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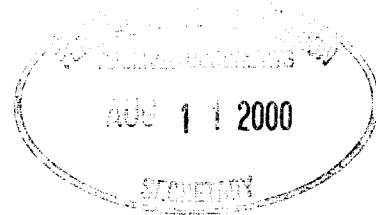
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August 9, 2000



Mr. Donald S. Clark, Secretary
Federal Trade Commission
Room H-159
600 Pennsylvania Avenue N.W.
Washington, D.C. 20680

Re: 16CFR Part 307

Dear Mr. Secretary:

Our client United States Tobacco Company ("USTC") hereby requests the opportunity to respond to comments of thirty-four different persons and organizations filed in response to the Commission's "Request for Comments Concerning Implementing the Comprehensive Smokeless Tobacco Health Education Act of 1986" ("Request for Comments"). Many of the comments rely on the voluminous filing, dated July 20, 2000, of the Massachusetts Department of Health, an organization well-known for its antitobacco sentiments. USTC requests an amount of time to respond equivalent to that afforded the initial commenters.

The Commission's Request for Comments was published in the Federal Register on March 7, 2000, (65 FR 11944, Mar. 7, 2000) with responses due by April 24, 2000. No responses were forthcoming. Accommodating a request from the Massachusetts Department of Health, the Commission extended the original 7-week comment period by another 11 weeks. (65 FR 26341, May 8, 2000) The Massachusetts Department of Health had commissioned two statistical survey studies that form a part of its argument that the Commission should change regulations implementing the Smokeless Tobacco Health Education Act of 1986 ("Smokeless

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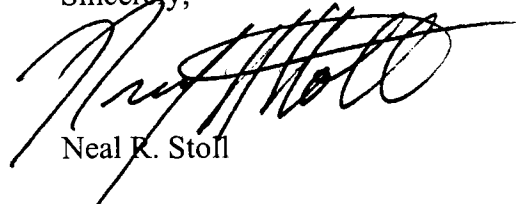
Tobacco Act"), 16 CFR Part 307. Interviews for one of those surveys were conducted in May and those for the other were not begun until June 24. Obviously, substantial preliminary work was required in order to prepare those surveys. USTC needs an opportunity to test the validity of the surveys as well as the statistical results in order to submit an informed response to the Massachusetts filing. USTC urges the Commission to be even handed in dealing with these issues.

Many of the comments raise a variety of health claims that purportedly justify more stringent regulations. Since the Smokeless Tobacco Act was passed in 1986, a number of independent studies have been published which conclude there is no statistical association between the use of smokeless tobacco and oral cancer. These studies need to be brought to the Commission's attention before it embarks on any rulemaking that may result in a substantial change from the present rules under which USTC and other firms have run their businesses for more than a dozen years.

Finally, USTC notes that questions 12 and 13 in the Commission's original notice, 65 FR 11947, contemplate adequate time for response to initial comments. Both questions seek information relating to the burdens "suggested changes" would have. Because many of the comments make specific "suggested changes", USTC needs an opportunity to respond to these questions, as the Commission's Notice recognizes.

In sum, simple fairness requires that the Commission grant USTC an opportunity to respond to the very substantial filings facilitated by the Commission's grant of additional time for the Massachusetts Department of Health to finish its work and coordinate the filings of other antitobacco organizations.

Sincerely,

A handwritten signature in black ink, appearing to read "Neal R. Stoll", written in a cursive style.

Neal R. Stoll