The Joseph Moakley Memorial Fire Safe Cigarette Act of 2002
Background:

Cigarettes are the leading cause of fatal fires. Cigarette ignited fires cause more than 900 deaths each year and more than 2,400 injuries. Many of these victims are innocent children. More than $400 million in property damage is the result of cigarette-caused fires each year.

Fire-safe cigarette technology is commercially feasible. Phillip Morris is already using such technology in Merit cigarettes. The National Institute of Standards and Technology and the Consumer Product Safety Commission have developed broadly validated testing methodologies for fire safety and smoke toxicity.

The Consumer Product Safety Commission estimates that the cost of the loss of human life and personal property from not having a fire-safe cigarette standard is approximately $4.6 billion per year. Congressman Joe Moakley introduced the first cigarette fire-safety legislation in 1979, shortly after a fire started by a cigarette killed 5 young children and their parents in his suburban Boston district. He championed the passage of federal legislation requiring safer cigarettes until his death this past May.

The Act establishes a strong federal fire-safe cigarette standard by:

Requiring the Consumer Product Safety Commission (CPSC) to establish the standard specified in the legislation, by which cigarettes could be regulated with respect to their propensity to start fires.

Giving the Consumer Product Safety Commission authority over cigarettes only for purposes of implementing and enforcing compliance with the standard promulgated under the Act.

Allowing for the future enhancement of the fire-safety standard. Allowing for the Commission to proposed a testing methodology and acceptance criterion for cigarettes with unique characteristics that cannot be tested using the specified methodology so long the ignition propensity is equivalent to or less than the acceptance criterion stated in the legislation.

Giving the Consumer Product Safety Commission authority over cigarettes only for purposes of implementing and enforcing compliance with this Act and with the standard promulgated under the Act. Prohibiting the stockpiling of non-complying cigarettes And allowing states to pass more stringent fire-safety standards for cigarettes if they choose.