

**SENATE . . . . . No. 839**

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The Commonwealth of Massachusetts

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**In the Year Two Thousand Nine**  
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An Act providing for disclosure of certain information relating to tobacco products sold in the Commonwealth.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Section 307B of Chapter 94 of the General Laws, as appearing in the 2004  
2 Official Edition, is hereby amended by striking out the first 2 paragraphs and inserting in place  
3 thereof the following 2 paragraphs:-

4           For the purpose of protecting the public health, a manufacturer of cigarettes, snuff or  
5 chewing tobacco sold in the commonwealth shall provide the department of public health with an  
6 annual report, in a form and at a time specified by the department, which lists for each brand of  
7 the product sold the following information:

8           (a) the identity and location of any added constituent to be listed, in descending order by  
9 weight or other measure;

10           (b) the nicotine yield ratings, which shall accurately predict human nicotine intake based  
11 on standards to be established by the department of public health;

12 (c) the identity and quantity of any known toxic constituents that are present in the whole  
13 tobacco by brand and a toxicity yield rating by brand, as specified by the department; and

14 (d) for cigarettes, the identity and quantity of any known toxic constituents in the  
15 mainstream and sidestream smoke by brand and a toxicity yield rating by brand, as specified by  
16 the department.

17 The department of public health shall investigate health risks associated with exposure to  
18 added constituents, toxic constituents and nicotine and may develop standards for manufacturers  
19 to reduce risks associated with exposure to added constituents, toxic constituents and nicotine.

20 The information provided to the department in an annual report pursuant to clauses (b), (c) and  
21 (d) of the preceding paragraph shall be a public record. That portion of an annual report  
22 identifying added constituents pursuant to clause (a) shall be protected as a trade secret to the  
23 extent provided under federal law. The department may promulgate regulations to implement  
24 this section.