to Committee
Cmte

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The cigarette industry told the Federal Trade Commission today that its staff suggestions last summer for changes in the government health warning on cigarette packages were ill-advised and biased.

The comments were contained in the industry's response to the Commission's request for public comments on a staff document which ended a five-year study by the FTC staff of cigarette advertising.

Filed by The Tobacco Institute on behalf of cigarette makers, the response says the FTC staff utterly failed to supports its principal conclusion - that cigarette brand advertisements are deceptive because they fail to cite health hazards which the staff believes to be involved with cigarette smoking.

"The truth," The Institute says, "is that the smoking and health controversy is familiar to virtually everyone; the warning statement, mandated by Congress adequately to inform the public about this issue, has fulfilled its intended function."

The industry reminded the Commission that it had reaffirmed the ten-year-old health warning last July, two months after it received the staff recommendations for changes. At that time, modified rules for uses of the warning were adopted in consent agreements with each cigarette company. "The law," The Institute observed, "precludes the Commission from unilaterally repudiating consent decrees."

The industry document contended that the FTC staff members had provided "a parody of science and semantics" in an attempt to support their suggestions for rotating health warnings which would assert their own opinions of specific hazards of smoking.

The Institute pointed out that despite the FTC staff's attacks on the nature of cigarette advertising, it remains a means of attaining or retaining brand loyalties among smokers, does not persuade nonsmokers to smoke, and has encouraged smoker changes to low-tar brands -- a change previously encouraged by the Commission itself.