



Texas Department of Insurance
State Fire Marshal's Office

Date: January 23, 2023

To: The Honorable Greg Abbott, Governor
The Honorable Dan Patrick, Lieutenant Governor
The Honorable Dade Phelan, Speaker of the House
House Committee on Insurance
House Committee on Public Health
Senate Committee on Business and Commerce
Senate Committee on Health and Human Services

From: Chief Orlando P. Hernandez, State Fire Marshal

Re: Report on fire standard compliant cigarettes

The Health and Safety Code Section 796.017 requires the State Fire Marshal's Office to submit a report every two years about cigarette fire safety standards.

Since January 2009, cigarettes sold in Texas have been required to have a fire standard compliant (FSC) marking on the case, carton, or pack. The marking shows that the cigarettes were tested, certified, and meet the state's fire safety standards to self-extinguish when they're not being smoked.

It's become the industry standard to put the letters "FSC" near the universal product code. All manufacturers with registered marks in Texas use this format. The uniform marking allows distributors, wholesalers, retailers, and regulators to easily identify compliant cigarettes. As of Dec. 31, 2022, 802 brand styles of cigarettes from 31 manufacturers are sold in Texas.

Reports of fires started by cigarettes have declined since the adoption of the state's safety standards. In 2021, Texas fire departments reported that cigarette smoking caused 381 structure fires and 411 outdoor fires. In 2008, the last year that non-FSC cigarettes were available, cigarette smoking caused 518 structure fires and 1,286 outdoor fires.

These statistics show a drop of almost 24% in structure fires and 60% in outdoor fires where smoking was listed as the cause.

Lower smoking rates caused some of the decrease, but credit should also be given to the lower ignition tendency of FSC cigarettes.

The State Fire Marshal's Office allocates one program administrator to the program. Because states can sell only FSC cigarettes, oversight of the program is manageable with existing staff.

Please contact me at Orlando.Hernandez@tdi.texas.gov or email Kenisha Schuster, associate commissioner of Government Relations, at Kenisha.Schuster@tdi.texas.gov, if you have any questions or need more information about this report.

Respectfully submitted,

A handwritten signature in blue ink that reads "Orlando P. Hernandez". The signature is written in a cursive style with a large initial "O".

Orlando P. Hernandez
State Fire Marshal