

Division of
Advertising Practices

United States of America
FEDERAL TRADE COMMISSION
Washington, D.C. 20580

MEMORANDUM

TO: Public Records
Office of the Secretary

FROM: Bonnie McGregor
Division of Advertising Practices

DATE: September 4, 2019

SUBJECT: Rotational Health Warnings for Cigarettes
File No. P854505

Please place the attached documents on the public record in the above-captioned matter.

1. September 26, 2017 letter from Rhonda A. Anderson on behalf of Lorali, Inc. to Mary K. Engle.
2. October 4, 2017 letter from Mary K. Engle to Rhonda A. Anderson on behalf of Lorali, Inc.
3. October 05, 2017 letter from Mary Najjar, Marketing Group USA, Inc. to Mary K. Engle.
4. October 16, 2017 letter from Mary K. Engle to Mary Najjar, Marketing Group USA, Inc.
5. October 18, 2017 letter from Jennifer Straus, Farmers Tobacco Co. of Cynthiana, Inc. to Mary K. Engle.
6. October 18, 2017 letter from Mary K. Engle to Jennifer Straus, Farmers Tobacco Co. of Cynthiana, Inc.
7. October 24, 2017 letter from Terri Albright, Premier Manufacturing, Inc. to Mary K. Engle.
8. October 25, 2017 letter from Mary K. Engle to Terri Albright, Premier Manufacturing, Inc.
9. October 5, 2017 letter from John R. Long, Liggett Group LLC to Mary K. Engle.

10. November 1, 2017 letter from Mary K. Engle to John R. Long, Liggett Group LLC.
11. November 1, 2017 letter from Kil Hong Hyun, KT& G USA Corporation to Mary K. Engle.
12. November 2, 2017 letter from Mary K. Engle to Kil Hong Hyun, KT&G USA Corporation.
13. November 2, 2017 letter from Sarah Treptow, Ohserase Manufacturing, LLC to the Division of Advertising Practices.
14. November 3, 2017 letter from Mary K. Engle to Sarah Treptow, Ohserase Manufacturing, LLC.
15. November 14, 2017 letter from Brendon Scott, Sherman's 1400 Broadway N.Y.C. LLC to Mary K. Engle.
16. November 16, 2017 letter from Mary K. Engle to Brendon Scott, Sherman's 1400 Broadway NYC LLC.
17. November 28, 2017 letter from Karen E. Delaney, NASCO Products, LLC to Mary K. Engle.
18. November 28, 2017 letter from Mary K. Engle to Karen E. Delaney, NASCO Products, LLC.

Law Office Of
RHONDA A. ANDERSON, P.A.

2655 LeJeune Road
Suite 540
Coral Gables, Florida 33134

Telephone: (305) 567-3004
Facsimile: (305) 476-9837
E-Mail: randersonlaw@gmail.com

September 26, 2017

Sent Via Federal Express, Tracking No. 7703-4461-8940

Mary K. Engle, Associate Director
Federal Trade Commission
Division of Advertising Practices
600 New Jersey Avenue, N.W.
Washington, DC 20580

Re: Importer: Lorali, Inc.
Cigarette Brand: Director
Manufacturer: Compania Tabacalera Internacional, S.A.
Health Warning Rotation Plan, Cigarette Labeling & Advertising Act, 15 USC § 1333

Dear Mrs. Engle:

In compliance with the Cigarette Labeling and Advertising Act, this letter shall serve as formal notice regarding Lorali, Inc.'s revised health warning plan. Lorali presently has a quarterly rotation plan for eight (8) styles of Director brand cigarettes, and wishes to revise that plan and only import the six (6) styles¹ "Director" brand of cigarettes described below. In addition, Lorali wishes to change its rotation plan from a quarterly rotation plan to an equalization plan. The manufacturer of Director brand cigarettes is Compania Tabacalera Internacional, S.A.. Mr. Paul Mendoza is the President of Lorali, Inc., whose mailing address is 1378 N.W. 78th Avenue, Doral, Florida 33126 and telephone number is 786-485-3179. This revised plan addresses both packaging and advertising materials of Director brand for the following styles bearing the UPC codes indicated below.

DIRECTOR BRAND STYLES	UPC CODE
Red 100s Box	0 19962 83904 7
Red King Box	0 19962 83804 0
Blue 100s Box	0 19962 83944 3
Blue King Box	0 19962 83844 6
Green 100s Box	0 19962 83924 5
Green King Box	0 19962 83824 8

Further, Lorali hereby withdraws its rotation plan for Poker brand cigarettes.

In compliance with Section 1333(c)(2), Lorali, Inc.. proposes to display the four Surgeon General Warnings an equal number of times on packs and cartons for each brand style of the

¹ The company's prior plan was for 8 Director brand styles.

Mary K. Engle, Associate Director
Federal Trade Commission
Re: "Director" brand
Compliance of with the Federal Cigarette Labeling and Advertising Act

"Director" Brand of cigarettes during a 12-month period, beginning on the date of the Commission's approval. Lorali will accomplish an equalized display by requiring the manufacturer to print all four warnings for all brand styles at the same time. Lorali, Inc. qualifies for the label rotation plan described in Section 1333(c)(2)(C), because in the 12-month period preceding this submission and the entire 2016 calendar year, Lorali did not sell [REDACTED] cigarettes in the United States.

Lorali, Inc. does not currently import into the United States any other brand of cigarettes, and the manufacturer does not cause any other brand to be imported into the United States. The company will ensure that all four warnings will appear exactly as shown on the packs and cartons previously submitted on September 6, 2017. In addition, the company will keep records demonstrating compliance with this plan.

The company will advertise these brands to consumers using point of sale (POS) posters. For their advertising, the companies will use the warning formats that were submitted with the 1985 plans of the five leading U.S. cigarette manufacturers and will place the warnings as specified in those plans. The size of the warnings shall be proportionate to those formats. The largest size advertising we will use is 695 square inches, and Lorali will use the acetates submitted for the Poker brand cigarettes on May 18, 2011 for advertisements up to 470 square inches and the acetates enclosed with this submission for advertisements of 695 square inches, which are from Exhibit 6 from the Federal Trade Commission's web site for the Schedule of Warnings. The Importer does not intend to advertise on the internet.

Enclosed with our submission of September 6, 2017 for your review was actual packaging samples of six (6) Director brand styles listed above displaying the following Surgeon General's Warnings:

- Warning A SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.
- Warning B SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight.
- Warning C SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.
- Warning D SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

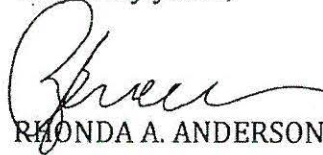
With regard to the POS posters, Lorali, Inc. proposes to rotate the warnings quarterly for the Director brand POS in accordance with the following schedule:

DIRECTOR BRAND	First Quarter	Second Quarter	Third Quarter	Fourth Quarter
	Jan. to March	April to June	July to Sept.	Oct. to Dec.
	Warning A	Warning B	Warning C	Warning D

Mary K. Engle, Associate Director
Federal Trade Commission
Re: "Director" brand
Compliance of with the Federal Cigarette Labeling and Advertising Act

Please advise if the proposed rotation plan and labeling meets with your Office's approval.

Very truly yours,



RHONDA A. ANDERSON

RAA/mr
Enclosure: Exhibit 6
cc: Bonnie McGregor (via email, bmcmgregor@ftc.gov)

Selected packaging samples from those
submitted with the plan.



DIRECTOR

Please Don't Litter
MADE IN PARAGUAY



DIRECTOR

SURGEON GENERAL'S WARNING:
Smoking Causes Lung Cancer,
Heart Disease, Emphysema,
And May Complicate Pregnancy.



150317
DK038



DIRECTOR

DIRECTOR



SINCE 1907
INTERNATIONAL

RED

DIRECTOR

UNDERAGE
SALE
PROHIBITED

RED
SINCE 1907
INTERNATIONAL

CLASS A
20
CIGARETTES

Please Don't Litter
MADE IN PARAGUAY



DIRECTOR

BLUE

SINCE 1907
INTERNATIONAL



DIRECTOR

CLASS A 200 FILTER CIGARETTES

UNDERAGE
SALE
PROHIBITED

SURGEON GENERAL'S WARNING:
Quitting Smoking Now Greatly
Reduces Serious Risks to Your Health.



DIRECTOR

10 11 12 1
9 8 7 6 5
CIGARETTES
2/6



DIRECTOR



Division of
Advertising Practices

United States of America
FEDERAL TRADE COMMISSION
Washington, D.C. 20580

October 4, 2017

Rhonda A. Anderson, P.A.
2655 LeJeune Road
Suite 540
Coral Gables, Florida 33134

Dear Ms. Anderson:

The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331-1341 ("the Cigarette Act"). Pursuant to that delegation, I have reviewed a revised proposed plan filed on behalf of Lorali, Inc. ("Lorali") on September 26, 2017 calling for: (1) quarterly rotation of the four health warnings in point-of-sale advertising up to six hundred and ninety-five square inches in size for the Director brand; and (2) simultaneous display (*i.e.*, the alternative to quarterly rotation) of the four health warnings on packaging for certain varieties of the Director brand of cigarettes.

Lorali's plan for rotation of the warnings in the aforementioned advertising for the Director brand of cigarettes is hereby approved. Approval of the plan assumes that the plan is implemented in good faith.

Lorali's sales appear to qualify for the aforementioned alternative to quarterly rotation of the warnings on packaging, and the warnings on the sample packs and cartons submitted with your letter dated September 6, 2017 appear to meet the requirements of the Cigarette Act in force as of the date of this letter for size and conspicuousness.¹

Accordingly, Lorali's plan for simultaneous display of the four health warnings on packaging is hereby approved for the following six Box varieties of the Director brand: Red (King and 100's), Blue (King and 100's), and Green (King and 100's). **This approval of Lorali's plan for the display of the four health warnings on packaging is effective on the date of this letter and runs through October 3, 2018, or until the authority to approve**

¹ Lorali stated in its September 26, 2017 letter that the four health warnings will appear exactly as shown on the sample packs and cartons submitted on this date.

cigarette health warning statement plans moves from the FTC to the FDA, whichever comes first.

Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.² The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

Please note that this letter only approves Lorali's cigarette health warning statement rotation plan with respect to the statutory requirements in force prior to the June 22, 2009 enactment of the Family Smoking Prevention and Tobacco Control Act ("FSPTCA") concerning the rotation, size, and conspicuousness of the warnings in advertising and on packaging for Lorali's cigarettes. Moreover, it is not in any way an approval of any other design element, statement, or representation made on packaging or in advertising for Lorali's cigarettes. Nor does this letter purport to interpret or express any opinion about the adequacy of Lorali's packaging and advertising under the FSPTCA or any regulations that have been or might be promulgated by the Department of Health and Human Services under that statute, including but not limited to the Regulations Restricting the Sale and Distribution of Cigarettes and Smokeless Tobacco to Protect Children and Adolescents (published March 19, 2010).

Because the FSPTCA imposes additional legal requirements on the marketing and sale of cigarettes, you should ensure that you are in compliance with those requirements. For example, since September 22, 2009, the use of certain characterizing flavors (other than tobacco or menthol) in cigarettes has been prohibited. You can find additional information at www.fda.gov/TobaccoProducts/default.htm, and sign up for FDA email updates at www.fda.gov/TobaccoProducts/ResourcesforYou/ucm176164.htm.

Finally, please note that Section 802 of the Tariff Suspension and Trade Act of 2000 prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and will continue to submit the list of ingredients to FDA.

If you have any questions regarding this approval, please contact Connor Sands at (202) 326-3343.

Very truly yours,



Mary K. Engle
Associate Director

² Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

MARKETING GROUP USA INC.

2801 Camino Del Rio South
Suite 304, San Diego, CA 92108 USA
email: nynycigarettes@gmail.com
web: nynycigarettes.com

(844) 818-3341
Office: 619-328-7710 USA
Cell: 619-291-1662



October 05, 2017

Ms. Mary K. Engle
Federal Trade Commission,
Division of Advertising Practices, ATTN: Ms. Bonnie McGregor
600 Pennsylvania Avenue, N.W.
Mail Drop CC-10528
Washington, D.C. 20580

RE: Annual Extension for the Approved Cigarette Warning Equalization Plan,

Dear Ms. Engle;

This letter is being submitted by Marketing Group USA, INC, for the extension of the approval of the Surgeon General Warning Equalization Plan for the display of the four health warnings on packaging of the New York New York cigarette brand.

The initial approval was issued on January 27, 2009 valid to January 26, 2010.

A subsequent extension was granted on April 01, 2010 valid to March 31, 2011 for Full Flavor hard pack (Kings and 100's), Menthol hard pack (Kings and 100's), and Non Filter Kings soft pack.

On September 28, 2010, an application to approve new packaging to comply with The Family Smoking Prevention and Tobacco Control Act (FSPTCA) was submitted.

New packaging was submitted on August 05, 2010 as follows:

Red Box 100 Size, formerly Full Flavor 100's
Red Box King Size, formerly Full Flavor Kings

Gold Box 100 Size, formerly Lights
Gold Box King Size, formerly Lights
Silver Box 100 Size, formerly Ultra Lights

Menthol Box 100 Size
Menthol Box King Size
Menthol Gold Box, formerly Menthol Light

Non-Filter Box King Size, formerly Non-Filter Soft Pack

That application for the change of brand style names was approved on September 30, 2010.

A subsequent plan extension was approved on October 31, 2011, valid to September 21, 2012.

A subsequent plan extension was approved on August 28, 2012, valid to August 27, 2013.

A subsequent plan extension was approved on August 28, 2013, valid to August 27, 2014.

A subsequent plan extension was approved on August 21, 2014, valid to August 20, 2015.

A subsequent plan extension was approved on August 27, 2015, valid to August 26, 2016.

A subsequent plan extension was approved on August 25, 2016, valid to August 26, 2017.

Through the date of this application, the Surgeon General Warnings have been equalized on our packaging for the nine brand styles of New York New York Brand cigarettes.

The New York New York brand will continue to be manufactured in the United States by our contract manufacturer Joseph M. Anderson d/b/a Smokin Joes for Marketing Group USA, Inc. Upon approval of this extension, the contract manufacturer will continue to manufacture these cigarettes under the authority of the Bureau of Alcohol, Tobacco, Firearms and Explosives (Manufacturer of Tobacco Products License TP-NY-168).

Marketing Group USA, Inc. does not import cigarettes.

New York New York brand cigarettes will be manufactured in a variety of styles. The following varieties of New York New York cigarettes are the only brand styles of cigarettes that we manufacture and will be manufactured in accordance with both FTC and FSPTCA rules and regulations:

Red Box King Size, Red Box 100 Size
Gold Box King Size, Gold Box 100 Size
Silver Box 100 Size
Menthol Box King Size, Menthol Box 100 size, Menthol Gold Box 100 Size
Non-filter Box King Size

These cigarettes will be packaged in 200 count cartons ("Outer Cartons"). Each Outer Carton will contain 10 (10) packs ("Pack") of twenty (20) cigarettes each pack. The warnings will appear exactly as they do on the actual pack labels and cartons submitted by our contract manufacturer on September 08, 2017.

Marketing Group USA Inc's United States stick sales for the period January 01, 2016 to December 31, 2016 were [REDACTED]

Marketing Group USA Inc's United States stick sales for the period January 01, 2017 to August 01, 2017, were [REDACTED]

Marketing Group USA Inc. uses the calendar year as the fiscal year.

The breakdown of the number of stick sales are indicated in two graphs attached as Exhibit 1.

Also, no sticks were manufactured for export for the period August 25, 2016 to August 26, 2017.

United States sales estimates for the next one year period for the varieties of New York New York brand styles listed above are provided in Exhibit 2. Marketing Group USA, Inc. does not anticipate that the total of all brand styles of its cigarettes will exceed [REDACTED] sticks in sales for the one year period to be covered by this plan.

Upon approval of the extension, the four cigarette health warnings will appear on the packs and cartons of each of the brand styles listed above an equal number of times for the one year period beginning on the date of approval of this plan. To ensure the cigarette warnings appear on each of the above listed brand styles an equal number of times throughout the plan year, raw materials packaging inventory will be stored and loaded into packaging machines alternating the four health warnings equally.

Marketing Group USA will maintain compliance with the September 28, 2010 Plan for point of sale advertising for the New York New York Brand, and with the September 29, 2011 Plan for the internet advertising for the New York new York Brand

Marketing Group USA, Inc. is aware of the requirements set forth in the Cigarette Labeling and Advertising Act and the company's efforts are always to be fully compliant with the Act. Marketing Group USA, Inc. will maintain records of compliance with the approved plan.

Thank you in advance for your kind attention to this important request for extension. If there are any questions or concerns regarding these plans, please feel free to contact me.

Sincerely,


Mary Najjar
President

STICK SALES FIGURES JANUARY 1-DECEMBER 31, 2016

NEW YORK NEW YORK

STICKS

NEW YORK NEW YORK RED KING BOX
NEW YORK NEW YORK GOLD KING BOX
NEW YORK NEW YORK MENTHOL KING BOX
NEW YORK NEW YORK NONFILTER BOX
NEW YORK NEW YORK RED 100 BOX
NEW YORK NEW YORK GOLD 100 BOX
NEW YORK NEW YORK SILVER 100 BOX
NEW YORK NEW YORK MENTHOL 100 BOX
NEW YORK NEW YORK MENTHOL GOLD 100 BOX

GRAND TOTAL

[REDACTED]

[REDACTED]

STICK SALES FIGURES JANUARY 1-AUGUST 25, 2017

NEW YORK NEW YORK RED KING BOX
NEW YORK NEW YORK GOLD KING BOX
NEW YORK NEW YORK MENTHOL KING BOX
NEW YORK NEW YORK NONFILTER BOX
NEW YORK NEW YORK RED 100 BOX
NEW YORK NEW YORK GOLD 100 BOX
NEW YORK NEW YORK SILVER 100 BOX
NEW YORK NEW YORK MENTHOL 100 BOX
NEW YORK NEW YORK MENTHOL GOLD 100 BOX

GRAND TOTAL

[REDACTED]

[REDACTED]

EXHIBIT #1

EXHIBIT 2

	Total Estimated Stick Sales August 01, 2017 to July 31, 2018
NYNY Red 100 Size Box	
NYNY Red King Size Box	
NYNY Gold 100 Size Box	
NYNY Gold King Size Box	
NYNY Menthol 100 Size Box	
NYNY Menthol King Size Box	
NYNY Menthol Gold 100 Size Box	
NYNY Silver 100 Size Box	
NYNY Non-Filter King Size Box	

TOTAL

EXHIBIT #2

Selected packaging samples from those
submitted with the plan.

SURGEON GENERAL'S WARNING:
Cigarette Smoke Contains Carbon Monoxide.



New York
NEW YORK 100's

MENTHOL BOX

MADE IN U.S.A.

Product of
Marketing Group
U.S.A., INC.
TP NY 168



FSC

Sale Only Allowed in the United States.

20-02473
CM

New York
NEW YORK 100's

MENTHOL BOX

MADE IN U.S.A.

028659



MENTHOL BOX

New York
NEW YORK 100's



PREMIUM BLEND



New York
NEW YORK 100's

8

UNDERAGE
SALE
PROHIBITED

20 CLASS A
CIGARETTES

PREMIUM BLEND



New York
NEW YORK

200 Class A Cigarettes
Product of Marketing Group
U.S.A., INC.
TP NY 168

PREMIUM BLEND

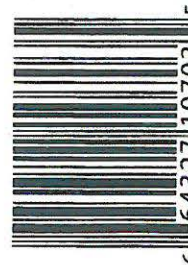
MADE IN U.S.A.



New York
NEW YORK



R E D B O X



6 64327 10703 5
FSC

Sale Only Allowed in the United States.

New York
NEW YORK

SURGEON GENERAL'S WARNING:
Quitting Smoking Now
Greatly Reduces Serious
Risks to Your Health.

R E D B O X



New York
NEW YORK





UNITED STATES OF AMERICA
Federal Trade Commission
Washington, D.C. 20580

Division of
Advertising Practices

October 16, 2017

Ms. Mary Najjar
Marketing Group USA, Inc.
2801 Camino Del Rio South, Suite 304
San Diego, CA 92108

Dear Ms. Najjar:

The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331-1341 (“the Cigarette Act”). Pursuant to that delegation, I have reviewed a revised proposed plan filed by Marketing Group USA, Inc. (“Marketing Group”) dated October 5, 2017, calling for simultaneous display (*i.e.*, the alternative to quarterly rotation) of the four health warnings on packaging for certain varieties of the “New York New York” brand of cigarettes.

Marketing Group’s sales appear to qualify for the aforementioned alternative to quarterly rotation of the warnings on packaging, and the warnings on the sample packs and cartons submitted September 8, 2017 appear to meet the requirements of the Cigarette Act in force as of the date of this letter for size and conspicuousness.¹ Accordingly, Marketing Group’s plan for simultaneous display of the four health warnings on packaging is hereby approved for the following nine box varieties of the New York New York brand: Red (Kings and 100’s), Gold (Kings and 100’s), Silver 100’s, Menthol (Kings and 100’s), Menthol Gold 100’s, and Non-Filter Kings.

Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.² The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

Please note that this letter only approves Marketing Group’s cigarette health warning statement rotation plan with respect to the statutory requirements in force prior to the June 22,

¹ Marketing Group stated in its October 5, 2017 letter that the four health warnings will appear exactly as shown on the packs and cartons submitted on September 8, 2017.

² Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Ms. Mary Najjar
October 16, 2017
Page 2

2009 enactment of the Family Smoking Prevention and Tobacco Control Act ("FSPTCA") concerning the rotation, size, and conspicuousness of the warnings on Marketing Group's packaging. Moreover, it is not in any way an approval of any other design element, statement, or representation made on packaging or in advertising for Marketing Group's cigarettes. Nor does this letter purport to interpret or express any opinion about the adequacy of Marketing Group's packaging and advertising under the FSPTCA or any regulations that have been or might be promulgated by the Department of Health and Human Services under that statute, including but not limited to the Regulations Restricting the Sale and Distribution of Cigarettes and Smokeless Tobacco to Protect Children and Adolescents (published March 19, 2010).

Because the FSPTCA imposes additional legal requirements on the marketing and sale of cigarettes, you should ensure that you are in compliance with those requirements. For example, since September 22, 2009, the use of certain characterizing flavors (other than tobacco or menthol) in cigarettes has been prohibited. You can find additional information at www.fda.gov/TobaccoProducts/default.htm, and sign up for FDA email updates at www.fda.gov/TobaccoProducts/ResourcesforYou/ucm176164.htm.

This approval is effective on the date of this letter and runs through October 15, 2018, or until the authority to approve cigarette health warning statement plans moves from the FTC to the FDA, whichever comes first.

If you have any questions regarding this approval, please contact William Ducklow at (202) 326-2407.

Very truly yours,



Mary K. Egle
Associate Director



Farmers Tobacco Co. of Cynthiana, Inc.
636 US Hwy 27 N, PO Box 98
Cynthiana, KY 41031

October 18, 2017

Ms. Mary K. Engle
Associate Director
Division of Advertising Practices
Federal Trade Commission
600 Pennsylvania Ave, NW
Washington, DC 20580

RE: Cigarette Health Warning Plan

Dear Madam:

Farmers Tobacco Co. of Cynthiana, Inc. is a cigarette manufacturer (TP-KY-45) located in Cynthiana, Kentucky. We are submitting this plan to you explaining how we will comply with the health warning display requirements.

Farmers Tobacco Co. of Cynthiana, Inc. owns and manufactures only the brands "Kentucky's Best", "VB Made in the USA", and "Baron American Blend". This is a consolidated plan for all three brands. Please see the attachment to this letter for the brands listings. We do not import any cigarettes.

I. Packaging

According to Section 1333(c)(2), we would like permission to display the four warnings an equal number of times during the year (rather than rotating the warnings quarterly) since our company's annual sales for all brands (Kentucky's Best, VB Made in the USA, and Baron American Blend) are less than one-fourth of one percent of all the cigarettes sold in the United States. We will equalize the four warnings on the packs and cartons of each brand style that we manufacture for the one-year period beginning on the date of approval of this plan. Equalization is achieved by the packaging vendor who will print all four warnings in equal numbers on each printed sheet of packaging for all cartons and packs so that when sheets are cut, the warnings will be equalized on cartons and packs for each brand style. The warnings will appear exactly as shown on the pack and carton samples submitted with our submissions of October 3, 2017 and October 17, 2017.

The sales volumes in cigarettes for each brand for fiscal year 2016 were as follows:

Kentucky's Best
VB Made in the USA
Baron American Blend



Anticipated sales volumes in cigarettes for each brand for fiscal year 2017 are as follows:

Kentucky's Best
VB Made in the USA
Baron American Blend



II. Advertisements (other than outdoor billboard advertisements)

Farmers Tobacco Co. of Cynthiana Inc. continues to be in compliance with the advertising plans approved by the FTC on November 18, 2003 and April 18, 2005 for Kentucky's Best, March 25, 2005 for VB Made in the USA and April 27, 2005 for Baron American Blend.

Farmers Tobacco Co. of Cynthiana, Inc. will maintain sufficient records to demonstrate compliance with this plan.

If any further information is required, please call us at 1-866-832-7637 between the hours of 8:00 AM and 5:00 PM EST. Thank you for your time.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Straus".

Jennifer Straus
Vice President
Farmers Tobacco Co. of Cynthiana, Inc.

Farmers Tobacco Co. of Cynthiana, Inc.
List of Brand Family Styles

Kentucky's Best

Red King Soft Pack	Red 100 Soft Pack
Gold King Soft Pack	Gold 100 Soft Pack
Red King Hard Pack	Silver 100 Soft Pack
Gold King Hard Pack	Red 100 Hard Pack
Silver King Hard Pack	Gold 100 Hard Pack
Menthol King Hard Pack	Silver 100 Hard Pack
Green King Hard Pack	Menthol 100 Hard Pack
Non-Filter King Soft Pack	Green 100 Hard Pack

VB Made in the USA

Red King Hard Pack	Red 100 Hard Pack
Gold King Hard Pack	Gold 100 Hard Pack
Menthol King Hard Pack	Blue 100 Hard Pack
Non-Filter King Soft Pack	Menthol 100 Hard Pack
	Green 100 Hard Pack

Baron American Blend

Red King Hard Pack	Red 100 Hard Pack
Blue King Hard Pack	Blue 100 Hard Pack
Menthol King Hard Pack	Silver 100 Hard Pack
Non-Filter King Soft Pack	Menthol 100 Hard Pack
	Green 100 Hard Pack

Selected packaging samples from those
submitted with the plan.

**SURGEON GENERAL'S WARNING: Smoking By
Pregnant Women May Result in Fetal Injury,
Premature Birth, And Low Birth Weight.**



★ MENTHOL ★

100's
MADE IN U.S.A.
20 CLASS A CIGARETTES

Farmer's Tobacco Co. of Cynthiana
P.O. Box 99
Cynthiana, KY 41031
www.farmers-tobacco.com
Manufactured by family tobacco
farmers in Cynthiana, Kentucky.



09

**KENTUCKY'S
BEST**

★ MENTHOL ★

100's

20 CLASS A CIGARETTES
MADE IN U.S.A.

★ MENTHOL ★

100's



**KENTUCKY'S
BEST**

100's

★ MENTHOL ★

**KENTUCKY'S
BEST**

MC
03686 / 2006 5643
08 3653 x 10 9511
5006

17 12346789101112
18 123456789101112

**SALES TO
MINORS
PROHIBITED**

**KENTUCKY'S
BEST**

KENTUCKY'S BEST

★ RED ★

100'S



KENTUCKY'S BEST

★ RED ★

100'S

Thank you for choosing Kentucky's Best,
a cigarette manufactured by family tobacco
farmers in Cynthiana, Kentucky.
No implications are being made these cigarettes
are any less hazardous than any other cigarette

MADE IN U.S.A.

Farmer's Tobacco Co. of Cynthiana
P.O. Box 98
Cynthiana, KY 41031
www.farmers tobacco.com

KENTUCKY'S BEST

★ RED ★

100'S

SURGEON GENERAL'S WARNING:

Cigarette Smoke

Contains Carbon Monoxide.

SALES TO MINORS PROHIBITED



FSC

FSC D

KENTUCKY'S



SURGEON GENERAL'S WARNING:
Cigarette Smoke
Contains Carbon Monoxide.

17D



BLUE

100's

NO
038861/2006 59812
OR 3.8883 X 10.8511
2982

46 123456789101112
17 123456789101112



100's

BLUE

20 CLASS A CIGARETTES



20 CLASS A CIGARETTES

BLUE

100's

SALES TO MINORS PROHIBITED

VB MADE IN THE USA
P. O. Box 98
CYNTHIANA, KY 41031
TP-45KY

BOX

GOLD

KING SIZE



VB MADE IN THE USA

P.O. Box 98

CYNTHIANA, KY 41031

TP-45KY

200 Class A Cigarettes



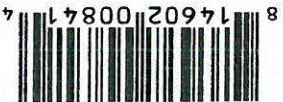
KING SIZE

GOLD



SURGEON GENERAL'S WARNING: Smoking By
Pregnant Women May Result in Fetal Injury,
Premature Birth, And Low Birth Weight.

SALES TO MINORS PROHIBITED



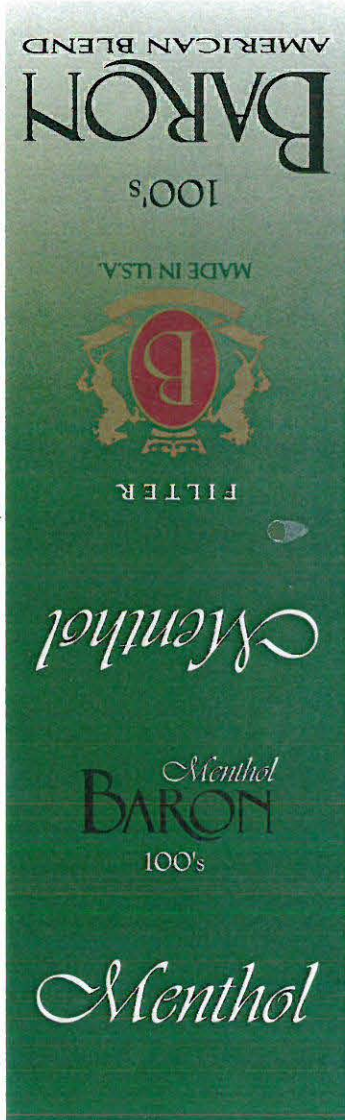
SURGEON GENERAL'S WARNING:
Cigarette Smoke
Contains Carbon Monoxide.

16D

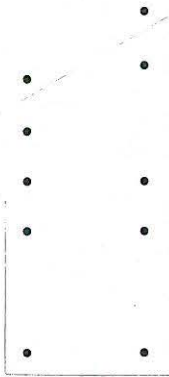
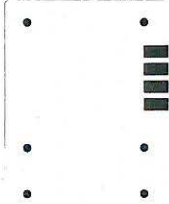
NO
00966 / 2006 0669
08 30683 X 103511
60669

14 129456789101112
15 129456789101112

UNDERAGE
SALE
PROHIBITED



MADE IN U.S.A.
P.O. BOX 38
CYNTHIANA, KENTUCKY 41031
TP-KY-45



BARON
Blue

MADE IN U.S.A.



BARON
AMERICAN BLEND

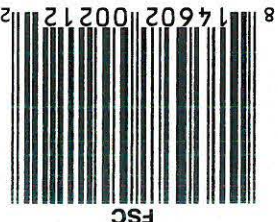
Blue
KING SIZE

MADE IN U.S.A.
P.O. BOX 98
CYNTHIANA, KENTUCKY 41031
TP-KY-45

Blue
BARON

SURGEON GENERAL'S WARNING:
Smoking Causes Lung Cancer, Heart Disease,
Emphysema, And May Complicate Pregnancy.

SALES TO MINORS PROHIBITED



WA 01626 / 1173 53849 14.685 x 11.4567
18 122456789101112
17 123456789101112
• 1 - 2742



Division of
Advertising Practices

United States of America
FEDERAL TRADE COMMISSION
Washington, D.C. 20580

October 18, 2017

Ms. Jennifer Straus
Farmers Tobacco Co. of Cynthiana, Inc.
636 US Highway 27 North
P.O. Box 98
Cynthiana, KY 41031

Dear Ms. Straus:

The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331-1341 (“the Cigarette Act”). Pursuant to that delegation, I have reviewed a revised proposed plan filed by Farmers Tobacco Co. of Cynthiana, Inc. (“Farmers Tobacco”) on October 18, 2017, calling for simultaneous display (*i.e.*, the alternative to quarterly rotation) of the four health warnings on packaging for certain varieties of the “Kentucky’s Best,” “VB Made in the USA,” and “Baron American Blend” brands of cigarettes.

Farmers Tobacco’s sales appear to qualify for the aforementioned alternative to quarterly rotation of the warnings on packaging.

Farmers Tobacco’s plan for simultaneous display of the four health warnings on packaging for the following varieties is hereby approved effective on the date of this letter **through October 17, 2018, or until the authority to approve cigarette health warning statement plans moves from the FTC to the FDA, whichever comes first.**¹

- Ten varieties of the Kentucky’s Best brand: Red Kings (soft pack and hard pack), Red 100’s (soft pack and hard pack), Silver Kings hard pack, Green Kings hard pack, Green 100’s hard pack, Menthol Kings hard pack, Menthol 100’s hard pack, and Non-Filter Kings soft pack;

¹ Farmer’s Tobacco stated in its October 18, 2017 letter that the four health warnings for all of its varieties of the “Kentucky’s Best,” “VB Made in the USA,” and “Baron American Blend” brands of cigarettes will appear exactly as shown on the packs and cartons submitted on October 3 and 17, 2017.

- Eight varieties of the VB Made in the USA brand: Red hard pack (Kings and 100's), Gold hard pack (Kings and 100's), Menthol 100's hard pack, Blue 100's hard pack, Green 100's hard pack, and Non-Filter Kings soft pack; and
- Nine varieties of the Baron American Blend brand: Red hard pack (Kings and 100's), Blue hard pack (Kings and 100's), Menthol hard pack (Kings and 100's), Silver 100's hard pack, Green 100's hard pack, and Non-Filter Kings soft pack.

Additionally, Farmers Tobacco's plan for simultaneous display of the four health warnings on packaging for the following varieties is hereby approved effective on the date of this letter **through January 17, 2018, or until the authority to approve cigarette health warning statement plans moves from the FTC to the FDA, whichever comes first:**

- Six varieties of the Kentucky's Best brand: Gold Kings (soft pack and hard pack), Gold 100's (soft pack and hard pack), and Silver 100's (soft pack and hard pack); and
- One variety of the VB Made in the USA brand: Menthol Kings hard pack.

Approval of this plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.² The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

Please note that this letter only approves Farmers Tobacco's cigarette health warning statement rotation plan with respect to the statutory requirements in force prior to the June 22, 2009 enactment of the Family Smoking Prevention and Tobacco Control Act ("FSPTCA") concerning the rotation, size, and conspicuousness of the warnings on Farmers Tobacco's packaging. Moreover, it is not in any way an approval of any other design element, statement, or representation made on packaging or in advertising for Farmers Tobacco's cigarettes. Nor does this letter purport to interpret or express any opinion about the adequacy of Farmers Tobacco's packaging and advertising under the FSPTCA or any regulations that have been or might be promulgated by the Department of Health and Human Services under that statute, including but not limited to the Regulations Restricting the Sale and Distribution of Cigarettes and Smokeless Tobacco to Protect Children and Adolescents (published March 19, 2010).

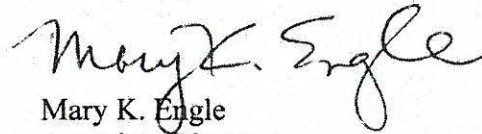
Because the FSPTCA imposes additional legal requirements on the marketing and sale of cigarettes, you should ensure that you are in compliance with those requirements. For example, since September 22, 2009, the use of certain characterizing flavors (other than tobacco or menthol) in cigarettes has been prohibited. You can find additional information at www.fda.gov/TobaccoProducts/default.htm, and sign up for FDA email updates at www.fda.gov/TobaccoProducts/ResourcesforYou/ucm176164.htm.

² Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Ms. Jennifer Straus
October 18, 2017
Page 3

If you have any questions regarding this approval, please contact Aine Farrell at (202) 326-2409.

Very truly yours,

A handwritten signature in black ink that reads "Mary K. Engle". The signature is written in a cursive style with a large, looping "E" at the end.

Mary K. Engle
Associate Director



October 24, 2017

Mary K. Engle, Associate Director
Federal Trade Commission
Division of Advertising Practices
600 Pennsylvania Avenue, NW
Mail Drop NJ 3212
Washington, DC 20580

Re: Premier Manufacturing, Inc. - Approval request

Dear Ms. Mary Engle:

We would like to request renewal for Creston, Passport and Fact brands. There are no changes in packaging for these Brands since our submission on August 14, 2015. The warnings will appear exactly as shown on the sample packs and cartons submitted with my August 14, 2015 letter.

Premier Manufacturing would like to continue to display the four health warnings an equal number of times on the packs and cartons for each brand style of the Creston, Passport and Fact brands for the one-year period beginning on the date of approval of this plan. We will achieve equalization of the four warnings on the packs and cartons of each brand style by having all four warnings printed simultaneously at the time of both pack and carton print runs. Premier will keep records demonstrating compliance with the plan.

The four warnings that will be displayed are:

1. SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.
2. SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.
3. SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight.
4. SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

Premier Manufacturing, Inc. has not yet designed advertising materials for Creston, Passport and Fact brand cigarettes. We do not intend to advertise these brands until we have FTC approval for displaying warnings on advertising.

(1)

www.GoPremier.com

17998 Chesterfield Airport Road. • Chesterfield, Missouri 63005 • (636) 537-5348 • Fax (636) 537-3359 • email: info@gopremier.com



We have [redacted] previous sales for Creston, Passport or Fact. Premier also manufactures the Ultra Buy, Shield, Wildhorse, 1st Class, 1839 and Traffic brands which did not exceed [redacted] sticks for any one brand style in the last fiscal year (calendar year 2016). We did not manufacturer any other brand in 2016. We do not anticipate sales to exceed [redacted] sticks for any one brand style that we manufacturer in fiscal year 2017.

Below are the Brand styles that we have previously had approved for Creston, Passport and Fact on November 18, 2015. These three brands are manufactured in the United States by Premier. The Brand/Styles are as follows:

CRESTON	PASSPORT	FACT
RED KING BOX	RED KING BOX	RED KING BOX
RED 100s BOX	RED 100s BOX	RED 100s BOX
BLUE KING BOX	BLUE KING BOX	BLUE KING BOX
BLUE 100s BOX	BLUE 100s BOX	BLUE 100s BOX
ORANGE KING BOX	ORANGE KING BOX	ORANGE KING BOX
ORANGE 100s BOX	ORANGE 100s BOX	ORANGE 100s BOX
MENTHOL GREEN KING BOX	MENTHOL GREEN KING BOX	MENTHOL GREEN KING BOX
MENTHOL GREEN 100s BOX	MENTHOL GREEN 100s BOX	MENTHOL GREEN 100s BOX
MENTHOL SILVER KING BOX	MENTHOL SILVER KING BOX	MENTHOL SILVER KING BOX
MENTHOL SILVER 100s BOX	MENTHOL SILVER 100s BOX	MENTHOL SILVER 100s BOX

We submit and confirm that the foregoing complies with Act.

Please call me if you have any questions or require additional information.

Sincerely,

Terri Albright
Operations/Compliance Manager
Direct Phone: 636-537-6823
Fax: 636-530-1362
Email: talbright@gopremier.com

(2)

www.GoPremier.com

17998 Chesterfield Airport Road. • Chesterfield, Missouri 63005 • (636) 537-5348 • Fax (636) 537-3359 • email: info@gopremier.com



United States of America
FEDERAL TRADE COMMISSION
Washington, D.C. 20580

Division of
Advertising Practices

October 25, 2017

Ms. Terri Albright
Premier Manufacturing, Inc.
629 Cepi Drive
Chesterfield, MO 63005

Dear Ms. Albright:

The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331-1341 ("the Cigarette Act"). Pursuant to that delegation, I have reviewed a revised proposed plan filed by Premier Manufacturing, Inc. ("Premier") on October 24, 2016, calling for simultaneous display (*i.e.*, the alternative to quarterly rotation) of the four health warnings on packaging for certain varieties of the Creston, Passport, and Fact brands of cigarettes.

Premier's sales appear to qualify for the aforementioned alternative to quarterly rotation of the warnings on packaging, and the warnings on the sample packs and cartons submitted with your letter dated August 14, 2015 continue to appear to meet the requirements of the Cigarette Act in force as of the date of this letter for size and conspicuousness.¹

Accordingly, Premier's plan for simultaneous display of the four health warnings on packaging is hereby approved for the following varieties of the Creston, Passport, and Fact brands of cigarettes: Red Box (Kings and 100's), Blue Box (Kings and 100's), Orange Box (Kings and 100's), Menthol Green Box (Kings and 100's), and Menthol Silver Box (Kings and 100's).

¹ Premier stated in its October 24, 2017 letter that the four health warnings will appear exactly as shown on the sample packs and cartons submitted on August 14, 2015.

Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.² The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

Please note that this letter only approves Premier's cigarette health warning statement rotation plan with respect to the statutory requirements in force prior to the June 22, 2009 enactment of the Family Smoking Prevention and Tobacco Control Act ("FSPTCA") concerning the rotation, size, and conspicuousness of the warnings on Premier's packaging. Moreover, it is not in any way an approval of any other design element, statement, or representation made on packaging or in advertising for Premier's cigarettes. Nor does this letter purport to interpret or express any opinion about the adequacy of Premier's packaging and advertising under the FSPTCA or any regulations that have been or might be promulgated by the Department of Health and Human Services under that statute, including but not limited to the Regulations Restricting the Sale and Distribution of Cigarettes and Smokeless Tobacco to Protect Children and Adolescents (published March 19, 2010).

Because the FSPTCA imposes additional legal requirements on the marketing and sale of cigarettes, you should ensure that you are in compliance with those requirements. For example, since September 22, 2009, the use of certain characterizing flavors (other than tobacco or menthol) in cigarettes has been prohibited. You can find additional information at www.fda.gov/TobaccoProducts/default.htm, and sign up for FDA email updates at www.fda.gov/TobaccoProducts/ResourcesforYou/ucm176164.htm.

This approval is effective on the date of this letter and runs through October 24, 2018, or until the authority to approve cigarette health warning statement plans moves from the FTC to the FDA, whichever comes first.

If you have any questions regarding this approval, please contact Aine Farrell at (202) 326-2409.

Very truly yours,



Mary K. Engle
Associate Director

² Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.



John R. Long
Vice President & General Counsel

Tel 919-990-3516
Fax 919-990-3505
jlong@lvbrands.com

October 5, 2017

BY FEDEX

Ms. Mary K. Engle
Associate Director, Division of Advertising Practices
Federal Trade Commission
600 Pennsylvania Avenue, NW
Mail Code CC-10528
Washington, DC 20580

Re: Application to Amend Liggett Group Cigarette Warning Rotation Plan to:
(1) Add Revised Packaging for All Nine MONTEGO Brand Styles; and
(2) Add Revised Brand Style Names for Seven MONTEGO Brand Styles

Dear Ms. Engle:

Liggett Group LLC ("Liggett") hereby applies to amend its Label Statement Rotation Plan ("Plan") under the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. § 1331 *et seq.* ("Act") to do the following: (1) add revised packaging for all nine MONTEGO brand styles (*i.e.*, for the entire brand family); and (2) add revised the brand style names for seven of the MONTEGO brand styles.

Liggett's current Plan, which will expire on April 30, 2018, covers the MONTEGO brand family, which consists of the following nine brand styles in their current packaging (hereinafter referred to as "EXISTING MONTEGO"):

MONTEGO Full Flavor Kings Box
MONTEGO Full Flavor 100's Box
MONTEGO Gold Kings Box
MONTEGO Gold 100's Box
MONTEGO Blue 100's Box
MONTEGO Menthol Kings Box
MONTEGO Menthol 100's Box
MONTEGO Menthol Silver Kings Box
MONTEGO Menthol Silver 100s Box

Under this proposed amendment, the Plan will continue to cover all nine EXISTING MONTEGO brand styles, but will add revised packaging (both pack and carton) for all nine brand styles, and will add

revised brand style names for seven of the brand styles (hereinafter referred to as "REVISED MONTEGO"). The EXISTING MONTEGO brand style names and the corresponding REVISED MONTEGO brand style names are as follows:

EXISTING MONTEGO Brand Style Names	REVISED MONTEGO Brand Style Names (with logo of three tobacco leaves)
MONTEGO Full Flavor Kings Box	MONTEGO Red Kings Box
MONTEGO Full Flavor 100's Box	MONTEGO Red 100s Box
MONTEGO Gold Kings Box	MONTEGO Blue Kings Box
MONTEGO Gold 100's Box	MONTEGO Blue 100s Box
MONTEGO Blue 100's Box	MONTEGO Orange 100s Box
MONTEGO Menthol Kings Box	MONTEGO Menthol Gold Kings Box
MONTEGO Menthol 100's Box	MONTEGO Menthol Gold 100s Box
MONTEGO Menthol Silver Kings Box	[no name change]
MONTEGO Menthol Silver 100s Box	[no name change]

PLEASE NOTE: Liggett is not applying to remove EXISTING MONTEGO (packaging or brand style names) from the Plan at this time, because Liggett will continue to manufacture the brand using the existing packaging and brand style names until the existing packaging is exhausted. Accordingly, EXISTING MONTEGO (packaging and brand style names) needs to remain approved under Liggett's current Plan. Once the EXISTING MONTEGO packaging is exhausted, Liggett will apply to amend the Plan to remove the EXISTING MONTEGO packaging and brand style names from the Plan.

Thus, this application relates only to adding REVISED MONTEGO, as defined above. For REVISED MONTEGO, Liggett is applying for simultaneous rotation of the four warnings required by the Act, to be implemented in accordance with Section 2(d) of the Plan, as originally approved by the Federal Trade Commission ("FTC") on September 19, 1985, and most recently by letter dated May 1, 2017. This application for the REVISED MONTEGO packaging and brand style names and is for a one-year period beginning on the date of the approval of this Plan amendment.

The packs and cartons for REVISED MONTEGO will be printed in such a way that all four warnings will be printed with each revolution of one printing cylinder. For the cartons, two printing cylinders will be alternated during the printing process to achieve equal warnings within a single pallet of packaging. Materials will be palletized containing all four warnings on each pallet of packs and cartons. On a pallet, the packs and cartons will be stacked in bundles of 500 containing a mix of the four warnings. Accordingly, as the pallets of packing are used in the manufacturing process, the cigarettes produced using that packaging from those pallets will bear each of the four warnings in equal numbers, subject to limitations to the commercial printing and manufacturing practices.

Enclosed with my letter of September 19, 2017 was my affidavit, with Exhibits A and B, which set forth information on total U.S. and Liggett cigarette unit sales in Liggett's most recent fiscal year,

which was calendar year 2016. This information shows that, with the exceptions of PYRAMID Red 100s Box and PYRAMID Blue 100s Box, Liggett's sales of any one brand style did not exceed one-fourth of one percent of all cigarettes sold in the United States in 2016, and more than one-half of the cigarettes sold by Liggett were packaged into brand styles that meet this requirement. Accordingly, pursuant to the Act and the Plan, every MONTEGO brand style qualifies for simultaneous rotation of the four warnings required by the Act, including every brand style of both EXISTING MONTEGO and REVISED MONTEGO.

As additional information, Liggett provides the following projected cigarette sales data:

Projected REVISED MONTEGO brand family sales in 2018 ⁽¹⁾	
Projected total U.S. cigarette sales in 2017 ⁽²⁾	

⁽¹⁾ Liggett internal data and projections.

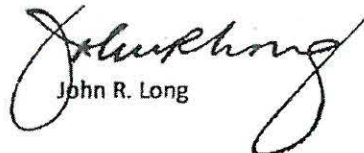
⁽²⁾ Liggett projection based on internal analysis, and data from Management Science Associates, Inc. and U.S. Treasury Department, Alcohol and Tobacco Tax and Trade Bureau.

The above projected 2017 total U.S. cigarette sales [REDACTED] One-fourth of one percent of [REDACTED] is approximately [REDACTED]. There will be [REDACTED] sales of REVISED MONTEGO in 2017. For 2018, the total cigarette sales for the entire REVISED MONTEGO brand family will be far less than [REDACTED]. Thus, each brand style of REVISED MONTEGO will necessarily be less than the one-quarter of one percent of 2017 total U.S. cigarette sales.

Enclosed with my letter of September 19, 2017 were four sample packs and four sample cartons (one for each of the four warnings) of the revised packaging for the Added REVISED MONTEGO brand styles. The four warnings required by 15 U.S.C. § 1333(a)(1) will be printed on packs and cartons of each brand style of Added REVISED MONTEGO an equal number of times within the one-year period beginning on the date of approval of this application. Added REVISED MONTEGO will follow the rotation of the four health warnings in advertising for the MONTEGO brand that was approved on June 29, 2012. This will confirm that Liggett, in the ordinary course of business, maintains records of compliance with its approved plans for packaging and advertising.

The information contained in the affidavit and exhibits is confidential and proprietary business information of Liggett. Liggett requests that this information be kept confidential by the FTC, pursuant to applicable rules and procedures. If you have any questions, please let me know.

Very truly yours,


John R. Long

STATE OF NORTH CAROLINA
COUNTY OF WAKE

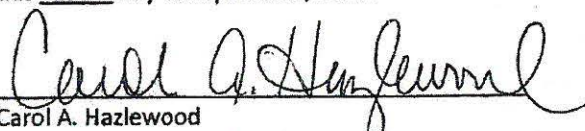
AFFIDAVIT OF JOHN R. LONG

John R. Long, being first duly sworn, deposes and says:

1. I am Vice President & General Counsel of Liggett Group LLC ("Liggett").
2. On August 31, 1985, Liggett filed its Label Statement Rotation Plan ("Plan") pursuant to Section 4(c) of the Federal Cigarette Labeling and Advertising Act ("Act"). The Federal Trade Commission approved the Plan on September 19, 1985 and has approved renewals of the Plan every year since then, most recently on May 1, 2017.
3. Under Section 4(c)(2)(A) of the Act and Section 2(d) of the Plan, the Surgeon General's Warnings on the packaging of a particular brand style may be rotated on a simultaneous basis if: (1) the number of cigarettes of such brand style sold in the fiscal year of Liggett preceding the submission of this application was less than one-fourth of one percent of all cigarettes sold in the United States in such year; and (2) more than one-half of the cigarettes sold by Liggett in the United States were packaged into brand styles that meet the foregoing requirement. Liggett's most recent fiscal year was calendar year 2016.
4. Attached to this affidavit as Exhibit A is a copy of The Maxwell Report for calendar year 2016. This report shows that approximately [REDACTED] cigarettes were sold in the United States during calendar year 2016. One quarter of one percent of [REDACTED] cigarettes is approximately [REDACTED] cigarettes.
5. Attached to this affidavit as Exhibit B are the sales figures for calendar year 2016 for all brand styles manufactured by Liggett. Exhibit B shows that all but two brand styles manufactured by Liggett had sales in 2016 of fewer than [REDACTED] cigarettes, and more than half of the cigarettes sold by Liggett in 2016 were packaged into brand styles that had sales in 2016 of fewer than [REDACTED] cigarettes. Accordingly, all but two Liggett brand styles are eligible for simultaneous warning rotation. The two Liggett brand styles that had sales over [REDACTED] cigarettes in calendar year 2016 and that, therefore, do not qualify for simultaneous warning rotation are PYRAMID Red 100s Box and PYRAMID Blue 100s Box.
6. Accordingly, Liggett is eligible to apply for simultaneous warning rotation as provided in Section 4(c)(2)(A) of the Act and Section 2(d) of the Plan. Pursuant to the Act and the Plan, all Liggett brand styles except PYRAMID Red 100s Box and PYRAMID Blue 100s Box qualify for simultaneous warning rotation. Therefore, the following MONTEGO brand styles qualify for simultaneous rotation of the four warnings required by the Act: MONTEGO Red Kings Box, MONTEGO Red 100s Box, MONTEGO Blue Kings Box, MONTEGO Blue 100s Box, MONTEGO Orange 100s Box, MONTEGO Menthol Gold Kings Box, MONTEGO Menthol Gold 100s Box, MONTEGO Menthol Silver Kings Box, and MONTEGO Menthol Silver 100s Box.


John R. Long

Sworn to and subscribed before me,
this 19th day of September, 2017.


Carol A. Hazlewood
Notary Public, State of North Carolina
My commission expires: February 28, 2022.

CAROL A. HAZLEWOOD
NOTARY PUBLIC
Wake County, North Carolina
My Commission Expires 2-28-2022

EXHIBIT A

THE MAXWELL REPORT

Year End & Fourth Quarter 2016 Cigarette Industry

EXHIBIT A

THE MAXWELL REPORT

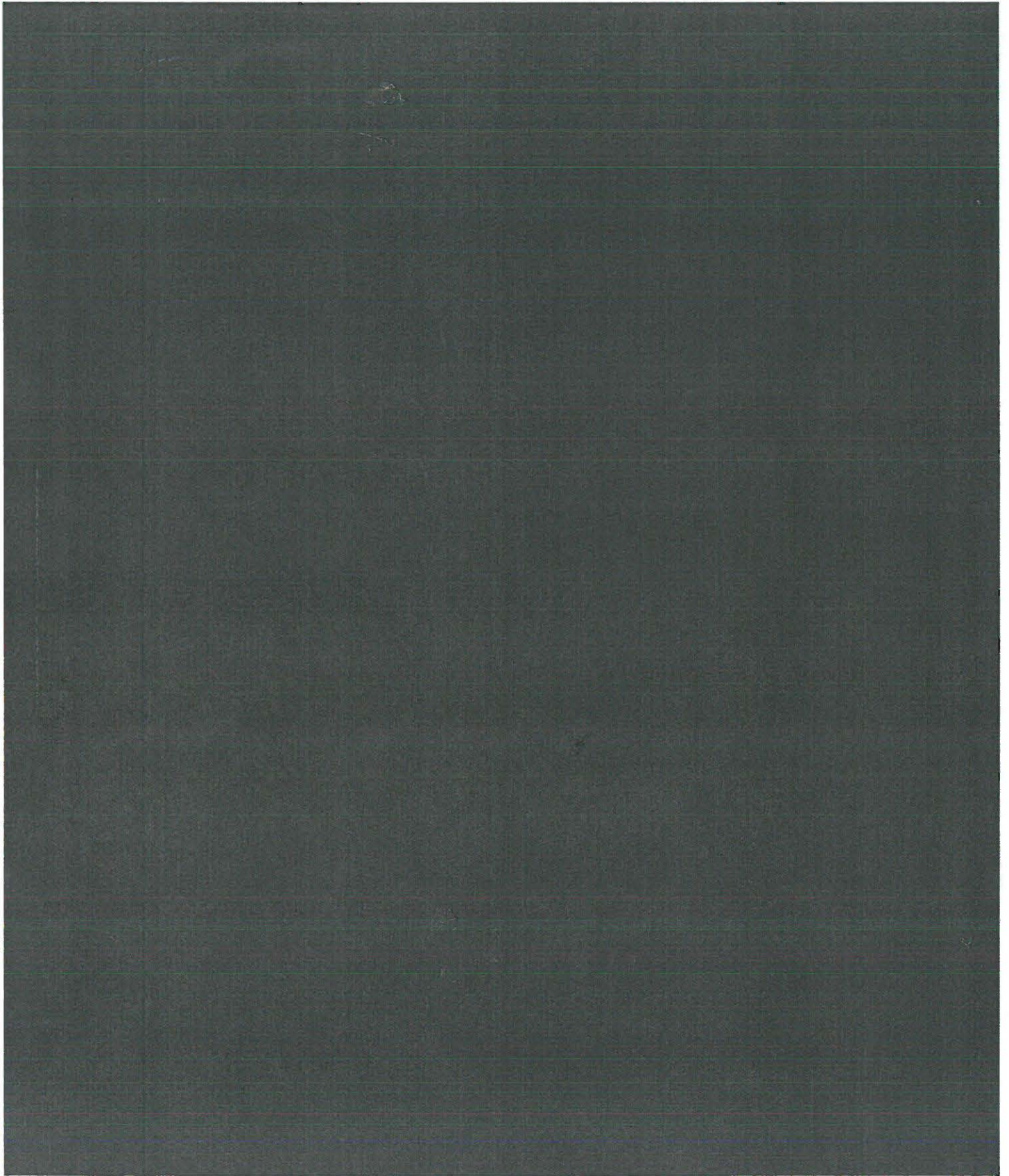


Exhibit B

Liggett Group LLC
Application to Renew Warning Rotation Plan
September 19, 2017

2016 and Projected 2017 Gross Unit Sales by Brand Style

	Brand	Current Brand Style Name	2016 Units Sold	Projected 2017 Units
1	BRONSON	Full Flavor Filter Kings Box		
2	BRONSON	Full Flavor Filter 100's Box		
3	BRONSON	Gold Kings Box		
4	BRONSON	Gold 100's Box		
5	BRONSON	Silver Kings Box		
6	BRONSON	Silver 100's Box		
7	BRONSON	Full Flavor Menthol Kings Box		
8	BRONSON	Full Flavor Menthol 100's Box		
9	BRONSON	Gold Menthol Kings Box		
10	BRONSON	Gold Menthol 100's Box		
	TOTAL BRONSON			
1	CLASS A	Non-Filter Kings Box		
2	CLASS A	Full Flavor Filter 100's Box		
3	CLASS A	Filter Kings Box		
4	CLASS A	Filter 100's Box		
5	CLASS A	Blue 100's Box		
6	CLASS A	Menthol Filter Kings Box		
7	CLASS A	Menthol Filter 100's Box		
8	CLASS A	Menthol Silver 100's Box		
	TOTAL CLASS A			
1	EVE	Amethyst 120's Box		
2	EVE	Sapphire 120's Box		
3	EVE	Menthol Emerald 120's Box		
4	EVE	Menthol Turquoise 120's Box		
	TOTAL EVE			
1	GRAND PRIX	Non-Filter Classic Kings Box		
2	GRAND PRIX	Filter Red Kings Box		
3	GRAND PRIX	Filter Red 100s Soft Pack		
4	GRAND PRIX	Filter Red 100s Box		
5	GRAND PRIX	Blue Kings Box		
6	GRAND PRIX	Blue 100s Soft Pack		
7	GRAND PRIX	Blue 100s Box		
8	GRAND PRIX	Orange 100s Soft Pack		
9	GRAND PRIX	Orange 100s Box		
10	GRAND PRIX	Menthol Gold Kings Box		
11	GRAND PRIX	Menthol Gold 100s Box		
12	GRAND PRIX	Menthol Silver 100s Soft Pack		
13	GRAND PRIX	Menthol Silver 100s Box		
	TOTAL GRAND PRIX			
1	LIGGETT SELECT	Non-Filter Kings Box		
2	LIGGETT SELECT	Red Kings Box		
3	LIGGETT SELECT	Red 100's Soft Pack		
4	LIGGETT SELECT	Red 100's Box		
5	LIGGETT SELECT	Gold Kings Box		
6	LIGGETT SELECT	Gold 100's Soft Pack		
7	LIGGETT SELECT	Gold 100's Box		
8	LIGGETT SELECT	Silver 100's Soft Pack		

Exhibit B

**Liggett Group LLC
Application to Renew Warning Rotation Plan
September 19, 2017**

2016 and Projected 2017 Gross Unit Sales by Brand Style

	Brand	Current Brand Style Name	2016 Units Sold	Projected 2017 Units
9	LIGGETT SELECT	Silver 100's Box		
10	LIGGETT SELECT	Menthol Gold Kings Box		
11	LIGGETT SELECT	Menthol Gold 100's Box		
12	LIGGETT SELECT	Menthol Silver Kings Box		
13	LIGGETT SELECT	Menthol Silver 100's Soft Pack		
14	LIGGETT SELECT	Menthol Silver 100's Box		
15	LIGGETT SELECT	Blue Kings Box		
16	LIGGETT SELECT	Blue 100s Box		
17	LIGGETT SELECT	Orange Kings Box		
18	LIGGETT SELECT	Orange 100s Box		
	TOTAL LIGGETT SELECT			
1	MONTEGO	Full Flavor Kings Box		
2	MONTEGO	Full Flavor 100's Box		
3	MONTEGO	Gold Kings Box		
4	MONTEGO	Gold 100's Box		
5	MONTEGO	Blue 100's Box		
6	MONTEGO	Menthol Kings Box		
7	MONTEGO	Menthol Silver Kings Box		
8	MONTEGO	Menthol Silver 100's Box		
9	MONTEGO	Menthol 100's Box		
	TOTAL MONTEGO			
1	PYRAMID	Non-Filter Kings Box		
2	PYRAMID	Red Kings Box		
3	PYRAMID	Red 100s Box		
4	PYRAMID	Blue Kings Box		
5	PYRAMID	Blue 100s Box		
6	PYRAMID	Orange Kings Box		
7	PYRAMID	Orange 100s Box		
8	PYRAMID	Menthol Gold Kings Box		
9	PYRAMID	Menthol Gold 100s Box		
10	PYRAMID	Menthol Silver Kings Box		
11	PYRAMID	Menthol Silver 100s Box		
	TOTAL PYRAMID			
1	TOURNEY	Non-Filter Kings Box		
2	TOURNEY	Full Flavor Kings Box		
3	TOURNEY	Full Flavor 100's Soft Pack		
4	TOURNEY	Full Flavor 100's Box		
5	TOURNEY	Gold Kings Box		
6	TOURNEY	Gold 100's Soft Pack		
7	TOURNEY	Gold 100's Box		
8	TOURNEY	Blue 100's Box		
9	TOURNEY	Menthol Full Flavor Kings Box		
10	TOURNEY	Menthol Full Flavor 100's Box		
11	TOURNEY	Menthol Gold Kings Box		
12	TOURNEY	Menthol Gold 100's Soft Pack		
13	TOURNEY	Menthol Gold 100's Box		
14	TOURNEY	Slims Blue 120's Box		
15	TOURNEY	Slims Rose 120's Box		
16	TOURNEY	Slims Menthol Teal 120's Box		
	TOTAL TOURNEY			

Selected packaging samples from those
submitted with the plan.

SURGEON GENERAL'S WARNING: Cigarette
Smoke Contains Carbon Monoxide.

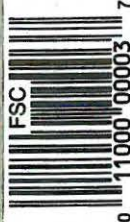
MONTEGO



BLUE
100s

AMERICAN MADE

WARNING: SMOKING IS ADDICTIVE
LIGGETT GROUP
MEBANE, NC 27302
1-800-682-3230
www.liggettgroup.com



MONTEGO

BLUE 100s

AMERICAN MADE



BLUE
100s

MONTEGO



MONTEGO

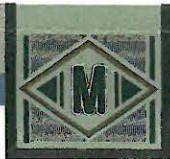


20

20 CLASS A
CIGARETTES

20

20 CLASS A
CIGARETTES



MONTEGO

BLUE KINGS BOX

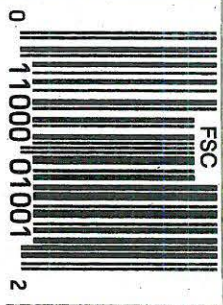
AMERICAN
MADE

200 CLASS A
CIGARETTES

MONTEGO

BLUE KINGS BOX

SURGEON GENERAL'S WARNING: Cigarette
Smoke Contains Carbon Monoxide.





Division of
Advertising Practices

United States of America
FEDERAL TRADE COMMISSION
Washington, D.C. 20580

November 1, 2017

John R. Long, Esq.
Vice President & General Counsel
Liggett Group LLC
100 Maple Lane
Mebane, NC 27302

Dear Mr. Long:

The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331-1341 (“the Cigarette Act”). Pursuant to that delegation, Liggett Group LLC’s (“Liggett”) plan for simultaneous display (*i.e.*, the alternative to quarterly rotation) of the four health warnings on packaging for certain varieties of the Bronson, Class A, Eve, Grand Prix, Liggett Select, Montego, Pyramid, and Tourney brands of cigarettes was approved on May 1, 2017. In your October 5, 2017 letter, you now propose to expand Liggett’s plan to include additional varieties of the Montego brand.

Liggett’s sales appear to qualify for the aforementioned alternative to quarterly rotation of the warnings on packaging, with the exception of the Pyramid Red 100’s Box and Pyramid Blue 100’s Box varieties,¹ and the warnings on the sample packs and cartons submitted with your September 19, 2017 letter appear to meet the requirements of the Cigarette Act in force as of the date of this letter for size and conspicuousness.²

Accordingly, Liggett’s plan for simultaneous display of the four health warnings on packaging for the following ten box varieties of the Montego brand is hereby approved: Red Kings (in “three tobacco leaves” packaging), Red 100’s (in “three tobacco leaves” packaging), Blue Kings (in “three tobacco leaves” packaging), Blue 100’s (in “three tobacco leaves” packaging), Orange 100’s (in “three tobacco leaves” packaging), Menthol Gold Kings (in “three tobacco leaves” packaging), Menthol Gold 100’s (in “three tobacco leaves” packaging), Menthol Silver Kings (in “three tobacco leaves” packaging), and Menthol Silver 100’s (in “three tobacco leaves” packaging).

¹ The Pyramid Red 100’s Box and Pyramid Blue 100’s Box varieties are subject to quarterly rotation, which does not require annual approval.

² Liggett stated in its October 5, 2017 letter that the four health warnings will appear exactly as shown on the packs and cartons submitted on September 19, 2017.

Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.³ The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

I wish to remind you that the Commission's May 1, 2017 approval of Liggett's cigarette health warning statement rotation plan for packaging of certain varieties of its brands runs through April 30, 2017 (or until the authority to approve cigarette health warning statement plans moves from the FTC to the FDA, whichever comes first) and that this letter does not extend that approval period.

Please note that this letter only approves Liggett's cigarette health warning statement rotation plan with respect to the statutory requirements in force prior to the June 22, 2009 enactment of the Family Smoking Prevention and Tobacco Control Act ("FSPTCA") concerning the rotation, size, and conspicuousness of the warnings on Liggett's packaging. Moreover, it is not in any way an approval of any other design element, statement, or representation made on packaging or in advertising for Liggett's cigarettes. Nor does this letter purport to interpret or express any opinion about the adequacy of Liggett's packaging and advertising under the FSPTCA or any regulations that have been or might be promulgated by the Department of Health and Human Services under that statute, including but not limited to the Regulations Restricting the Sale and Distribution of Cigarettes and Smokeless Tobacco to Protect Children and Adolescents (published March 19, 2010).

Because the FSPTCA imposes additional legal requirements on the marketing and sale of cigarettes, you should ensure that you are in compliance with those requirements. For example, since September 22, 2009, the use of certain characterizing flavors (other than tobacco or menthol) in cigarettes has been prohibited. You can find additional information at www.fda.gov/TobaccoProducts/default.htm, and sign up for FDA email updates at www.fda.gov/TobaccoProducts/ResourcesforYou/ucm176164.htm.

This approval is effective on the date of this letter and runs through October 31, 2018, or until the authority to approve cigarette health warning statement plans moves from the FTC to the FDA, whichever comes first.

³ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

John R. Long, Esq.
November 1, 2017
Page 3

If you have any questions regarding this approval, please contact Donya Jackson at (202) 326-2050.

Very truly yours,

A handwritten signature in black ink that reads "Mary K. Engle". The signature is written in a cursive style with a large, looped "E" at the end.

Mary K. Engle
Associate Director

1601 E. Plano Parkway
Suite 110
Plano, TX 75074
Tel: 214-299-4200
Fax: 214-299-4207



November 01, 2017

From: KT&G USA Corporation
1601 E Plano PKWY Suite 110
Plano, TX 75074
Tel: 214-299-4200
Fax: 214-299-4207

To: Ms. Mary K. Engle
Associate Director, Division of Advertising Practices
Attn: Ms. Bonnie McGregor
Federal Trade Commission
600 Pennsylvania Ave. NW
Mail Drop CC-10528
Washington, DC 20580
Tel: 202-326-2407
Fax: 202-326-2407

Dear Ms. Engle,

The following is a plan submitted for approval by your department for the quarterly rotation of warnings for the Surgeon General's Warning Labels as required by the Federal Cigarette Labeling and Advertising Act.

K imports, Inc. has had a previous plan approved by your department for the "THIS" brand
On April 27, 2001

Global Trading, Inc. buy-out K imports, Inc. on 12/16/2010
Global Trading, Inc. name Changed to KT&G USA Corporation. on 09/07/2016
KT&G USA Corporation will abide by Global Trading, Inc.'s plans approved on
the following dates:
10/25/2013 (Carnival), 03/21/2011 (Carnival and Timeless Time Advertising),
02/28/2011(Timeless Time).

1601 E. Plano Parkway
Suite 110
Plano, TX 75074
Tel: 214-299-4200
Fax: 214-299-4207



Specifications and rotation of the warning labels will comply with specifications stated in The Federal Cigarette Labeling and Advertising Act. We will keep records demonstrating compliance with this plan.

We will import from the Republic of Korea to the United States of America the "THIS" brand in the following styles:

- THIS Red 100 Box
- THIS Blue 100 Box
- THIS Silver 100 Box
- THIS Menthol 100 Box
- THIS Menthol Green 100 Box
- THIS Red King Box
- THIS Blue King Box
- THIS Silver King Box
- THIS Menthol King Box
- THIS Menthol Green King Box

I. Packaging

A.) Warning Label Size and Location: We will display the four health warnings on the cigarette packs and cartons exactly as shown on the samples provided on 08/21/2017 and 09/25/2017.

B.) Warning Label Rotation: Beginning on the date of approval of this plan, we will rotate the warnings on the packs and cartons of the "THIS" brand based upon production date of the packaging according to the schedule set out below.

The following will be the Surgeon General's rotation schedule for CARNIVAL, timeless TIME and THIS brand cigarettes:

Quarter	CARNIVAL	timeless TIME	THIS
1st Quarter (Jan- Mar)	B	A	C
2nd Quarter (Apr- June)	D	B	A
3rd Quarter (July- Sept)	C	D	B
4th Quarter (Oct- Dec)	A	C	D

1601 E. Plano Parkway
Suite 110
Plano, TX 75074
Tel: 214-299-4200
Fax: 214-299-4207



A. SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.

B. SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.

C. SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight.

D. SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

CARNIVAL, TIMELESS TIME and THIS are the only brands imported by KT&G USA Corporation.

KT&G USA is not manufacturing any Cigarettes.

II. Advertising

For the time being, we are not planning to advertise "THIS" cigarettes in the United States. Prior to advertising, we will submit a plan to the FTC explaining how we will comply with the requirements of the Cigarette Act for advertising.

We hope everything is to your satisfaction and look forward to your approval.

Please let me know at 214-299-4200 if you have any questions

Thank you for your consideration.

A handwritten signature in black ink, appearing to read "Kil Hong Hyun". The signature is written in a cursive style with some loops and is positioned above a horizontal line.

Kil Hong Hyun
President
KT&G USA Corporation

Selected packaging samples from those
submitted with the plan.

SURGEON GENERAL'S WARNING:
Smoking Causes Lung Cancer, Heart Disease,
Emphysema, And May Complicate Pregnancy.

THIS
RED

20 CLASS A FILTER CIGARETTES
American Blend

THIS
RED

FSC



THIS
RED
MADE IN KOREA

20 CLASS A FILTER CIGARETTES
American Blend

12



THIS
RED



THIS
RED



H 12

20
CLASS A
FILTER
CIGARETTES

KT&G

THIS

BLUE 100'S



6 89490 00233 8

MADE IN KOREA

SURGEON GENERAL'S WARNING:
Quitting Smoking Now Greatly Reduces
Serious Risks to Your Health.

BLUE 100'S

THIS



THIS

BLUE 100'S



200 CLASS A FILTER CIGARETTES
American Blend

KT&G

FSC



Division of
Advertising Practices

United States of America
FEDERAL TRADE COMMISSION
Washington, D.C. 20580

November 2, 2017

Mr. Kil Hong Hyun
KT&G USA Corporation
1601 E. Plano Parkway
Suite 110
Plano, TX 75074

Dear Mr. Hyun:

The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331-1341 ("the Cigarette Act"). Pursuant to that delegation, I have reviewed a revised proposed plan filed by KT&G USA Corporation ("KT&G")¹ on November 1, 2017 calling for quarterly rotation of the four health warnings on packaging for certain varieties of the "THIS" brand of cigarettes.

The warnings on the sample packs and cartons submitted with your letters dated August 21, 2017 and September 25, 2017 appear to meet the requirements of the Cigarette Act in force as of the date of this letter for size and conspicuousness.² Accordingly, KT&G's plan for quarterly rotation of the four health warnings on packaging for the following ten box varieties of the "THIS" brand is hereby approved: Red (Kings & 100's), Blue (Kings & 100's), Silver (Kings & 100's), Menthol (Kings & 100's), and Menthol Green (Kings & 100's).

Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.³ The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

¹ Your letter of November 1, 2017 states that Global Trading, Inc. changed its name to KT&G USA Corporation on September 7, 2016.

² Although some of the warnings originally submitted were not sufficiently conspicuous, corrected samples were submitted. This approval pertains only to packaging that meets the requirements of the Cigarette Act.

³ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Mr. Kil Hong Hyun
November 2, 2017
Page 2

If KT&G decides to advertise the "THIS" brand in the future, it must submit a plan detailing how it will comply with the requirements of the Cigarette Act with respect to display of the health warning statements in advertisements.

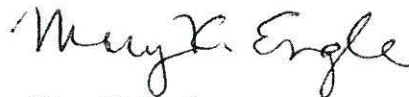
Please note that this letter only approves KT&G's cigarette health warning statement rotation plan with respect to the statutory requirements in force prior to the June 22, 2009 enactment of the Family Smoking Prevention and Tobacco Control Act ("FSPTCA") concerning the rotation, size, and conspicuousness of the warnings on KT&G's packaging. Moreover, it is not in any way an approval of any other design element, statement, or representation made on packaging or in advertising for KT&G's cigarettes. Nor does this letter purport to interpret or express any opinion about the adequacy of KT&G's packaging and advertising under the FSPTCA or any regulations that have been or might be promulgated by the Department of Health and Human Services under that statute, including but not limited to the Regulations Restricting the Sale and Distribution of Cigarettes and Smokeless Tobacco to Protect Children and Adolescents (published March 19, 2010).

Because the FSPTCA imposes additional legal requirements on the marketing and sale of cigarettes, you should ensure that you are in compliance with those requirements. For example, since September 22, 2009, the use of certain characterizing flavors (other than tobacco or menthol) in cigarettes has been prohibited. You can find additional information at www.fda.gov/TobaccoProducts/default.htm, and sign up for FDA email updates at www.fda.gov/TobaccoProducts/ResourcesforYou/ucm176164.htm.

Please note that Section 802 of the Tariff Suspension and Trade Act of 2000 prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and will continue to submit the list of ingredients to FDA.

If you have any questions regarding this letter, please contact William Ducklow at (202) 326-2407.

Very truly yours,



Mary K. Engle
Associate Director

November 2, 2017

Division of Advertising Practices
Federal Trade Commission
600 Pennsylvania Ave NW CC-10528
Washington, D.C. 20580



OHSERASE
MANUFACTURING LLC

26 Eagle Drive
PO Box 1221
Akwesasne, NY 13655
518 358-9309

RE: Surgeon General's Health Warning Equalization Plan for Signal Brand Cigarettes

Dear Sir/Madam:

This is an application for approval of the plan of Ohserase Manufacturing, LLC for the display of the health warnings on its Signal cigarette brand. Ohserase Manufacturing, LLC is a limited liability corporation with offices located at 26 Eagle Drive, Akwesasne, New York 13655, mailing address P.O. Box 1221, Akwesasne, New York 13655 and the phone number is (518)358-4229.

Ohserase wishes to file a Surgeon General's Health Warning Equalization Plan as required by the Federal Cigarette Labeling and Advertising Act of 1964 for the brand of cigarettes they wish to manufacture in the United States under the brand name "Signal."

The brand styles of Signal brand cigarettes Ohserase intends to manufacture are listed on Exhibit "A." Ohserase no longer manufactures the brand styles that were taken off of this year's Exhibit "A" even though they were included on previous year's Plans. Enclosed with our submission of October 15, 2017 were the actual production packs and cartons for the brand styles being submitted showing exactly where and how the four (4) Surgeon General's health warnings will appear on individual packs and cartons Ohserase will be manufacturing for our Signal brand. The warnings will appear exactly as shown on these samples.

Ohserase manufactured approximately [REDACTED] cigarettes in fiscal year 2016 (all were Signal and Da Rez brands). Ohserase does not currently manufacture the Da Rez brand. To date, in fiscal year 2017, Ohserase has manufactured [REDACTED] cigarettes (all were Signal). Ohserase anticipates manufacturing approximately [REDACTED] cigarettes of all its brand styles (Signal) in fiscal year 2017.

No one brand style of cigarettes sold by Ohserase has for the past fiscal year constituted more than ¼ of 1% of all the cigarettes sold in the United States in such year, and no one brand style will constitute more than ¼ of 1% of all the cigarettes sold in the United States in the next fiscal year. In addition, more than one-half of the cigarettes manufactured for sale in the United States will be packaged into brand styles which meet the requirements of 15 U.S.C. §1333(c)(2)(A)(i).

As a small manufacturer as defined by the Act, Ohserase wishes to submit a plan to equalize the four health warning statements required by 15 U.S.C. §1333(c) for its Signal brand. Each of the four warning statements will appear on the packs and cartons of each brand style of

Signal brand cigarettes manufactured by Ohserase an equal number of times in the one year period beginning on the date this plan is approved. Ohserase will maintain records demonstrating compliance with this plan.

The individual packs of Signal cigarettes to be manufactured by Ohserase will have the proper health warnings printed by the manufacturer directly on the packs under the cellophane. The cartons will also have the proper health warnings printed directly on the cartons by the manufacturer. Ohserase will keep a running total of the number of cartons and packs it manufactures with each warning label for each brand style.

Ohserase understands that the FTC is charged with ensuring that Ohserase's Surgeon General's Health Warning Label Plan is complied with and, therefore, it agrees to maintain records to demonstrate that they are in compliance with, and are properly implementing their plan.

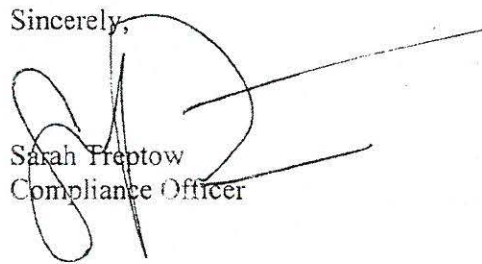
Ohserase will print all four health warnings in equal numbers on each printed sheet of packaging for all of its cartons and packs so that when the sheets are die cut each shipment should be approximately equalized for each brand style as manufactured. If, toward the end of the one year period, it appears that the warnings are not equalized on the packs and cartons for each brand style, Ohserase will place special orders for packaging with the specific health warnings needed to ensure that the display of all four warnings is equalized on the packs and cartons for each brand style by the plan's anniversary date.

Ohserase has an advertising plan in place and approved by the Federal Trade Commission. The plan was approved in January of 2013 and has not changed.

We believe this plan complies in all respect with the Federal Cigarette Labeling and Advertising Act, as amended, including any modifications made by the Public Health Cigarette Smoking Act of 1969, the Comprehensive Smoking Education Act of 1984, the Nurses' Education Amendments of 1985 and the Imported Cigarette Compliance Act of 2000. For this reason, we hereby request that you approve this plan as soon as possible.

If you have any questions I can be reached by phone at (518) 358-4229 extension 128. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sarah Freptow', is written over a large, stylized circular scribble. The signature is written in a cursive, somewhat slanted style.

Sarah Freptow
Compliance Officer

Exhibit A

Ohserase Manufacturing, LLC
Signal Brand Styles

Full Flavor King Box

Full Flavor 100 Box

Smooth King Box

Smooth 100 Box

Ultra Smooth King Box

Ultra Smooth 100 Box

Menthol King Box

Menthol 100 Box

Menthol Smooth King Box

Menthol Smooth 100 Box

Bold King Box

Bold 100 Box

Max King Box

Max 100 Box

Selected packaging samples from those
submitted with the plan.

ALL NATURAL TOBACCO DOES NOT MEAN A SAFER CIGARETTE.
SURGEON GENERAL'S WARNING:
Cigarette Smoke Contains
Carbon Monoxide.



ALL NATURAL
Premium Blend



TP NY-15042

818-6000

ALL NATURAL
SIGNAL
BOLD

CTP0717 3/1
#65865 115-06
KBA

ALL NATURAL
Premium Blend



3

BOLD
SIGNAL

BOLD
SIGNAL
ALL NATURAL

SIGNAL
BOLD

UNDERAGE
SALES
PROHIBITED

20 CLASS A
CIGARETTES

ALL NATURAL

SIGNAL

—MENTHOL MAX—

100'S BOX



ALL NATURAL
Premium Blend

SURGEON GENERAL'S WARNING:
Smoking By Pregnant Women May
Result in Fetal Injury, Premature
Birth, And Low Birth Weight.

ALL NATURAL TOBACCO DOES NOT MEAN A SAFER CIGARETTE.

ALL NATURAL

SIGNAL

—MENTHOL MAX—

ALL NATURAL
Premium Blend



UNDERAGE SALES
PROHIBITED

FSC



R19-6101



Division of
Advertising Practices

United States of America
FEDERAL TRADE COMMISSION
Washington, D.C. 20580

November 3, 2017

Ms. Sarah Treptow
Ohserase Manufacturing, LLC
26 Eagle Drive
P.O. Box 1221
Akwesasne, NY 13655

Dear Ms. Treptow:

The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331-1341 ("the Cigarette Act"). Pursuant to that delegation, I have reviewed a revised proposed plan filed by Ohserase Manufacturing, LLC ("Ohserase") on November 2, 2017, calling for simultaneous display (*i.e.*, the alternative to quarterly rotation) of the four health warnings on packaging for certain varieties of the Signal brand of cigarettes.

Ohserase's sales appear to qualify for the aforementioned alternative to quarterly rotation of the warnings on packaging, and the warnings on the sample packs and cartons submitted with your letter of October 15, 2017 appear to meet the requirements of the Cigarette Act in force as of the date of this letter for size and conspicuousness.¹

Accordingly, Ohserase's plan for simultaneous display of the four health warnings on packaging for the following fourteen box varieties of the Signal brand is hereby approved: Full Flavor (Kings & 100's), Smooth (Kings & 100's), Ultra Smooth (Kings & 100's), Menthol (Kings & 100's), Menthol Smooth (Kings & 100's), Bold (Kings & 100's), and Max (Kings & 100's).

Approval of Ohserase's plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.² The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

¹ Ohserase stated in its November 2, 2017 letter that the four health warnings will appear exactly as shown on the packs and cartons submitted on these dates.

² Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Ms. Sarah Treptow
November 3, 2017
Page 2

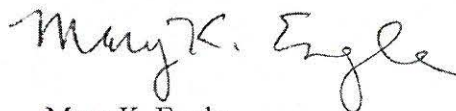
Please note that this letter only approves Ohserase's cigarette health warning statement rotation plan with respect to the statutory requirements in force prior to the June 22, 2009 enactment of the Family Smoking Prevention and Tobacco Control Act ("FSPTCA") concerning the rotation, size, and conspicuousness of the warnings on Ohserase's packaging. Moreover, it is not in any way an approval of any other design element, statement, or representation made on packaging or in advertising for Ohserase's cigarettes, including, but not limited to, "all natural." Nor does this letter purport to interpret or express any opinion about the adequacy of Ohserase's packaging and advertising under the FSPTCA or any regulations that have been or might be promulgated by the Department of Health and Human Services under that statute, including but not limited to the Regulations Restricting the Sale and Distribution of Cigarettes and Smokeless Tobacco to Protect Children and Adolescents (published March 19, 2010).

Because the FSPTCA imposes additional legal requirements on the marketing and sale of cigarettes, you should ensure that you are in compliance with those requirements. For example, since September 22, 2009, the use of certain characterizing flavors (other than tobacco or menthol) in cigarettes has been prohibited. You can find additional information at www.fda.gov/TobaccoProducts/default.htm, and sign up for FDA email updates at www.fda.gov/TobaccoProducts/ResourcesforYou/ucm176164.htm.

This approval is effective on the date of this letter and runs through November 2, 2018, or until the authority to approve cigarette health warning statement plans moves from the FTC to the FDA, whichever comes first.

If you have any questions regarding this approval, please contact Aine Farrell at (202) 326-2409.

Very truly yours,



Mary K. Engle
Associate Director



November 14, 2017

Ms. Mary K. Engle
Associate Director
U.S. Federal Trade Commission
Bureau of Consumer Protection
Division of Advertising Practices
600 Pennsylvania Avenue, NW, CC-10528
Washington, DC 20580

Re: Sherman's 1400 Broadway N.Y.C., LLC ("Sherman's 1400") Advertising Rotation Plan - Website

Dear Ms. Engle:

Previous Sherman's 1400 warning rotation plans for advertising were approved on November 23, 2003, July 22, 2009 and February 13, 2017. Most recently, we submitted an advertising plan on September 14, 2017 to include our Nat's brand, that was subsequently approved on September 15, 2017. In that submission letter, we originally stated that it was not our intent to advertise Nat's on the internet. We are now seeking a modification to our advertising rotation plan to include advertising Nat's on the internet.

The following is our plan to comply with the health warning display requirements of FCLAA as it relates to internet advertising of the Nat's brand.

In advertising our brands, including the Nat's brand, we will continue to use the warning formats that were submitted with the 1985 plans of the five leading U.S. cigarette manufacturers and we will place the warnings as specified in those plans except that for printed non-periodical advertising, Sherman's 1400 will rotate the required four warnings according to the date the items are ordered.¹ If Sherman's 1400 advertises in newspapers, magazines or other periodicals, it will rotate the required four warnings according to the cover date of the publication. The warnings will be rotated quarterly according to the schedule set out below. We will use the warning formats submitted with our letter of November 21, 2003. At the present time, we anticipate that our largest size advertising will be 48 inches x 24 inches.

The four cigarette health warnings as noted below will be rotated quarterly on advertising of each brand including the Nat's brand according to the following schedule:

- A. SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.
- B. SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.
- C. SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight.
- D. SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

¹ "Order date" is the date on which Sherman's 1400 approves the final artwork for release to the supplier for printing.

RETAIL TOWNHOUSE
12 East 42nd Street • New York, NY 10017
tel. 212-764-5000 fax 212-764-5134

CORPORATE
10 Sterling Boulevard • Englewood, NJ 07631
tel. 201-735-9000 fax 201-735-9099

MANUFACTURING
7615 Boeing Drive • Greensboro, NC 27409
tel. 336-665-6060 fax 336-605-1795

Brands	Qtr. 1	Qtr. 2	Qtr. 3	Qtr. 4
Black & Gold	A	B	C	D
Fantasia	D	A	B	C
Classic	C	D	A	B
Cigarettellos	B	C	D	A
Havana Ovals	D	A	B	C
Hint	C	D	A	B
MCD	B	C	D	A
Naturals	A	B	C	D
New York Cut	B	C	D	A
Select	C	D	A	B
Originals	D	A	B	C
Nat's	A	B	C	D
Non-Brand Specific or Multi-Brand Advertising	A	B	C	D

We also plan to advertise Nat's cigarettes on the internet @www.natsherman.com and will rotate the four cigarette health warnings on our website using the same rotation schedule as for our non-website advertising. The cigarette health warnings on our website www.natsherman.com will be superimposed on the screen in an unavoidable manner on every page where it may be viewed without scrolling and will not be accessible or displayed through hyperlinks, pop-ups, interstitials or other similar means. We will use the warning formats that were submitted with the 1985 plans and the size of the warnings will be proportionate to those warning formats. Enclosed are samples of the mock-up of the Nat Sherman website showing how the four required warnings will appear on each of the web pages advertising cigarettes. The samples attached show warnings that would appear in quarter 3.

If you require additional information, please do not hesitate to contact me at 201-735-9008.

Sincerely,



Brendon Scott
Vice President, Chief Financial Officer

Enc./



Division of
Advertising Practices

United States of America
FEDERAL TRADE COMMISSION
Washington, D.C. 20580

November 16, 2017

Mr. Brendon Scott
Sherman's 1400 Broadway NYC, LLC
10 Sterling Boulevard
Englewood, NJ 07631

Dear Mr. Scott:

The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331-1341 ("the Cigarette Act"). Pursuant to that delegation, I have reviewed a revised proposed plan filed by Sherman's 1400 Broadway NYC, LLC ("Sherman's 1400"), dated November 14, 2017, calling for quarterly rotation of the four health warnings in Internet advertising for the Nat's brand of cigarettes.

Sherman's 1400's plan for rotation and display of the four health warnings in the aforementioned advertising for the Nat's brand of cigarettes is hereby approved. Approval of the plan assumes that the plan is implemented in good faith. With respect to the question of whether it is legal to advertise cigarettes on the internet, Section 1335 of the Cigarette Act prohibits advertising cigarettes on any medium of electronic communication subject to the jurisdiction of the Federal Communications Commission. The enforcement of that provision is the responsibility of the Department of Justice and you should contact them directly (Lashanda Freeman at 202-307-0052) to determine whether such advertising is permissible.

Please note that this letter is not an approval of any design element, statement, or representation made in advertising or on packaging for Sherman's 1400's cigarettes, including, but not limited to, "natural." Nor does this letter purport to interpret or express any opinion about the adequacy of Sherman's 1400's packaging and advertising under the FSPTCA or any regulations that have been or might be promulgated by the Department of Health and Human Services under that statute, including but not limited to the Regulations Restricting the Sale and Distribution of Cigarettes and Smokeless Tobacco to Protect Children and Adolescents (published March 19, 2010).

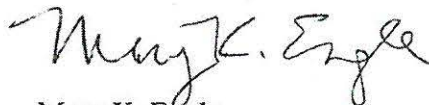
Because the FSPTCA imposes additional legal requirements on the marketing and sale of cigarettes, you should ensure that you are in compliance with those requirements. For example, since September 22, 2009, the use of certain characterizing flavors (other than tobacco or

Mr. Brendon Scott
November 16, 2017
Page 2

menthol) in cigarettes has been prohibited. You can find additional information at www.fda.gov/TobaccoProducts/default.htm, or www.fda.gov/TobaccoProducts/ResourcesforYou/ForIndustry/default.htm, and sign up for FDA email updates at www.fda.gov/TobaccoProducts/ResourcesforYou/ucm176164.htm.

If you have any questions regarding this approval, please contact Connor Sands at (202) 326-3343.

Very truly yours,

A handwritten signature in black ink that reads "Mary K. Engle". The signature is written in a cursive style with a large, looped initial "M".

Mary K. Engle
Associate Director

NASCO PRODUCTS

321 Farmington Road, Mocksville, North Carolina 27028 • Phone: 336-940-3769 • Fax: 336-940-3669

November 28, 2017

Ms. Mary K. Engle
Federal Trade Commission
Division of Advertising Practices
600 Pennsylvania Avenue, N.W.
Room CC-10528
Washington, DC 20580

RE: Cigarette Health Warning Rotation Plan

Dear Ms. Engle.

This letter is being submitted for the annual renewal approval of the alternative method to the quarterly Surgeon General Warning rotation plan on packaging of the following eleven (11) varieties of the SF cigarette brand:

Red King Box
Blue King Box
Gray King Box
Menthol Dark Green King Box
Menthol Pale Green King Box
Non-Filter King Soft Pack
Red 100's Box
Blue 100's Box
Gray 100's Box
Menthol Dark Green 100's Box
Menthol Pale Green 100's Box

The SF cigarette brand is manufactured in the United States by NASCO Products, LLC. Upon approval of this plan, the manufacturer will continue to manufacture these cigarettes under the authority of the Alcohol & Tobacco Tax and Trade Bureau (Manufacturer of Tobacco Products License TP-NC-15033).

These cigarettes will be packaged in 200 count cartons ("Outer Cartons"). Each Outer Carton will contain 10 packs of 20 cigarettes each ("Pack"). The Surgeon General Warnings will be on each Pack and Outer Carton of cigarettes in the form and content dictated by the Federal Cigarette Labeling and Advertising Act and therefore satisfactory to the Federal Trade Commission ("FTC"). The warnings will be printed directly on the

packaging in a legible and conspicuous manner and will be of a size, format, and type required by the Cigarette Act. The warnings will be placed on the product in a location which complies with applicable labeling statutes. The warnings will appear exactly as they do on the packs and cartons submitted with our letter dated November 11, 2014.

NASCO Products, LLC believes that its low sales volume of cigarettes fits the criteria for the alternative to quarterly rotation of warnings on packaging, provided for in Section 1333 (c)(2) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331. Actual sales figures for the 2016 fiscal year for all the brand styles that we manufacture are provided on Exhibit A. Sales estimates for the 2017 fiscal year for all the brand styles that we manufacture are provided on Exhibit A. We do not anticipate sales to exceed [REDACTED] sticks for any one brand style of cigarettes for the one year period covered by this plan.

If this plan for the alternative to quarterly rotation of warnings on packaging is approved, the four cigarette health warnings will continue to appear on the packs and cartons of each of the cigarette brand styles listed above an equal number of times throughout the one year period beginning on the date this plan is approved.

NASCO Products, LLC will continue to comply with its April 25, 2017 plan for Internet advertising of the RED SUN and SF brands of cigarettes.

NASCO Products, LLC, the manufacturer, is aware of the requirements set forth by the FTC in the Cigarette Labeling and Advertising Act and the company's efforts are always to be fully compliant with the Cigarette Act. NASCO Products, LLC will maintain record of compliance with the approved plan. If there are any questions or concerns regarding this plan, please contact me at 716-270-1523 (phone), 716-877-3064 (fax), kdelaney@xxiicentury.com (email), or 9530 Main Street, Clarence, NY 14031 (mailing address).

Sincerely,



Karen E. Delaney
Tax Compliance Manager

EXHIBIT A

Actual sales figures for Fiscal Year 2016

PRODUCT	STICKS
SF Red King Size Box	
SF Blue King Size Box	
SF Gray King Size Box	
SF Menthol Dark Green King Size Box	
SF Menthol Pale Green King Size Box	
SF Non-Filter King Size Soft Pack	
SF Red 100's Box	
SF Blue 100's Box	
SF Gray 100's Box	
SF Menthol Dark Green 100's Box	
SF Menthol Pale Green 100's Box	
RED SUN Regular King Size Box	
RED SUN Bold Cold Menthol King Size Box	

Estimated sales figures for Fiscal Year 2017

PRODUCT	STICKS
SF Red King Size Box	
SF Blue King Size Box	
SF Gray King Size Box	
SF Menthol Dark Green King Size Box	
SF Menthol Pale Green King Size Box	
SF Non-Filter King Size Soft Pack	
SF Red 100's Box	
SF Blue 100's Box	
SF Gray 100's Box	
SF Menthol Dark Green 100's Box	
SF Menthol Pale Green 100's Box	
RED SUN Regular King Size Box	
RED SUN Bold Cold Menthol King Size Box	



United States of America
FEDERAL TRADE COMMISSION
Washington, D.C. 20580

Division of
Advertising Practices

November 28, 2017

Ms. Karen E. Delaney
NASCO Products, LLC
321 Farmington Road
Mocksville, NC 27028

Dear Ms. Delaney:

The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331-1341 (“the Cigarette Act”). Pursuant to that delegation, I have reviewed a revised proposed plan filed by NASCO Products, LLC (“NASCO”) on November 28, 2017, calling for simultaneous display (*i.e.*, the alternative to quarterly rotation) of the four health warnings on packaging for certain varieties of the SF brand of cigarettes.

NASCO’s sales appear to qualify for the aforementioned alternative to quarterly rotation of warnings on packaging, and the warnings on the sample packs and cartons submitted with your November 11, 2014 letter continue to appear to meet the requirements of the Cigarette Act in force as of the date of this letter for size and conspicuousness.¹

Accordingly, NASCO’s plan for simultaneous display of the four health warnings on packaging is hereby approved for the following eleven varieties of the SF brand: Red Box (Kings and 100’s), Blue Box (Kings and 100’s), Gray Box (Kings and 100’s), Menthol Dark Green Box (Kings and 100’s), Menthol Pale Green Box (Kings and 100’s), and Non-Filter Kings Soft Pack.²

¹ NASCO stated in its November 28, 2017 letter that the four health warnings will appear exactly shown on the packs and cartons submitted on this date.

² As set forth in its November 28, 2017 letter, NASCO is using colors to identify its cigarette varieties (*e.g.*, “Menthol Dark Green 100’s”). We note that the color names and the word “menthol” are not printed on the packaging (*e.g.*, the words “Menthol Dark Green” do not appear on the packaging of the “Menthol Dark Green 100’s” variety); however, the color used for a variety’s packaging does conform to the color used in its name.

Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.³ The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

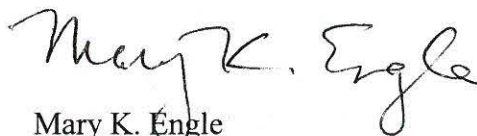
Please note that this letter only approves NASCO's cigarette health warning statement rotation plan with respect to the statutory requirements in force prior to the June 22, 2009 enactment of the Family Smoking Prevention and Tobacco Control Act ("FSPTCA") concerning the rotation, size, and conspicuousness of the warnings on NASCO's packaging. Moreover, it is not in any way an approval of any other design element, statement, or representation made on packaging or in advertising for NASCO's cigarettes. Nor does this letter purport to interpret or express any opinion about the adequacy of NASCO's packaging and advertising under the FSPTCA or any regulations that have been or might be promulgated by the Department of Health and Human Services under that statute, including but not limited to the Regulations Restricting the Sale and Distribution of Cigarettes and Smokeless Tobacco to Protect Children and Adolescents (published March 19, 2010).

Because the FSPTCA imposes additional legal requirements on the marketing and sale of cigarettes, you should ensure that you are in compliance with those requirements. For example, since September 22, 2009, the use of certain characterizing flavors (other than tobacco or menthol) in cigarettes has been prohibited. You can find additional information at www.fda.gov/TobaccoProducts/default.htm, and sign up for FDA email updates at www.fda.gov/TobaccoProducts/ResourcesforYou/ucm176164.htm.

This approval is effective on the date of this letter and runs through November 27, 2018, or until the authority to approve cigarette health warning statement plans moves from the FTC to the FDA, whichever comes first.

If you have any questions regarding this approval, please contact William Ducklow at (202) 326-2407.

Very truly yours,



Mary K. Engle
Associate Director

³ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.