



Shannon L. Spangler
Vice President & Associate General Counsel

October 3, 2008

Via Overnight Delivery and Electronic Filing

Mr. Donald S. Clark
Federal Trade Commission
Office of the Secretary
Room H-135 (Annex J)
600 Pennsylvania Avenue, NW
Washington, DC 20580

Re: Tobacco Reports: Paperwork Comment, FTC File No. P054507

Dear Mr. Clark:

On behalf of Philip Morris USA, Inc. ("PM USA"), I submit this letter in response to the Comment Request published by the Federal Trade Commission ("the Commission" or "the FTC") in the Federal Register on August 7, 2008, with respect to proposed information requests to cigarette and smokeless manufacturers.

The Commission has invited comments on whether the proposed collections of information are necessary for the proper performance of the functions of the FTC; the accuracy of the FTC's estimate of the burden of the proposed collections; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of collecting information on those who are to respond.

PM USA believes the FTC's authority to collect the proposed information should be extended given the important role that the FTC has played and should continue to play relative to these products. If the FTC were to rescind its guidance that factual statements of cigarette tar and nicotine yields based on the Cambridge Method generally do not violate the FTC Act, PM USA would question the FTC's need to continue collecting such information, particularly in light of its expressed view that "statements based on the Cambridge Filter Method may be confusing or misleading to consumers." See FTC's *Proposal to Rescind FTC Guidance Concerning the Current Cigarette Test Method*, 73 Fed. Reg. 40,350 (July 14, 2008) ("FTC Proposal").

PM USA respectfully suggests, as it did in its comments on the FTC Proposal filed on September 12, 2008, that the FTC should not rescind its guidance until there has been consideration of an alternative standardized testing method to replace or supplement the

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Cambridge Method. PM USA stands ready to work with the Commission in development of an alternative to the Cambridge Method.

Sincerely,

Shannon L. Spangler ✓ U
Vice President & Associate General Counsel
Altria Client Services Inc.,
on behalf of Philip Morris USA Inc.