

INDEPENDENT WOMEN'S FORUM

August 19, 2002

The Honorable Donald S. Clark
Secretary
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 2058

VIA FAX

Dear Secretary Clark:

These comments are submitted to the Federal Trade Commission (FTC) in response to the pending request by US Smokeless Tobacco Inc. (UST) for an advisory opinion regarding the acceptability of communicating in advertising that smokeless tobacco products are considered to be a significantly reduced risk alternative to cigarette smoking. Please include these comments as part of the public record on this matter.

The Independent Women's Forum's (IWF) approach to this issue is based on our fundamental belief that the public should be provided with sufficient information and be allowed to place an estimate of risk into context with the other known risks of which they are familiar. Only by providing complete information can the public make a truly informed judgment.

Our comments on UST's pending request before the commission are based on these conclusions drawn from the US Surgeon General's 2001 report on women and smoking¹:

- In 2001 lung cancer will kill nearly 68,000 U.S. women. That's one in every four cancer deaths among women, and about 27,000 **more deaths than from breast cancer** (41,000). In 1999, approximately 165,000 women died prematurely from smoking-related diseases, like cancer and heart disease. Women also face unique health effects from smoking such as problems related to pregnancy.
- **Lung cancer is now the leading cause of cancer death among U.S. women**; it surpassed breast cancer in 1987. About 90 percent of all lung cancer deaths among women who continue to smoke are attributable to smoking.

¹ *Women and Smoking: A Report of the Surgeon General*, Centers for Disease Control, Washington DC, 2001.

- Exposure to environmental **tobacco smoke is a cause of lung cancer and coronary heart disease among women who are lifetime nonsmokers.** Infants born to women exposed to environmental tobacco smoke during pregnancy have a small decrement in birth weight and a slightly increased risk of intrauterine growth retardation compared to infants of non-exposed women.
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- Despite all that is known of the devastating health consequences of smoking, **22.0 percent of women smoked cigarettes in 1998.** Cigarette smoking became prevalent among men before women, and smoking prevalence in the United States has always been lower among women than among men. However, **the once-wide gender gap in smoking prevalence narrowed until the mid-1980s and has since remained fairly constant.**

The Surgeon General's conclusions highlight the fact that lung cancer is the number one form of cancer for American women so if there is product information available, as the UST request suggests, that would educate smokers (those who are unable to quit) on less harmful forms of tobacco use then it is IWF's assessment that women could benefit greatly from having this consumer information available.

Given our social customs we admit that it might be unlikely that many women smokers would move to smokeless tobacco alternatives once educated by the advertising which UST is focused on launching. However, the evidence presented by the UST filing with the commission suggests that lung cancer among women smokers (22% of women smoked in 1998 as cited above) could potentially be reduced via the use of smokeless tobacco alternatives -- we are talking about nearly 35 million women smokers -- which could be a dramatic improvement in public health for women if only they were fully informed consumers. Perhaps more importantly is the poet's message that "the hand that rocks the cradle is the hand that rules the world"² We encourage the commission to harness the influence that women ("the hands that rock the cradle") have over the men in their lives. Armed with consumer product information such as that suggested by UST's filing allows men and women to have an informed conversation about their tobacco use and health concerns. The commission would be making a contribution to improved health care in America but letting this advertising and consumer debate occur.

We will conclude our comments by quoting Dr. Satcher from his 2001 report:

"When calling attention to public health problems, we must not misuse the word 'epidemic.' But there is no better word to describe the 600-percent increase since 1950 in women's death rates for lung cancer, a disease primarily caused by cigarette smoking. Clearly, smoking-related disease among women is a full-blown epidemic."

David Satcher, M.D., Ph. D.
Surgeon General

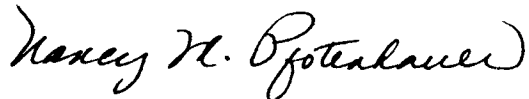
² William Ross Wallace, "The Hand That Rocks the Cradle", 1819-1881.

Our focus on Dr. Satcher's quote is on the connection between the increase in lung cancer among women directly tied to cigarette smoking (both directly and via second hand smoke). If this trend can be changed via a new wave of smokeless tobacco product advertising that is a comparative risk worth taking by the commission.

We urge you to move forward on the UST petition via an official commission proceeding, consumer comment field hearings around the country, and the issuance of an advisory opinion on this topic.

We thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Nancy M. Pfotenhauer". The signature is written in black ink and is positioned above the typed name.

Nancy Mitchell Pfotenhauer
President