

1 AN ACT concerning tobacco.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 1. Short title. This Act may be cited as the
5 Disclosure of Ingredients in Tobacco Products Act.

6 Section 5. Annual report.

7 (a) For the purpose of protecting the public health, any
8 manufacturer of cigarettes, snuff, or chewing tobacco sold in
9 this State shall provide the Department of Public Health with
10 an annual report, in a form and at a time specified by the
11 Department of Public Health, that lists for each brand of
12 product sold the following information:

13 (1) the identify of any added constituent other
14 than tobacco, water, or reconstituted tobacco sheet made
15 wholly from tobacco, to be listed in descending order
16 according to weight, measure, or numerical count; and

17 (2) the nicotine yield ratings, which shall
18 accurately predict nicotine intake for average consumers,
19 based on standards to be established by the Department of
20 Public Health.

21 (b) The nicotine yield ratings so provided, and any
22 other information in the annual reports with respect to which
23 the Department of Public Health determines that there is a
24 reasonable scientific basis for concluding that the
25 availability of such information could reduce risks to public
26 health, shall be public records. However, before any public
27 disclosure of this information, the Department of Public
28 Health shall request the advice of the Attorney General
29 whether the disclosure would constitute an unconstitutional
30 taking of property and shall not disclose the information
31 unless and until the Attorney General advises that the

1 disclosure would not constitute an unconstitutional taking.

2 (c) This Section does not require a manufacturer, in its
3 report to the Department of Public Health or otherwise, to
4 identify or disclose the specific amount of any ingredient
5 that has been approved by the Food and Drug Administration,
6 Public Health Service, United States Department of Health and
7 Human Services (FDA), or its successor agency, as safe when
8 burned and inhaled or that has been designated by the FDA, or
9 its successor agency, as generally recognized as safe when
10 burned and inhaled, according to the Generally Recognized As
11 Safe list of the FDA.

12 (d) The annual reports required in this Section shall be
13 filed beginning in the year 2004.