

Last week, another bill was passed and signed into law that takes more of our freedoms and violates the Constitution of the United States. It was, of course, done for the sake of the children, and in the name of the health of the citizenry.

It's always the case that when your liberty is seized, it is seized for your own good.

Such is the condescension of Washington.

The Family Smoking Prevention and Tobacco Control Act will give sweeping new powers over tobacco to the FDA. It will require everyone engaged in manufacturing, preparing, compounding, or processing tobacco to register with the FDA and be subjected to FDA inspections, which is yet another violation of the Fourth Amendment.

It violates the First Amendment by allowing the FDA to restrict tobacco advertising in multiple ways, as well as an outright ban on advertising any cigarettes as light, mild or low-tar.

The FDA will have the power of pre-market reviews of all new tobacco products, and will impose new user fees, meaning taxes, on manufacturers and importers of tobacco products.

It will even regulate the amount of nicotine in cigarettes.

My objections to the bill are not an endorsement of tobacco. As a physician I understand the adverse health effects of this bad habit. And that is exactly how smoking should be treated – as a bad habit and a personal choice.

The way to combat poor choices is through education and information.

Other than ensuring that tobacco companies do not engage in force or fraud to market their products, the federal government needs to stay out of the health habits of free people.

Regulations for children should be at the state level.

Unfortunately, government is using its already overly intrusive financial and regulatory roles in healthcare to establish a justifiable interest in intervening in your personal lifestyle choices as well.

We all need to anticipate the level of health freedom that will remain once government manages all health care in this country.

Actions in Congress such as this tobacco bill are especially disconcerting after we thought we were beginning to see some progress in drawing down the wrong-headed and failed war on drugs. A majority of Americans now think marijuana should be legal, taxed and regulated, according to a recent Zogby poll and over 70 percent are in favor of allowing medicinal use of marijuana. Bills like this take us down exactly the wrong path.

Instead of gaining more freedom with marijuana, we are moving closer to prohibiting tobacco.

Our prisons are already bursting with non-violent drug offenders.

How long will it be before a black market in tobacco fills the prisons with non-violent cigarette smokers?

Hemp and tobacco were staple crops for our founding fathers when our country was new. It is baffling to see how far removed from real freedom this country has become since then. Hemp, even for industrial uses, of which there are many, is illegal to grow at all.

Now tobacco will have more layers of bureaucracy and interference piled on top of it.

In this economy it is extremely upsetting to see this additional squeeze put on an entire industry.

One has to wonder how many smaller farmers will be forced out of business because of this bill.