

American Academy of Otolaryngology – Head and Neck Surgery, Inc.

DEDICATED TO CARE OF THE EARS, NOSE, THROAT, AND RELATED STRUCTURES OF THE HEAD AND NECK

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March 1, 2002

The Honorable Donald S. Clark
Secretary
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

Re: Smokeless Tobacco Advisory Opinion Request

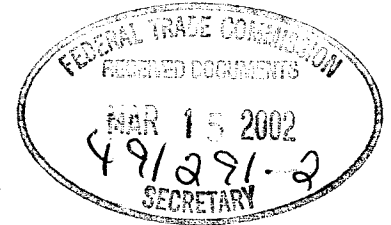
Dear Secretary Clark:

We are writing on behalf of the American Academy of Otolaryngology – Head and Neck Surgery (AAO-HNS) to urge the Commission not to issue any advisory opinion on smokeless tobacco at the request of the U.S. Smokeless Tobacco Company (USSTC). Should the Commission choose to issue an opinion, AAO-HNS would insist that the Commission state that it is unacceptable to communicate in advertising that smokeless tobacco products are considered to be a reduced risk alternative as compared to cigarette smoking.

AAO-HNS represents the nation's ear, nose, and throat (ENT) physician specialists, including head and neck cancer surgeons. Head and neck cancer caused by the use of smokeless tobacco products is one of our special areas of concern.

Everyday, AAO-HNS members treat head and neck cancer patients, including those afflicted with oral cancer, who suffer from severely painful and grotesque conditions that result from their use of smokeless tobacco products. There is a direct and research-supported link between the use of smokeless tobacco and oral cancer. People who use smokeless tobacco are four times more likely to get cancer of the cheek and gums than non-users. Users of smokeless tobacco for ten years or more have an oral cancer rate that is 50 percent higher than those who do not use tobacco. Fifty percent of teenage snuff users develop mouth sores that can become cancerous after an average of three years of use.

USSTC is incorrect in asserting that smokeless tobacco products are a significantly reduced risk alternative to cigarette smoking. Oral cancer often leads to the loss of a patient's jaw and an inability to speak and eat. Even more



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distressing is the growing number of teenagers who are using smokeless tobacco – largely because of USSTC’s targeted advertising efforts – and who suffer from oral cancer and its consequent deformities. Having seen and treated such patients, we find the thought of the U.S. Government’s endorsement, promotion, or even suggestion that tobacco products in any form are relatively safe, to be alarming, unscientific, and entirely unacceptable.

Furthermore, AAO-HNS fully supports the assertions in the letter coordinated by the Campaign for Tobacco Free Kids, addressed to you and dated February 25, 2002. In short, for the reasons outlined in that letter, the U.S. Department of Health and Human Services (HHS) is the most appropriate federal agency to make the important scientific and medical determinations sought by USSTC.

In sum, we implore the Commission either to reject USSTC’s request for advisory opinion, or to forbid any advertising or marketing of smokeless tobacco products as a reduced risk alternative to cigarette smoking. We invite you and the Commissioners to visit with one of our members treating oral cancer in teenagers who have lost their jaw and ability to speak and eat. Looking at them is like viewing a mask of death. We believe that witnessing such devastation first-hand would make the Commission’s decision easy.

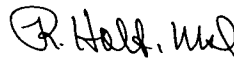
In addition, AAO-HNS would welcome the opportunity to participate in any Commission workshop or other forum regarding smokeless tobacco advertising. We would also be pleased to provide you and your staff with the current medical literature regarding the health effects of smokeless tobacco.

Should you or your staff have any questions, please contact our Associate Director for Regulatory Affairs, Teresa L. Lee, JD, MPH, in our Washington office by phone on 703/684-4286, or by e-mail at TLee@entnet.org.

Sincerely,



K.J. Lee, MD, FACS
President



G. Richard Holt, MD, MPH
Executive Vice-President

Cc: Victoria Almquist, Campaign for Tobacco-Free Kids