



American Society of Addiction Medicine

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11 July 2000



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1895-1989

Office of the Secretary
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

RE: Proposed warning labels for most cigars sold in the United States

Dear Federal Trade Commission:

The American Society of Addiction Medicine (ASAM) agrees with the FTC that consumers should be fully informed about products as addictive and dangerous as cigars. We agree that part of the system of consumer information that should be in place is a system of messages on cigar packages sold at retail.

To this extent, ASAM applauds the FTC's impulse to place warning labels on most cigars sold in the United States.

I write on behalf of the Society, however, to object to a number of the features of the specific proposal.

Here are ASAM's concerns:

- The FTC has not tested the proposed messages with consumers, either by themselves or in comparison with other possible systems of messages. The agency has no data, not even focus group data, to guide it as to whether the proposed messages will have even a small beneficial effect on public health.
- The proposed messages are themselves small. They are smaller than those proposed by the state of Massachusetts and than those already in effect in Canada.
- The Government of Canada has just raised the standard of what a health message on a tobacco product should be. There, well-researched and carefully developed labels have just been adopted. The FTC proposal is a modest evolution from the existing US cigarette message system which is, itself, several generations out of date and which has just been leapfrogged by Health Canada. Why cannot US consumers have the benefit of the best tobacco product message system in the world and do the Canadians one better?

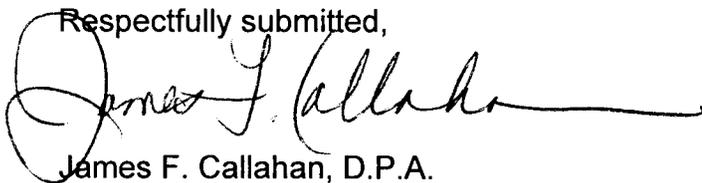
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- The FTC proposal will preempt the proposal in Massachusetts even though the proposed messages in Massachusetts have been consumer-tested and are larger. There seems no justification for this other than the convenience of the manufacturers, none of whom actually seem to have agreed that the messages they would put on their products as a result of their proposed agreement with the FTC are truthful.
- ASAM believes that calling each message a “Surgeon General’s Warning” undermines the message. It casts doubt on the message since the message is not embraced by the manufacturer. The proposed message would have greater impact if there were no attribution. It would have still greater impact if the manufacturers took responsibility. For instance, why can’t a message (on Swisher Sweets) say, “Swisher and the Surgeon General want you to know that this product can cause cancer”?
- There is no indication in the proposal that the results of this system of messages will ever be assessed, either by industry or by the FTC, to see what benefit, if any, it has. Given the grave weaknesses of the proposal, this is an especially troublesome feature. ASAM believes that the manufacturers who sign this agreement should be required to show the FTC that these messages have a beneficial public health impact.
- ASAM is disappointed that the FTC has chosen to proceed with a process that does not require every manufacturer or importer to follow the same procedure. This voluntary agreement falls in a category of interventions that have had a very poor track record over the last 50 years in tobacco control. Voluntary agreements with industry have not, to our knowledge, produced results beneficial to public health. Indeed, the industry has generally benefited from voluntary agreements, often in major ways, as illustrated by the advertising agreements here and in the UK and the cigarette testing program here.

In sum, ASAM urges the FTC to withdraw its proposed cigar messages and to turn the obvious need to properly label cigars into an opportunity to explore the most effective messages for tobacco products so consumers can be fully informed. We suggest that the FTC engage in an active discussion of this with appropriate public health and marketing authorities and that it conduct careful consumer research in the matter. Finally, we believe that a message system for cigars should go through a rule-making procedure and not be compromised by being a voluntary agreement.

Respectfully submitted,



James F. Callahan, D.P.A.
Executive Vice President/CEO

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cc: ASAM Board of Directors
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