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March 5, 1965 *com*

Mr. Frederick P. Hass
Webster, Sheffield, Weischnann,
Hitchcock and Christie
1 Rockefeller Plaza
New York, New York 10020

Dear Fred:

I am enclosing a slightly revised version of the statement which Dr. Gross is willing to make. In our (Gross, Bates, Hold) opinion this statement represents a sound point of view. It bases its argument almost entirely on conclusions arrived at by the SGAC. It sees no need to review the literature for several reasons:

1. A complete review would be extremely time consuming both to the writer and the Committee.
2. The Committee is not a body which can evaluate scientific reports and arrive at scientific conclusions but must rely on the judgment of the eminent scientist making the statement.
3. The statement is based on conclusions of the SGAC, a body whose conclusions are most likely to be accepted by the Committee.
4. Statements such as Dr. Hockett's are rather lengthy. They presuppose that the members of the Committee can properly judge the validity of the experimental work which is cited. They are quite obviously slanted (all "pro" literature; no "con" literature).
5. Dr. Hockett's attempt to be detailed and cite literature on a broad scale encompasses cigars and pipes in a way which leaves a very confused impression.

It is unfortunate and quite frustrating not to be able to cite chapter and verse to refute the specific points raised by these bills, but this is just the situation in which we find ourselves. Fortunately, for us, our opponents are in exactly the same position. They cannot cite chapter and verse either. They are in the position of having to rely upon their understanding of the SGAC report.

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Mr. Frederick P. Haas
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and, judging from the sense of the proposed bills, are relying upon only the first few pages.

In our opinion, the most effective way to combat the bills is with a simple, concise argument based upon the SGAC conclusions. We further believe that the audience for this statement is composed of people who are supreme experts in recognizing "window dressing" and "snow-jobs" and therefore an attempt to use these techniques would be much more damaging than it would be helpful. It appears to us that in Dr. Rockett's statement the two issues of "tar" and nicotine are so successfully buried in a torrent of words that the comments directed to these two subjects are certainly de-emphasized if not lost entirely.

I feel that the enclosed statement by Dr. Gross would do our cause a good turn.

I will be pleased to hear your comments.

Sincerely,

RESEARCH DEPARTMENT

William B. Fete, Jr.
William B. Fete, Jr.
Director

WBF, jr.:bb

Enclosure

LG 2006281

Comment by Dr. Paul Gross Concerning Bills S547 and S559
Presently under Consideration by the United States Senate

Two bills (S.547 and S.559) have been introduced in the Senate which would require labeling of cigarette packages with regard to the average yield of nicotine or "tar" or "incriminated" agent per cigarette when smoked under some prescribed procedure. One purpose of these bills seems to be to provide detailed quantitative information to the consumer about the level of what are called "incriminated agents" in the various brands of cigarettes offered to the consumer. It is further proposed that the so-called "tar" and nicotine resulting from the smoking of cigarettes under prescribed mechanical smoking conditions be identified as these "incriminated agents" and that the level at which they occur in the smoke be displayed on the cigarette package label. At the present time, however, to the best of my knowledge, there is no scientific justification for identifying so-called "tar" and nicotine, or any other specific substance or groups of substances at the level found in cigarette smoke as being related to the causation of human ailments.

I could recite at length the scientific background of published literature, reports and experiments on which this opinion is based. However, I believe that this would serve no useful purpose for your committee's deliberations, as this scientific background has been very fully and carefully developed in the comprehensive Report of the Surgeon General's Advisory Committee.

Your committee has an outline of my own scientific career and I need not recount this to you, except to say that since tobacco is of great economic importance to our region I have devoted a substantial part of my scientific activities for more than forty years to research and investigation relating to tobacco - its growth and fertilization,

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processing, disease control, manufacture - and to the complex scientific basis of the smoking process. From this background, and in the light of the scientific literature in this field, detailed in the Surgeon General's Advisory Committee Report I will summarize briefly my reasons for the opinion that the proposed legislation for labeling of cigarettes with respect to the tar and nicotine content of their smoke would not be advisable.

Cigarette smoke as it emerges from the end of a burning cigarette is made up largely of a heterogeneous mixture of gases and uncondensed vapors together with relatively small amounts of liquid particulate matter. Approximately 90% by weight of this gaseous mixture is of vaporized material, and the remaining 10% is particulate matter (Keith and Tesh, 18th Tobacco Chemists' Research Conference, October, 1964, Raleigh, N. C.). This 10% by weight is the material captured by the "Cambridge Filter Method" and has been loosely designated as "tar".

From the above stated facts it appears to be rather arbitrary to require labeling for a non specific substance which represents a small weight fraction of the total smoke and which in the present state of knowledge bears no relationship to a potential consumer's state of health.

Nicotine is a specific chemical compound which for many years has been known to be present in tobacco and tobacco smoke. This substance has pharmacological properties which are perhaps better known than those of caffeine in coffee or theobromine in chocolate or cocoa. The Surgeon General's Advisory Committee (SGAC) was well aware of these properties as well as of the extent to which nicotine occurs in cigarette smoke. Nevertheless, in its report this Committee stated that the "chronic toxicity of nicotine in amounts ordinarily

obtained in common forms of tobacco use is very low indeed," (p. 74, SGAC Report), and furthermore concludes that nicotine absorbed from smoking "probably does not represent a significant health problem" (p. 75, SGAC Report).

The Surgeon General's Advisory Committee Report also states that "there is no acceptable evidence that prolonged exposure to nicotine creates either dangerous functional change of an objective nature or degenerative disease," (p. 74, SGAC). In view of these statements, a requirement to label the nicotine yield of a cigarette would appear quite arbitrary and might well be as likely to mislead as to inform the consumer.

In spite of very large expenditures of time, manpower, and money by many scientific investigators over the past two decades the paucity of our real knowledge of the causes of human cancer is still the most striking characteristic of this huge scientific effort. In but few instances is it possible to trace clearly the relation between cause and effect in connection with many types of human cancer.

At a number of points in its report the Surgeon General's Advisory Committee notes this unsatisfactory state of our scientific knowledge regarding the biological effect of smoke and smoke components. Thus in discussing assays to determine the possible action of cocarcinogens in tests on the backs of mice they state "The results of a number of such assays present a puzzling anomaly." (SGAC Report p. 58) and later they state further that "Assessment of all conceivable synergistic effects presents a gigantic problem for exploration" (SGAC Report p. 59).

The proposal to label the so-called "tar" yield in the smoke of cigarettes, and by implication to relate this to the incidence of human lung cancer would seem to be even more anomalous in the present state of the scientific knowledge of cancer and its causes. In

discussing experimental pulmonary carcinogenesis under "Attempts to Induce Lung Cancer with Tobacco and Tobacco Smoke" the SGAC Report states (p. 165), "Few attempts have been made to produce bronchogenic cancer in experimental animals with tobacco extracts, smoke or smoke condensates. With one possible exception (289), none has been successful (331)."

After discussing in some detail such attempts the Committee summarizes the status of animal work to induce lung cancer by tobacco or tobacco smoke as follows (SGAC Report p. 165).

"Bronchogenic carcinoma has not been produced by application of tobacco extracts, smoke, or condensates to the lung or tracheobronchial tree of experimental animals with the possible exception of dogs."

Furthermore, in discussing "the possible exception of dogs" the Report states ".....this work has not yet been confirmed" (SGAC Report p. 165 lines 7 through nine from bottom).

Thus there is at present no confirmed scientific experimental work which shows that cancer can be induced in the lung of either animals or man by application of smoke condensates or so-called tar. In view of this situation it would seem to be misleading to propose to label the so-called tar yield in the smoke of cigarettes as indicative to the public of any possible hazard to human health from cigarette smoking which is related to the "tar" content yield of the smoke.