

Proposed Amendment to Require
Statement of Average Tar and
Nicotine on Each Package of
Cigarettes

Page 4, line 6, proposes to add:

"(A) fails to bear a statement of the average tar and nicotine yields per cigarette in such package as determined by a method approved by the Secretary of Health, Education, and Welfare, and (B)"

This amendment is both scientifically unfounded and would clearly lead to deception of smokers.

The 1964 Report of the Surgeon General's Committee made clear that there was no acceptable evidence that nicotine created any health hazard, and that nicotine "does not represent a significant health problem." As the House Committee concluded after weeks of hearings, no additional scientific data has been published since 1964 that would warrant a different conclusion about nicotine.

It would not only be pointless but misleading to require a mandatory statement of nicotine levels since this would undoubtedly be taken by the consumer to relate to health.

As to so-called "tar" . . . a term that covers some 2,000 components of cigarette smoke in minuscule quantities . . .

the HEW Secretary did not favor tar listing in 1965 because he stated that many persons might believe that cigarettes are being made safer than they actually are . . . even though the statement was true. The Chairman of the Federal Trade Commission expressed his opposition to having a mandatory listing of tar levels.

Indeed, in the early 1950's the Commission had ruled . . . and had been judicially sustained . . . that differences in tar were of no significance.

In 1955 and 1960 the Commission had issued Guides to stop the so-called tar derby.

As many members know, in 1966 the Trade Commission reversed its field and stated that it would not challenge tar and nicotine statements if they were true.

This Commission flip-flop, it is now clear, occurred without any advance in scientific knowledge as to the relationship of tar and nicotine to health. The House Committee voted down this proposed requirement to list tar and nicotine yields after weeks of hearings because of the lack of any new evidence . . . including the fact that the

Surgeon General had not changed his mind about what he said in 1967 that no item in cigarette smoke could be identified as causing human disease.

It is true that the FTC flip-flop on this particular issue has stimulated public curiosity about tar and nicotine content . . . even though they have nothing to do with any question of smoking and health.

For this reason, some manufacturers now do label tar and nicotine content on a voluntary basis.

But as your Committee concluded, there is no scientific basis for any mandatory requirement that these be listed.

To do so might well end in public reliance upon insignificant differences in tar and nicotine . . . not for any valid reason related to health questions . . . but merely because this amendment would require them.

No one on the floor of this House who did not hear all of the contrary medical evidence presented at the hearings has any reasonable basis for supporting the proposed amendment.