



HARVARD SCHOOL OF PUBLIC HEALTH
Division of Public Health Practice

Translating passion and learning into advances that protect the health of all

August 18, 2008

William E. Kovacic
Commissioner
Federal Trade Commission
600 Pennsylvania Avenue, N.W.
Washington, DC 20580

Dear Commissioner Kovacic:

Re: "Cigarette Test Method, [P944509]"

I am writing at this time to comment on a proposed rule that would prohibit tobacco companies from claiming that cigarette tar and nicotine ratings are based on FTC approved testing standards and further warn the companies that they may face legal risk if they use the T/N ratings in a false or misleading manner. I fully support the Commissioner's proposal and urge adoption of it.

I have conducted extensive research on the relationship between machine based smoking regime and actual exposure of smokers to the constituents of tar and nicotine. This was done when I was employed as director of the Massachusetts Tobacco Control Program and was responsible for implementing a state law requiring tobacco companies to report the average nicotine yield by brand that humans would receive under average conditions. I conducted a thorough investigation of the existing literature and it revealed that machine testing provides no meaningful information on actual human exposure to nicotine. Following the National Cancer Institute's 2001 Report, Massachusetts proposed amendments to the regulations that would require measuring actual exposure to nicotine based on human biomarkers not machine testing.

At the Harvard School of Public Health, we continue research in this area. Your actions are essential to protecting the public health. It has been shown that smokers perceive these ratings as an indication of possible harm from smoking a particular brand of cigarettes, particularly those that use the descriptors such as light and ultralight and could deter quitting among smokers and promote initiation among young non-smokers. If this is the case, the public health will be harmed. These perceptions could deter quitting.

If manufacturers use the FTC ratings to imply that low rated cigarettes are "safer" than high rated cigarettes and consumers perceive the claim as explicit such use of the FTC system may be false and misleading. We view the regulation as the first step in correcting decades of problems of "light" cigarettes misleading smokers.

We urge its adoption and hope the FTC will be aggressive in taking legal action when the rating system is used in a false and misleading manner.

Sincerely,

Gregory N. Connolly, D.M.D., M.P.H.

12019...
RECEIVED

AUG 26 2008

OFFICE OF THE CHAIRMAN