



Lorillard Tobacco Co. v. Reilly, 533 U.S. 525 (2001)

Topics Covered: Anti-tobacco

Outcome: Neutral

Issue

The issue in this case was whether a federal statute and the United States Constitution invalidated Massachusetts regulations that restricted the advertising of tobacco products.

AMA Interest

The AMA, in keeping with its objective of protecting public health, supports a smoke-free America.

Case Summary

The regulations prohibited outdoor advertising and certain types of point-of-sale advertising of tobacco products within a thousand-foot radius of any public playground, elementary school, or secondary school. The regulations also required mandatory warning statements on all cigar labeling and advertising. The tobacco companies sued to have the regulations declared invalid. Their primary contention was that the regulations violated the Federal Cigarette Labeling and Advertising Act (FCLAA). They also claimed that the regulations violated their First Amendment right to free speech and their right to engage in interstate commerce.

The United States Supreme Court held that some of the regulations were valid, but others violated the FCLAA and/or the First Amendment.

Litigation Center Involvement

The Litigation Center, along with the Massachusetts Medical Society and several other not for profit organizations, filed an amicus curiae brief to support the regulations.

United States Court of Appeals for the First Circuit brief