

CELEBRATING BASEBALL'S TIMELESS BOND WITH CIGARS

By: Cody Carden

Earlier today, the Supreme Court published [their decision in *Loper Bright v. Raimondo*](#), a case which significantly curtails the power of federal agencies such as the Food and Drug Administration (FDA) to interpret ambiguous statutes. The court's 6-3 ruling struck down a principle known as '*Chevron* Deference,' a precedent created by the Court in the 1984 case, *Chevron v. NRDC*. *Chevron* essentially allowed Agencies wide latitude in interpreting the scope of their own authority in cases where laws passed by Congress were ambiguous, by requiring judges to strongly defer to the agency's interpretations of vague statutory language.

With the opinion published today, that principle has now been overturned, with Chief Justice John Roberts writing for the Court: '*Chevron*'s presumption is misguided because agencies have no special competence in resolving statutory ambiguities. Courts do." Early reactions indicate that today's decision is likely to be far reaching, with [the New York Times reporting](#) that it could result in new challenges to rules from the FDA's Center for Tobacco Products as one of those consequences.

Mike Copperman, CRA Executive Director, reflecting on the impact of *Loper* on the premium cigar industry, stated: "premium hand-rolled cigars are an artisanal product which does not possess the health effects, nor youth usage concerns, that would warrant regulation by the FDA. It is our sincere hope that today's momentous decision represents the beginning of a more transparent, fair, and level regulatory environment where FDA prioritizes the science and acknowledges the reality that premium hand-rolled cigars ought to be exempt from onerous regulation."

CRA will continue to monitor this developing story and its implications for the premium cigar industry.