

Dear Chairman and Commissioners,

I whole-heartedly support proposal #257 “to rescind Federal Trade Commission guidance that it is generally not a violation of the FTC Act to make factual statements of the tar and nicotine yields of cigarettes.” As a medical student at Dartmouth Medical School, I have learned about and seen the harms of tobacco in patients. On a personal level, I have family members addicted to cigarettes who believe low-tar brands are less toxic than regular cigarettes. By rescinding guidance, you send a clear message that nicotine and tar content alone should not be used by manufacturers to market their product as less dangerous, or “light.”

The Cambridge Filter Method became the standard for measuring nicotine and tar content in 1966. However in this past decade, the Institutes of Medicine released a comprehensive report on the state of tobacco harm reduction<sup>1</sup>. Released in 2001, the report specifically states that “No PREPs [potential reduced-exposure products] have yet been evaluated comprehensively enough (including for a sufficient time) to provide evidence for concluding that they are associated with a reduced risk of disease compared to conventional tobacco use. Such impact likely will not be directly or conclusively demonstrated for many years.” This means that no strong consensus has been found in support of harm reduction with filter use in the 35 years between the approval of FTC guidance and the IOM report on harm reduction. A 2003 WHO report<sup>2</sup> reaches the conclusion that either a reduction in toxin production or uptake is insufficient to associate with any health benefit. These reports provide evidence that the FTC policy is neither current nor supported by scientific data and should be discontinued. This lack of health benefit combined

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<sup>1</sup> Stratton K, Shetty P, Wallace R, and Bondurant S. *Clearing the Smoke: Assessing the Science Base for Tobacco Harm Reduction*. Washington, DC: National Academy Press; 2001.

<sup>2</sup> World Health Organization, "Statement of Principles Guiding the Evaluation of New or Modified Tobacco Products" (January 1, 2003). *Tobacco Control. WHO Tobacco Control Papers*.

with a prevalent belief that light cigarettes confer a health benefit<sup>3</sup> indicates that the information marketed to consumers is misleading.

The evidence is clear that tobacco use is dangerous and addictive. The FTC is charged with the goal of advancing consumers' interests and as a regulatory branch of the government, declarations made by the FTC are considered authoritative by the American public. To authorize the reporting of information that can be used to make purposely misleading statements about the health benefits of a substance that is a leading cause of death to US citizens is not only ethically wrong, but also contrary to the mission of the FTC. Therefore, I urge the committee to pass this legislation to improve the transparency of tobacco products not only for my family, but for the American public as a whole. Thank you for consideration of my comments.

Respectfully submitted,

Matthew J. Reilley

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<sup>3</sup> Borland R, Yong HH, King B, et al. 2004. Use of and beliefs about 'light' cigarettes in four countries: findings from the International Tobacco Control Policy Evaluation Survey. *Nicotine Tob Res*;6(suppl 3):S311-21.