

AB 2308 (Stone): Banning Butts to Eliminate Toxic Cigarette Waste

SUMMARY

Smokers litter their cigarette butts illegally and indiscriminately. After cigarette butts get tossed, they end up on beaches, in gutters, and in animals' stomachs. Current laws do not solve this problem. It's time to implement a solution that actually reduces the harm of cigarette butt litter: AB 2308 bans single-use plastic 'filters' in cigarettes sold in California.

PROBLEM

The illegal litter of cigarette 'filters', commonly called cigarette butts, pollutes our environment¹, creates enormous costs to local governments and agencies tasked with cleaning up the waste², and poisons wildlife, domestic animals, and children that ingest them³.

A toxic plastic pellet: The vast majority of cigarette butts are made from a non-biodegradable plastic called cellulose acetate. When one is discarded, it leaches thousands of chemicals, including 50 different carcinogenic toxins, into the water and soil⁴ and can take up to 10 years to decompose⁵.

Too much litter at a high cost: An estimated 4.5 trillion cigarette butts are littered around the globe each year⁶. Despite strong laws and enforcement against cigarette litter, butts remain the single most littered item on our highways and the single most collected item of trash during park, rivers and beach cleanup events⁷.

Danger to wildlife and people: This litter results costs taxpayers enormous amounts of money. The California Department of Transportation estimates that it costs \$41 million annually to clean up cigarettes on roadways. The City and County of San Francisco estimates its costs for cleanup at \$6 million annually.

According to the National Oceanic Atmospheric Administration's Office of Response and Restoration, fish, birds and other animals commonly eat plastic waste like cigarette butts and choke, or even starve to death from a false feeling of satiation⁸.

Cigarette litter also endangers children. From 2006 to 2008, the American Association of Poison Control

Centers reported about 12,600 cases of children ingesting cigarettes or cigarette butts, especially children under six years of age⁹.

Health impact: For decades, the tobacco industry misleadingly marketed filtered cigarettes as a 'safer' alternative to unfiltered cigarettes. In reality, cigarette filters are useless in reducing harm to smokers according to the US Department of Health and Human Services¹⁰ and the Surgeon General of the United States¹¹. Researchers have also found that filters have likely contributed to the rise in occurrence of lung adenocarcinomas, a form of lung cancer that occurs deep in the lungs.¹²

EXISTING POLICY

Under current law, a conviction for littering from a vehicle is punishable by a fine up to \$1,000 and a mandatory order to clean up litter for no less than eight hours.

A 2006 U.S. Department of Justice decision against tobacco companies forbids the use of several misleading marketing terms to advertise filters, including "low tar," "light," "ultra-light," "mild," and "natural," along with "any other words which reasonably could be expected to result in a consumer believing that smoking the cigarette brand using that descriptor may result in a lower risk of disease or be less hazardous to health than smoking other brands of cigarettes."¹³ 'Light' varieties include a filter housed in a ventilated wrapper.

SOLUTION

AB 2308 would prohibit the sale, gift, or furnishing of cigarettes with single-use filters. Given that anti-litter campaigns and strict penalties have not resulted in the abatement of cigarette butt litter, this bill takes the cigarette butts completely out of the equation. AB 2308 includes strong anti-black market provisions that ensure proper enforcement. Each violation of the prohibition is subject to a fine of \$500.

FOR MORE INFORMATION

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- ¹ **Novotny T**, Lum K, Smith E, et al. Cigarette butts and the case for an environmental policy on hazardous cigarette waste. *Int J Environ Res Public Health* 2009; 6:1691-705
Web Link: <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2697937/>
- ² **Schneider, John E.**, et al. Tobacco Litter Costs and Public Policy: A Framework and Methodology for Considering the Use of Fees to Offset Abatement Costs. *Tob Control* 2011;20:i36-i41
Web Link: http://tobaccocontrol.bmj.com/content/20/Suppl_1/i36.full
- ³ **Novotny TE**, Hardin SN, Hovda LR, et al. Tobacco and cigarette butt consumption in humans and animals. *Tob Control* 2011;20(Suppl 1):i17-20.
Web Link: http://tobaccocontrol.bmj.com/content/20/Suppl_1/i17.full
- ⁴ **Slaughter E**, Gersberg R, Watanabe K, et al. Toxicity of cigarette buttes, and their chemical components, to the marine and freshwater fish. *Tob Control* 2011;20(Suppl 1):i23-i27.
Web Link: http://tobaccocontrol.bmj.com/content/20/Suppl_1/i25.full
- ⁵ **Puls J**, Wilson; Degradation of Cellulose Acetate-Based Materials: A Review, *Journal of Polymers and the Environment* (2011) 19: 152.
Web Link: <https://link.springer.com/article/10.1007/s10924-010-0258-0>
- ⁶ **Wright**, Rowe, Reid, Thomas, Galloway, et al. Bioaccumulation and biological effects of cigarette litter in marine worms. *Biosciences, College of Life and Environmental Sciences, University of Exeter*; 2015
Web Link: <https://www.ncbi.nlm.nih.gov/pubmed/26369692>
- ⁷ **Office of Response and Restoration**. Picking up 52.9 Million Plastic Cigarette Butts off Beaches. National Oceanic and Atmospheric Administration (NOAA). APRIL 26, 2012
Web Link: <http://response.restoration.noaa.gov/about/media/picking-52-million-plastic-cigarette-butts-beaches.html>
- ⁸ **Office of Response and Restoration**. Picking up 52.9 Million Plastic Cigarette Butts off Beaches. National Oceanic and Atmospheric Administration (NOAA). APRIL 26, 2012
Web Link: <http://response.restoration.noaa.gov/about/media/picking-52-million-plastic-cigarette-butts-beaches.html>
- ⁹ **Novotny TE**, Hardin SN, Hovda LR, et al. Tobacco and cigarette butt consumption in humans and animals. *Tob Control* 2011;20(Suppl 1):i17-20.
Web Link: http://tobaccocontrol.bmj.com/content/20/Suppl_1/i17.full
- ¹⁰ **National Cancer Institute**. Risks Associated with Smoking Cigarettes with Low Machine-Measured Yields of Tar and Nicotine. *Smoking and Tobacco Control Monograph No. 13*. Bethesda, MD: U.S. Department of Health and Human Services, National Institutes of Health, NIH Pub.No. 02-5074, October 2001
Web Link: <http://cancercontrol.cancer.gov/brp/tcrb/monographs/13/index.html>
- ¹¹ **Harris B**. The intractable cigarette 'filter problem'. *Tob Control* 2011;20(Suppl 1): i9-i15.
Web Link: http://tobaccocontrol.bmj.com/content/20/Suppl_1/i10.full
- ¹² **Song**, Benowitz, Berman, Brasky, Cummings, Hatsukami, Marian, et al; Cigarette Filter Ventilation and its Relationship to Increasing Rates of Lung Adenocarcinoma; *JNCI: Journal of the National Cancer Institute*, 2017; 109 (12)
Web Link: <https://academic.oup.com/jnci/article/109/12/djx075/3836090>
- ¹³ **U.S. v. Philip Morris, et al**. Civil Action No. 99-2496 (GK). Order #1015
Web Link: www.justice.gov/civil/cases/tobacco2/ORDER_FINAL.pdf