

Regulation of Tobacco Products

On December 11, 2009, the U.S. Small Business Administration's Office of Advocacy (Advocacy) filed a comment letter with the Food and Drug Administration (FDA) in response to the FDA's notice (74 Fed. Reg. 31457 (Jul. 1 2009)) requesting comments regarding the implementation of the Family Smoking Prevention and Tobacco Control Act (Tobacco Control Act), Pub. L. No. 111-31, 123 Stat. 1776 (2009). Advocacy applauded the efforts of the FDA and the Center to assist small businesses and urged the agency to continue to consider the impact on small businesses when issuing rules implementing the Tobacco Control Act. A complete copy of Advocacy's comments may be accessed at <http://www.sba.gov/advo/laws/comments/>.

- To implement the Tobacco Control Act, the FDA has launched the Center for Tobacco Products (Center).
- The Tobacco Control Act also requires the FDA to establish an office to assist small tobacco manufacturers.
- As of December 11, 2009, the FDA and the Center had set up a webpage and email address for small businesses to consult.
- The Tobacco Control Act provides that the FDA's and the Center's rulemakings will be subject to the Administrative Procedure Act and the Regulatory Flexibility Act (RFA).

For more information, visit Advocacy's Web page at <http://www.sba.gov/advo> or contact Assistant Chief Counsel Dillon Taylor by email at dillon.taylor@sba.gov or by phone at (202) 401-9787.