



NEW YORK CITY DEPARTMENT OF
HEALTH AND MENTAL HYGIENE
Thomas R. Frieden, MD, MPH
Commissioner

September 8, 2008

Mr. William E. Kovacic, Chairman
Federal Trade Commission
Office of the Secretary
Room H-135 (Annex L)
600 Pennsylvania Avenue NW
Washington, D.C. 20580

Re: Cigarette Test Method: FTC Matter No. P944509

Dear Chairman Kovacic:

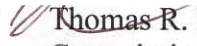
The New York City Health Department strongly supports the Federal Trade Commission's proposal to rescind its 1966 guidance authorizing cigarette manufacturers to make statements about the tar and nicotine yields of cigarettes when those yields are determined by the Cambridge Filter Method. Since the 1980s, research has shown the Cambridge Filter Method to be an inaccurate predictor of exposure to tar and nicotine due to smoker compensation. Rescinding the 1966 guidance would help consumers make more informed decisions about cigarettes by no longer allowing information which minimizes the serious health risks associated with smoking.

There is no such thing as a "safe" cigarette. The tar and nicotine measures derived from Cambridge machine-based cigarette testing may lead smokers to assume that cigarettes with low tar and nicotine yields are less harmful than other cigarettes. Information about low nicotine and tar measures may also dissuade smokers from trying to quit by giving them the false impression that there are healthier cigarette alternatives. In reality, smokers of regular, light and ultralight cigarettes demonstrate similar uptake of carcinogens despite different reported measures of tar and nicotine.

New York City's comprehensive tobacco control program has successfully reduced adult smoking prevalence by more than 20 percent since 2002. Notwithstanding this success, more than 1 million New Yorkers still smoke. New York City's efforts to further reduce smoking are adversely impacted by information that perpetuates the myth of low-tar or low-nicotine cigarettes as safer options.

Cigarette smoking is the leading cause of preventable death in the United States. By protecting consumers from misinformation about the tar and nicotine content of cigarettes, the FTC can make an important contribution to reducing tobacco-related morbidity and mortality.

Sincerely,

 Thomas R. Frieden, MD, MPH
Commissioner

TRF/kk