orbits strongly resemble a “tic-tac” and come in flavors “Smooth” and “Clean.” Once placed in the mouth, the pellet shaped product lasts about 15 minutes. Packaging is even in a clever, tic-tac look alike dispenser. The Slips resemble breath-freshening strips and come in a minty “Clean” flavor. The Slips are the quickest of the three products, dissolving completely in about 3 minutes. Carmel Logs which are toothpick-like in appearance are available in the

“Smooth” flavor. They are marketed to be placed in the mouth like a toothpick or broken into pieces that can be placed between the upper lip and gum, where it dissolves after 10 minutes.

Poison control and public health leaders expressed concern that these products are likely to appeal to children and adolescents because they are flavored and packaged like candy or “tic-tacs,” and are easy to conceal even in a classroom. While these products are sold in “child-resistant” packaging, their resemblance to candy and breath-mint strips and the likelihood that adults will carry the small packages in their pockets or leave them in other unsecured places, means children may have access to them.

Little is known about the health effects of using any of the dissolvable tobacco products, because they are such a new product and currently there is no system in place for their regulation. Tobacco products are unique. Even though tobacco use is the leading preventable cause of death in this country, tobacco products are not regulated by any public health agency. Tobacco companies, unlike the manufacturers of food, drugs, cosmetics and many other products, remain free to market and manipulate their products to attract children. The Food and Drug Administration’s Center for Tobacco Products could be positioned to have regulatory authority over dissolvable tobacco and monitor product packaging, advertising, and health-related messages.

Statement of Facts

Carmel Company began test marketing Carmel Orbits in January 2009 in Indianapolis, Indiana; Portland, Oregon; and Columbus, Ohio, including the surrounding metropolitan areas. This product introduction allowed for the investigation of this new health hazard through the practice of assessment, one of the core functions of public health.

The potential harm from the dissolvable tobacco products caused the Indiana Poison Center to issue a media alert warning parents and health care providers about the potential health impacts of a child ingesting the product. The alert also included that preliminary research showed the dissolvable tobacco products contain between 60% and 300% of the nicotine found in one cigarette. The alert went on to discuss how smokers who use these products may get a higher dose of nicotine than they are used to, possibly resulting in adverse reactions such as tremors, nausea, vomiting and agitation. ⁴

The Indiana Tobacco Prevention Agency (ITPA) exists to prevent and reduce the use of all tobacco products in Indiana and to protect citizens from exposure to tobacco smoke. ITPA works through a network of local, community coordinators located in 67 of Indiana’s 92 counties. ITPA began educating their community coordinators about dissolvable tobacco products in fall 2008.

In February 2009, in an attempt to assess the occurrence of the dissolvable tobacco products across Indiana, ITPA requested that their community coordinators begin collecting information about the new products being marketed in their communities. They were asked to relay the following information:

- Name of retail establishment
 - Location (county/city and major street/intersection) of retail establishment
 - Date product was seen
 - Price of Carmel Dissolvable Tobacco products
 - Description of any advertising, either inside or outside of the retail establishment (such as type of signage, where the signage was displayed and the size of signage displayed)
 - Photo of product, display or signage (if possible)
- If the coordinator was on a mailing list to receive promotional materials from Carmel Company they were asked to send the materials to ITPA along with the date they received the material.
- How Carmel dissolvable tobacco products were being marketed in their county. For example, brochures displayed at retail establishments; inserts and ads in local newspapers and magazines; or coupons generated with grocery receipts at the supermarkets.⁵

Coupons for the new Carmel dissolvable tobacco products were featured in the April issues of *NUVO* Newspaper, *Entertainment Today*, *Sports Illustrated*, *Rolling Stone* magazines. The products were being marketed as “the best tobacco you never smoked”. In early spring 2009, point of purchase displays advertising the new Carmel dissolvable tobacco products became prevalent in Indianapolis and the metropolitan area. Gas stations and convenience stores had window decals or signage promoting “Carmel Dissolvables.”

In February 2009, *Good Housekeeping* issued a warning to consumers that the Carmel dissolvable tobacco products may be appealing to children because they come in brightly colored packages and they are in different flavors.⁶

In an effort to assist community coordinators in responding to the new Carmel dissolvable products, ITPA sent a resource kit to all coordinators in May 2009. The kit included presentation materials and fact sheets about dissolvable tobacco to be distributed to key stakeholders in their

communities. Community coordinators utilized the ITPA resource kit in different ways. Many coordinators presented information to local school administrations, tobacco coalitions, and community groups. Other coordinators released information about dissolvable tobacco to their local media, garnering earned media coverage.

In May 2009, Amy Pile, Indiana native visited Washington, D.C. to accept Campaign for Tobacco Free Kid's 2009 National Youth Advocate of the Year award. While in D.C., she had the opportunity to meet Representative Harry Tarmen from California, the champion of the bill to allow the FDA to regulate the tobacco industry. Pile showed Representative Tarmen the Carmel Orbits, which he had never seen before. A few weeks later, it was announced that there would be a special study of dissolvable tobacco products associated with the FDA legislation. The ongoing product manipulation by the tobacco companies with no government oversight and without regard to health impact demonstrates just how critical it is that the FDA be given authority to regulate tobacco and its marketing, just as it has for virtually all other consumer products. On June 11, 2009, the U.S. Senate voted 79 to 17 to approve the bill known as the Family Smoking Prevention and Tobacco Control Act. Then on June 12, 2009, the U.S. House of Representatives voted 307 to 97 to approve the identical bill. Until now, tobacco products have escaped the FDA regulations that apply to other consumer products. Lawmakers pushed to have dissolvable products more closely studied under the new FDA regulation of tobacco products. In fact, under the new FDA authority, within 24 months of the establishment of the Tobacco Product Scientific Advisory Committee, the committee must issue a report on the impact of dissolvable tobacco products on public health, especially among youth.

In February 2010, the FDA sent letters to the dissolvable tobacco manufacturers seeking more information about the possible attraction and addiction of the flavored, dissolvable tobacco products, The FDA is concerned that the products could draw in children, leading to a nicotine addiction or even health problems.⁷

Conclusion

It is difficult to evaluate these new dissolvable tobacco products, as there are no governmental regulations or legislative guidelines allowing for the independent testing of such products, illustrating the need for FDA authority to regulate all tobacco products. Currently, there is discussion that the FDA will regulate "tobacco products." These "tobacco products" are defined as any product made or derived from tobacco that is intended for human consumption, including any component, part, or accessory of a tobacco product. This definition could come to include dissolvable tobacco, in the future.⁸

The challenges created by the tobacco industry's marketing of other tobacco products is symptomatic of a much broader issue relating to the lack of regulation of deadly tobacco products being sold to Hoosiers. In its 2007 publication, *Ending the Tobacco Problem: A*

Blueprint for the Nation, the Institute of Medicine recommends that Congress should work to protect public health by conferring broad regulatory authority to the FDA over the manufacture, distribution, marketing and use of tobacco products.⁸ While this eventual action will transform tobacco control over the long term, Indiana simply cannot wait for federal legislation to come to fruition to take action. Powerful opportunities to advance the regulation of tobacco products exist at both state and local levels, opportunities which ITPA must take advantage of to stay in front of the increasingly aggressive tactics of the tobacco industry.⁹

Assessment of the public health community's response to the introduction of dissolvable tobacco products in Indiana demonstrates a lack of an organized and clearly defined action. Response was made primarily by the statewide network of tobacco control advocates, one national tobacco agency devoted to youth prevention and poison control officials. While these agencies initiated action alerts to notify public about the potential dangers of the new products, local partner reactions varied greatly. Of particular note is that there was minimal involvement by local and state health departments even though there is a strong need for public health leadership to prepare public education campaigns. These public education campaigns would be used to inform a variety of stakeholders, including parents, school administration, healthcare providers, and elected government officials regarding the dangers of dissolvable tobacco.

Teacher's Guide

1. What do you think could happen to a minor that would use one or any of the dissolvables?
2. What makes dissolvables not a good replacement for the "traditional" use of tobacco?
3. How would you identify the new dissolvable products?
4. How would you warn against the use of dissolvable tobacco to adults and minors?
5. Why were dissolvables produced by the tobacco companies?
6. How would you convince someone not to use dissolvables?
7. How could you help prevent the production of the dissolvable tobacco?

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