



# Philip Morris v. FDA (D.D.C.)

Topics Covered: Tobacco and Electronic Nicotine Delivery Systems

## Issue

The issue in this case is whether the FDA's rule regarding graphic warnings on cigarettes is lawful.

## AMA Interest

The AMA supports explicit and effective health warnings, such as graphic warning labels, on tobacco products.

## Case Summary

The 2009 Family Smoking Prevention and Tobacco Control Act (the Tobacco Control Act) requires graphic health warnings to cover the top 50 percent of the front and rear panels of the cigarette package. The same warnings are required in advertising and must comprise at least 20 percent of the advertisement's area.

After years of delays, the FDA issued a new graphic warnings rule. Following the issuance of the rule, tobacco manufacturers sued to challenge its validity, based largely on First Amendment grounds.

## Litigation Center Involvement

The Litigation Center, along with numerous other public health organizations, filed an *amicus* brief to support the FDA graphic warning requirements.

United States District Court for the District of Columbia Brief