

# FRONTIERS OF FREEDOM

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*U.S. Senator Malcolm Wallop (ret.)  
Chairman*

GEORGE LANDRITH  
PRESIDENT

May 29, 2002

The Office of the Secretary  
Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Room 159  
Washington, DC 20580

Dear Secretary Clark:

This letter is intended as a comment on the pending request for an advisory opinion regarding the acceptability of communicating in advertising that smokeless tobacco products are considered to be a significantly reduced risk alternative as compared to cigarette smoking. Please submit these comments to the public record.

The Frontiers of Freedom Institute has been on the forefront of promoting sound science in public policy. The Institute believes that sound science must be the bedrock foundation for public policy decisions. This is particularly true when public health is involved. *To divorce sound science from public policy is legislative and regulatory malpractice.*

The Institute has reviewed a wide array of studies and experts and it appears that the great weight of the evidence indicates that using smokeless tobacco instead of smoking tobacco provides remarkable health benefits. Many of these experts have a long history of speaking out against tobacco for health reasons.

If sound science and medicine indicate that using smoke/less tobacco instead of smoking cigarettes provides a significant reduction in health risks, the public has a right to know this important fact. This is useful information to those who currently smoke and want to reduce their health risks.

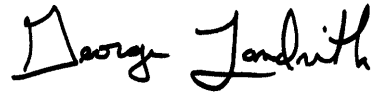
Some argue against permitting the public to have this information and argue that people should simply stop smoking. However, in practice many people have been *unsuccessful* in their attempts to stop smoking. Thus, for those who have not quit smoking, alternatives that provide many of the same health benefits should be considered and available. The public should be made aware of their options. To prohibit consumers from having access to this knowledge is more than bad policy. It is malfeasance. In the corporate world, such a decision would expose executives to untold liability to those who would have benefited from this information but were denied it.

Much has been made of the Enron scandal on grounds that employees, investors, and the public were not given access to the best and most accurate information about the company's financial health. Throughout recent history, there have been a wide variety of scandals when government or corporate officials withheld factually accurate information from the public. The FTC should NOT place itself in the center of a future scandal by preventing the public from obtaining accurate and factual information that can help smokers improve their health. Political correctness is no substitute for factual correctness.

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For these reasons, the Institute urges the FTC to permit consumers to have access to information and scientific studies regarding the potential health benefits of using smokeless tobacco as compared to smoking tobacco.

Sincerely,

A handwritten signature in black ink that reads "George Landrith". The signature is written in a cursive style with a large, stylized "G" and "L".

George C. Landrith