



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580



Division of Advertising Practices

September 18, 2002

MEMORANDUM

TO: Public Records
Office of the Secretary

FROM: Sallie Schools
Division of Advertising Practices

SUBJECT: Rotational Health Warnings for Cigarettes
File No. P854505

Please place the attached documents on the public record in the above-captioned matter.

1. June 6, 2001 letter from Yong **Sup** Kim, Coastline Trading Corp. to Michael Ostheimer.
2. June 7, 2001 letter from C. Lee Peeler to Yong Sup Kim, Coastline Trading Corp.
3. July 26, 2001 letter from Art Montour, Native Wholesale Supply to C. Lee Peeler.
4. July 26, 2001 letter from C. Lee Peeler to Art Montour, Native Wholesale Supply.
5. December 20, 2001 letter from Fernando L. Sabino, PTT.Com, Inc. to Diana Winterson.
6. January 3, 2002 letter from Mary K. Engle to Fernando L. Sabino, PTT.Com
7. January 4, 2002 letter from Everett Gee, III, S&M Brands, to FTC.
8. January 4, 2002 letter from Mary K. Engle to Everett Gee, III, S&M Brands.
9. January 14, 2002 letter from Mohammed Babul, Bengal Tobacco to C. Lee Peeler.
10. January 16, 2002 letter from Mary K. Engle to Mohammed Babul, Bengal Tobacco.
11. January 16, 2002 letter from Katherine Yeager, Quintin International, to Diana Winterson.
12. January 16, 2002 letter from Mary K. Engle to Katherine Yeager, Quintin International.

13. January 16,2002 letter from Katherine Yeager, Quintin International, to Diana Winterson.
14. January 16,2002 letter from Mary K. Engle to Katherine Yeager, Quintin International.
15. January 7,2002 letter from Roberto Fleitas on behalf of ZNF International to C. Lee Peeler.
16. January 17,2002 letter from Mary K. Engle to Roberto Heitas on behalf of ZNF International.
17. January 15,2002 letter from Richard G. Saffire, Jr., Windward Tobacco, to Michael Ostheimer.
18. January 18,2002 letter from Mary K. Engle to Richard G. Saffire, Jr., Windward Tobacco.
19. January 22,2002 letter from John Short, Southern Tobacco to Diana Winterson.
20. January 24,2002 letter from Mary K. Engle to John Short, Southern Tobacco.
21. January 25,2002 letter from Mark Dunham, Tradecorp International, to C. Lee Peeler.
22. January 30,2002 letter from Mary K. Engle to Mark Dunham, Tradecorp International.
23. December 26,2001 letter from John T. Wertheim, Single Stick, to Sallie Schools.
24. January 31,2002 letter from Mary K. Engle to John T. Wertheim, Single Stick.
25. January 22,2002 letter from Karon Redmond, Carolina Tobacco Co. to Michael Ostheimer.
26. January 31,2002 letter from Mary K. Engle to Karon Redmond, Carolina Tobacco Co.
27. January 30,2002 letter from Lauren V. Perez on behalf of American Automotive Security Products d/b/a F.T.S. Distributors to Sallie Schools.
28. January 31,2002 letter from Mary K. Engle to Lauren V. Perez on behalf of American Automotive Security Products d/b/a F.T.S. Distributors.

29. January 23,2002 letter from Barry M. Boren, Esq. on behalf of International Cruise Liquor & Tobacco, LLC to Mary K. Engle.
30. February 4,2002 letter from Mary K. Engle to Barry M. Boren, Esq. on behalf of International Cruise Liquor & Tobacco, LLC.
31. February 1,2002 from Thomas O'Connell, Sun Tobacco, to Mary K. Engle.
32. February 4,2002 letter from Mary K. Engle to Thomas O'Connell, Sun Tobacco.
33. January 22,2002 letter from Assaad Hark, Winner Company to C. Lee Peeler.
34. February 5,2002 letter from Mary K. Engle to Assaad Hark, Winner Company.
35. February 1,2002 letter from Alan E. Balch, Lane Limited to Diana Winterson.
36. February 7,2002 letter from Mary K. Engle to Alan E. Balch, Lane Limited.
37. February 15,2002 letter from Neal N. Beaton, Esq. on behalf of Japan Tobacco, Inc.
38. February 20,2002 letter from Mary K. Engle to Neal N. Beaton, Esq. on behalf of Japan Tobacco, Inc.
39. February 19,2002 letter from Michael A. Canul, Q International, to Mary K. Engle.
40. February 22, 2002 letter from Mary K. Engle to Michael A. Canul, Q International.
41. February 28,2002 letter from Katherine K. Yeager, Quintin International to Diana Winterson.
42. March 1,2002 letter from Mary K. Engle to Katherine K. Yeager, Quintin International.
43. March 4,2002 letter from Richard G. Saffire, Jr., Windward Tobacco, to Michael Ostheimer.
44. March 5,2002 letter from Mary K. Engle to Richard G. Saffire, Jr., Windward Tobacco.
45. March 4,2002 letter from Alan E. Balch, Lane Limited to Diana Winterson.
46. March 5,2002 letter from Mary K. Engle to Alan E. Balch, Lane Limited.

47. March 4,2002 letter from John Short, Southern Tobacco to Diana Winterson.
48. March 5,2002 letter from Mary K. Engle to John Short, Southern Tobacco.
49. March 8,2002 from Katherine K. Yeager, Quintin International to Diana Winterson.
50. March 13,2002 letter from Mary K. Engle to Katherine K. Yeager, Quintin International.
51. March 8,2002 from Paul A. Embury, CanStar (U.S.A.) Inc. to Mary K. Engle.
52. March 13,2002 letter from Mary K. Engle to Paul A. Embury, CanStar (U.S.A.) Inc.
53. March 14,2002 letter from Roberto F. Fleitas, Esq. on behalf of North Carolina Distribution, LLC to Mary K. Engle.
54. March 15,2002 letter from Mary K. Engle to Roberto F. Heitas, Esq. on behalf of North Carolina Distribution, LLC.
55. March 14,2002 letters (2) from Roberto F. Fleitas, Esq. on behalf of HABA-DOM Cigars Corp. to Mary K. Engle.
56. March 15,2002 letter from Mary K. Engle to Roberto F. Fleitas, Esq. on behalf of HABA-DOM Cigars Corp.
57. March 13,2002 letter from Craig A. Koenigs, Esq. on behalf of European Cigarette Imports to Mary K. Engle.
58. March 18,2002 letter from Mary K. Engle to Craig A. Koenigs, Esq. on behalf of European Cigarette Imports.
59. March 14,2002 letter from Roberto F. Fleitas, Esq. on behalf of HABA-DOM Cigars Corp. to Mary K. Engle.
60. March 18,2002 letter from Mary K. Engle to Roberto F. Heitas, Esq. on behalf of HABA-DOM Cigars Corp.
61. March 15,2002 letter from Neal N. Beaton, Esq. on behalf of Japan Tobacco, Inc. to Mary K. Engle.

62. March 21, 2002 letter from Mary K. Engle to Neal N. Beaton, Esq. on behalf of Japan Tobacco, Inc.
63. March 21, 2002 letter from Arthur Montour, Native Wholesale Supply, to Mary K. Engle
64. March 22, 2002 letter from Mary K. Engle to Arthur Montour, Native Wholesale Supply.
65. March 21, 2002 from Barry M. Boren, Esq. on behalf of Vimisa, Inc. to Mary K. Engle.
66. March 25, 2002 letter from Mary K. Engle to Barry M. Boren, Esq. on behalf of Vimisa, Inc.
67. March 20, 2002 letter from Henry C. Roemer, III, Esq. on behalf of G. A. Andron & Co. to Michael Ostheimer.
68. March 27, 2002 letter from Mary K. Engle to Henry C. Roemer, III, Esq. on behalf of G. A. Andron & Co.
69. March 20, 2002 letter from Henry C. Roemer, III, Esq. on behalf of G. A. Andron & Co. to Michael Ostheimer.
70. March 27, 2002 letter from Mary K. Engle to Henry C. Roemer, III, Esq. on behalf of G. A. Andron & Co.
71. March 20, 2002 letter from Henry C. Roemer, III, Esq. on behalf of G. A. Andron & Co. to Michael Ostheimer.
72. March 21, 2002 letter from Joanne Diggett, G.A. Andron & Co. to Michael Ostheimer.
73. March 27, 2002 letter from Mary K. Engle to Henry C. Roemer, III, Esq. on behalf of G. A. Andron & Co.
74. March 21, 2002 letter from Joanne Diggett, G.A. Andron & Co. to Michael Ostheimer.
75. March 27, 2002 letter from Mary K. Engle to Henry C. Roemer, III, Esq. on behalf of G. A. Andron & Co.
76. March 27, 2002 letter from Barry M. Boren, Esq. on behalf of Leader Tobacco Co. to Mary K. Engle.

77. March 27, 2002 letter from Mary K. Engle to Barry M. Boren, Esq. on behalf of Leader Tobacco Co.
78. March 6, 2002 letter from Barry M. Boren, Esq. on behalf of Jash International, Inc. to Mary K. Engle.
79. March 29, 2002 letter from Mary K. Engle to Barry M. Boren, Esq. on behalf of Jash International, Inc.
80. March 6, 2002 letter from Barry M. Boren, Esq. on behalf of Jash International, Inc. to Mary K. Engle.
81. March 29, 2002 letter from Mary K. Engle to Barry M. Boren, Esq. on behalf of Jash International, Inc.



OMAR SHANF
U. S. A.

Coastline Trading Corp., U.S.A.
P.O. Box 2464 Fullerton, CA 92837
Toll Free. 888.562.OMAR (6627)
fax. 714.992.5421
1015 W .Orangethorpe Avenue, Fullerton, CA 92633

June 6,2001

Mr. Michael Ostheimer
Associate Director, Division of Advertising Practices
Federal Trade Commission
601 Pennsylvania Avenue Suite 4002
Washington, D.C. 20580

Dear Mr. Michael Ostheimer:

The following plan is submitted for approval **by your** department for the quarterly rotation **of** warnings for **the** Surgeon General's Warning Labels **as** required by the Federal Cigarette Labeling and Advertising Act.

Specifications **and** rotation **of** the warning labels will comply with specifications stated in Sections 1333(a)(1) **and** 1333(b)(1) of the Federal Cigarette Labeling and Advertising Act.

We will import **from** Korea **to** the United States of America the following brand **style of** the brand Simple:
Slim size.

In addition, we plan to import the following brand style of the brand timeless **The** :
Special mild cigarettes.

Also, we will import from Korea to the United States of **America** the following brand style **of** the brand Mount Class:
Lights only.

I. Packaging

A.) Warning Label Size and Location:

- (1) **We** will **display** the four cigarette health **warnings** on the packs **and** **cartons of** Simple Brand cigarettes exactly **as shown on the packs and cartons** enclosed with **our** letter of April **23,2001. (See EXHIBIT A.)** The warnings will appear with Black letters on White background, for **all** Simple Brand cigarettes. The warnings will be placed **on** the side panel of the cigarette pack and carton **as shown on** the samples in **EXHIBIT A.**



OMAR SHARIF
U. S. A.

Coastline Trading Corp., U.S.A.

P.O. Box 2464 Fullerton, CA 92837
Toll Free. 888.562.OMAR (6627)
fax. 714.99Q.5441

1015 W. Orangethorpe Avenue, Fullerton, CA 92633

- (2) Also, we will display the **four** cigarette health warnings on the packs and cartons of timeless Time Brand cigarettes exactly **as shown** on the packs and cartons enclosed with **our** letter of April 23, 2001. (See **EXHIBIT B.**) The warnings will appear with Black letters on Beige background, for **all** timeless Time Brand cigarettes. The warnings will be placed **on** the side panel of the cigarette pack and **carton as shown on** the samples in **EXHIBIT B.**
- (3) Finally, we will display the four cigarette health warnings **on the** packs and cartons of Mount Class Brand cigarettes exactly **as shown on the** packs and cartons enclosed with our letter of April 23, 2001. (See **EXHIBIT C.**) The warnings will appear with Blue letters **on** White background, for all Mount Class Brand cigarettes. The **warnings** will be placed **on** the side panel of the cigarette pack and carton **as shown on** the samples in **EXHIBIT C.**

- B.) Warning Label Rotation: The **four** cigarette health warnings are scheduled to rotate quarterly **on** a basis of production date beginning with **the** 2nd Quarter, **as shown on** the attached Schedule **for** Warning Label Rotation. (Please refer to 'Schedule for **Warning** Label Rotation'.)

II. Advertising

For the time being, we are not **planning** to advertise our products in the United States. **When** we come **to** advertise, we will **submit** a plan to you explaining how to comply with the format requirements of the Cigarette Act.

We hope **everything** is to **your** satisfaction and **look** forward to your prompt approval.

Respectfully,

Yong Sup Kim, President

Enclosures: Attached Schedule for Warning Label Rotation, Exhibit A, B and C

PS. Please **thankfully** submit a copy of your results to Coastline Trading Corporation **by fax** and please contact us if there are any further requirements.

Schedule for Warning Label Rotation

Quarters	Period of Production	Warning Labels For Simple	Warning Labels For timeless Time	Warning Labels For Mount Class
1st	Jan to Mar	SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.	SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury , Premature Birth, And Low Birth Weight.	SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.
2nd	Apr to Jun	SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight.	SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.	SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.
3rd	Jul to Sep	SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.	SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.	SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.
4th	Oct to Dec	SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.	SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.	SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury , Premature Birth, And Low Birth Weight.

**Selected packaging samples from those
submitted with the plan.**

Selected packaging samples from those submitted with the plan.

timeless time
MADE IN KOREA
6 89490 00056 3

timeless time
Special Mild Cigarettes

time

20 CLASS A FILTER CIGARETTES
American Blend

SURGEON GENERAL'S WARNING: Smoking
By Pregnant Women May Result in Fetal Injury,
Premature Birth, And Low Birth Weight.



timeless time

20 CLASS A FILTER CIGARETTES
American Blend



PRINTERS MARKS

time

timeless time
Special Mild Cigarettes

timeless time

timeless time

timeless time



timeless **time**

**SURGEON GENERAL'S WARNING: Smoking
By Pregnant Women May Result in Fetal Injury,
Premature Birth, And Low Birth Weight.**

KT&G

timeless
100% CIGARETTES
100% TOBACCO

time

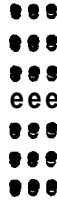
timeless | **time**

MADE IN U.S.A.

timeless **time**

Simple

Premium Quality



LOW TAR & NICOTINE
AMERICAN TASTE

SURGEON GENERAL'S WARNING:
Quitting Smoking Now Greatly Reduces
Serious Risks to Your Health.

Simple
SLIM SIZE
MADE IN KOREA



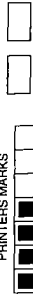
Simple

SLIM SIZE

LOW TAR & NICOTINE
AMERICAN TASTE



PRINTERS MARKS



Simple

SLIM SIZE



Simple

SLIM SIZE



SLIM SIZE

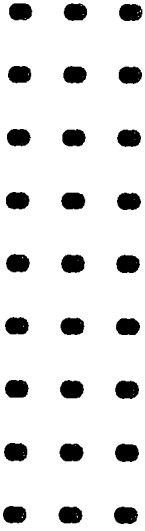


KT&G

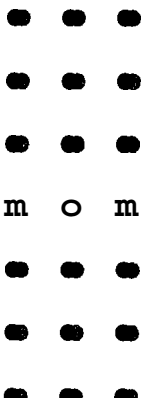
CLASS A
20
GARETTES



Simple
SLIM SIZE



Simple



Premium Quality

SURGEON GENERAL'S WARNING:
Smoking Causes Lung Cancer, Heart Disease,
Emphysema, And May Complicate Pregnancy.

Simple
SLIM SIZE

L&M KOREA TOBACCO & GINSENG
MADE IN KOREA

KT&G

Premium Quality



CLASS 20 CIGARETTES

MOUNT CLASS Lights



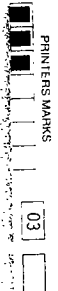
Premium Quality

Striving for Success with Prestige and Class

MOUNT CLASS

Lights

LOW TAR & NICOTINE AMERICAN TASTE



MOUNT CLASS Lights

LOW TAR & NICOTINE AMERICAN TASTE

Lights

MOUNT CLASS

Striving for Success with Prestige and Class



65000 06768

MOUNT CLASS Lights MADE IN KOREA

SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.

MOUNT
CLASS *Lights*

MADE IN KOREA



Premium Quality

MOUNT
CLASS *Lights*



MOUNT
CLASS

Striving for success with Prestige and Class

Premium Quality Cigarettes
King Size 20x10 Cigarettes

MOUNT
CLASS *Lights*

SURGEON GENERAL'S WARNING:
Quitting Smoking Now Greatly Reduces
Serious Risks to Your Health.

MADE IN KOREA



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

June 7, 2001

Mr. Yong Sup Kim, President
Coastline Trading Corp., U.S.A.
1015 W. Orangethorpe Ave.
Fullerton, CA 92633

Dear **Mr. Kim**:

The Federal Trade Commission ("the Commission") has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). Pursuant to that delegation, I have reviewed the revised proposed plan filed on behalf of Coastline Trading Corp., U.S.A. ("Coastline Trading") on June 6, 2001 calling for quarterly rotation of the four health warnings on packaging of certain varieties of the Simple, "timeless time," and Mount Class brands of cigarettes.

The warnings on the sample packs and cartons of the Simple, "timeless time," and Mount Class brands submitted with your letter of April 23, 2001 appear to comply with the requirements of the Cigarette Act for size and conspicuousness. Coastline Trading's plan has been approved for the following varieties of the Simple, "timeless time," and Mount Class brands of cigarettes: Simple slim size, "timeless time" special mild, and Mount Class lights. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.¹ The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

You should be aware that Section 1335a of the Cigarette Act requires that cigarette manufacturers and importers annually file with the Secretary of the Department of Health and Human Services a list of the ingredients added to tobacco in the manufacture of their cigarettes.

Sincerely,

A handwritten signature in cursive script, appearing to read "C. Lee Peeler".

C. Lee Peeler
Associate Director

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or Imprisonment. 18 U.S.C. § 1001

Native **Supply**
11037 Old Logan Road
Pennsburg, NY 14129

PO Box 214
Gowanda, NY 14070-0214

July 26, 2001

Federal Trade Commission
Administrative Services
601 Pennsylvania Avenue Northwest
Washington, DC 20580
Mailstop 4002

Attention Mr. Peeler

Dear Mr. Peeler:

We are applying for a new Health Warning rotation approval letter for the current year 2001 for the "**CIGS**" *brand cigarette* that will begin production in April 2001. We had originally proposed to begin production last year, but unforeseeable problems occurred which prevented us from doing so.

We are intending to import brand styles known as:

1. **CIGS Full Flavor King Size 20's**
2. **CIGS Light King Size 20's**
3. **CIGS Menthol Light King 20's**
4. **CIGS Ultra Light King Size 20's**
5. **CIGS Menthol King Size 20's**

Which will be manufactured by GRAND RIVER ENTERPRISES SIX NATIONS LTD. in Canada under the guidelines of the Revenue Canada Manufacturing Act.

We have enclosed samples of our packs and outer cartons for your inspection. We have carefully read the Act and feel our products are in full compliance with the "Cigarette Act" Warning Label Display Requirement.

Our proposed plan for compliance with the "Warning Act" is to rotate the four cigarette health warnings quarterly on packs and cartons of the CIGS brand of cigarettes. The four warnings will appear on packs and cartons of the CIGS brand of cigarettes exactly as shown on the sample packs and cartons submitted with this letter and our letter dated 4/17/01.

The four cigarette health warnings will be rotated quarterly on packs and cartons of the CIGS brand of cigarettes according to the following schedule.

1. Displayed on packs and cartons produced during the first quarter each year (January 01 to March 31).

SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

2. Displayed on packs and cartons produced during the second quarter of each year (April 01 to June 30)

SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.

3. Displayed on packs and cartons produced during the quarter of each year (July Olto September 31).

SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.

4. Displayed on packs and cartons produced during the quarter of each year (October 1 to December 31)

SURGEON GENERAL'S WARNING: Smoking By PregnantWomen May Result in Fetal Injury, PrematureBirth, And Low Birth Weight

All warning labels will be in the same place as shown on the annexed samples and will be the same size and type style.

A present, we do not intend to advertise, In the event we do in tend to advertise, we will submit a proposed plan to comply with "Cigarette Act" Warning Label Display Requirement for Advertising.

Please advise as quickly as possible of the approval of the plan. Thank you for your kind and prompt attention to this matter.

Yours truly,



Art Montour
Vice President
Native Wholesale Supply

Selected packaging samples from those submitted with the plan.

10/10/2017 10:10:10 AM

SURGEON GENERAL'S WARNING:
Smoking Causes Lung Cancer, Heart Disease,
Emphysema, And May Complicate Pregnancy.



20 CLASS A CIGARETTES



CIGS

20 CLASS A CIGARETTES



ULTRA LIGHT

CIGS

CIGS

CIGS



FIRES

SURGEON GENERAL'S WARNING:
Quitting Smoking Now Greatly
Reduces Serious Risks to Your Health.



FIRES

ULTRA LIGHT

200 CLASS A KING SIZE CIGARETTES
AMERICA'S FINEST BLEND



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

July 26, 2001

Mr. **Art** Montour, Vice President
Native Wholesale Supply
11037 Old Logan Rd.
Perrysburg, **NY** 14129

Dear Mr. Montour:

The Federal Trade Commission ("the Commission") has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, *et seq.* ("the Cigarette Act"). Pursuant to that delegation, I have reviewed the proposed plan filed on behalf of Native Wholesale Supply ("Native Wholesale") on July 26, 2001 calling for quarterly rotation of the four health warnings on packaging of certain varieties of the CIGS brand of cigarettes.

The warnings on the sample packs and cartons of the CIGS brand submitted with your letters of April 17, 2001 and July 26, 2001 appear to comply with the requirements of the Cigarette Act for size and conspicuousness. Native Wholesale's plan has been approved for the following varieties of the CIGS brand of cigarettes: Full Flavor King, Light King, Menthol Light King, Ultra Light King, and Menthol King. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.¹ The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of the Department of Health and Human Services ("HHS"). Furthermore, the Tariff Act of 1930, 19 U.S.C. § 1681a(c)(1), as amended by the Tariff Suspension and Trade Act of 2000, Pub. L. No. 106-476, 114 Stat. 2179, prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and will continue to submit the list of ingredients to HHS.

Sincerely,

A handwritten signature in black ink that reads "C. Lee Peeler".

C. Lee Peeler
Associate Director

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001

December 20th, 2001

Fernando L. Sabino
PTT.Com, Inc.
114 Atlantic Annex Point
Maitland, FL 32751

(407) 767 9600

Ms. Diana Winterson
Division of Advertising Practices
Federal Trade Commission
601 Pennsylvania Avenue NW
Room 4002
Washington, DC 20580

Dear **Ms** Winterson:

Re: Jim Porter Brand Cigarettes – Labels and Proposed Label Rotation Plan submitted on November 26th, 2001

Re: Jim Porter Brand Cigarettes – Labels and Proposed Label Rotation Plan submitted on November 28th, 2001

Pursuant to your instructions and the requirements of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. Section 1331 et seq. (the “Act”) we submit on behalf of PTT.Com Inc, a supplementary plan for the importation of an additional two (2) brand styles of Jim Porter cigarettes:

- (1) a rotation plan for display of warning statements on Jim Porter cigarette packs and cartons
- (2) actual Jim Porter cigarette packs and cartons

Warning Statement Rotation Plan Pursuant to Section 4c of the Federal Cigarette Labeling and Advertising Act

The Act provides for the placement of certain warning statements on packs and cartons of cigarettes for sale or distribution in the United States and in advertisements for cigarettes within the United States. PTT.Com, Inc submits this Warning Statement Rotation Plan (the “Plan”) to the Federal Trade Commission pursuant to Section 4c of the Act.

Approval was given on December 5th, 2001 to import the following brand-styles:

- (1) Jim Porter Full Flavor - 100's
- (2) Jim Porter Full Flavor - King Size
- (3) Jim Porter Lights - 100's

- (4) Jim Porter Lights - King Size
- (5) Jim Porter Menthol - 100's
- (6) Jim Porter Menthol - King Size

PTT.Com, Inc wishes to import a further two brand styles:

- (1) Jim Porter Ultra Lights - 100's
- (2) Jim Porter Menthol Lights - 100's

Packaging

Warning Statement Size and Location

For the Jim Porter brand we enclose for your review and approval the aforementioned actual cigarette packs and cartons. PTT.Com, Inc intends to display each of the warning statements required by the FTC Memo on the Product's packs and cartons. In compliance with the Tariff Suspension and Trade Act of 2000, the warning statements shall be printed directly on the Product's packs and cartons and will appear exactly as they do on the packs and cartons and pack and carton artwork submitted with our letter of November 28th, 2001.

Warning Statement Rotation Plan for Packs and Cartons by Quarter

The Jim Porter brand includes all brand-styles described above. The four cigarette health warnings will be rotated quarterly on packs and cartons of the Jim Porter brand of cigarettes as per the following schedule:

Jim Porter	First Quarter	Second Quarter	Third Quarter	Fourth Quarter
	B	C	D	A

Packs and cartons of all brand styles of the Jim Porter brand shall bear the label statement referenced above for the quarter in which such cigarettes are manufactured or packaged, regardless of the date(s) on which such cigarettes are sold or distributed in the U.S.

All brand styles will display the same warning statement during each quarter. The letters used to identify the various warning statements are the same as those on Page 3 of the FTC Memorandum to Potential Manufacturers and Importers (the "FTC Memo"), namely:

- A SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.

- B SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.
- C SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight.
- D SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

Records of Compliance

PTT.Com, Inc will maintain monthly records of compliance with the proposed warning statement rotation plan indicating (i) the dates of manufacture or packaging of the Product, and (ii) the warning statement displayed in each case. These records will be available for inspection by your agency upon reasonable prior notice.

Advertising

There are no current plans to advertise the Jim Porter brand of cigarettes, other than on our internet site; www.tobaccoholdinns.com and a plan to that effect was approved by the FTC on December 5th, 2001.

Importer Contact Information

We would appreciate that any notice in connection with the Jim Porter proposed warning statement rotation plans be directed to PTT.Com, Inc at the following address:

**PTT.Com, Inc.
114 Atlantic Annex Point
Maitland, FL 32751**

**Tel: 407 767 9600 (Sharon Radley)
Tel: 321 229 7364 (Fernando Sabino)
Fax: 407 767 9710**

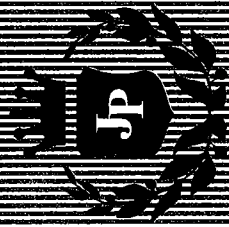
Sincerely,



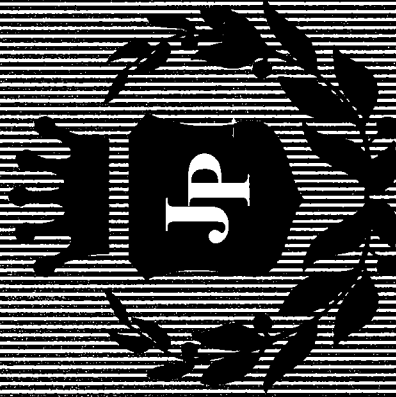
Fernando L. Sabino
President & CEO

Selected packaging samples from those
submitted with the plan.

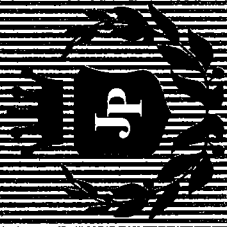
SOFT PACK



SOFT PACK



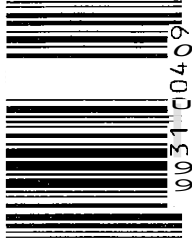
SOFT PACK



JIM PORTER

Menthol lights

UNDERAGE
SALE
PROHIBITED



8 0031 00409 2

JIM PORTER

Menthol lights

200 CLASS OF CIGARETTES

JIM PORTER

Menthol lights

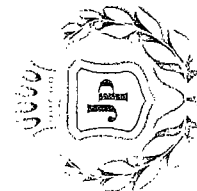
SURGEON GENERAL'S WARNING:
Smoking By Pregnant Women May
Result in Fetal Injury, Premature Birth,
And Low Birth Weight.

Made in Uruguay by C.I.T.M.P.S.A. under Authority
of the Trademark Owner LA REPUBLICANA S.A.
Reg. U.S. Pat. & TM Off.

UNDETAILED
SALE
PROHIBITED

SURGEON GENERAL'S WARNING: Cigarette
Smoke Contains Carbon Monoxide.

JIM PORTER JP JIM PORTER



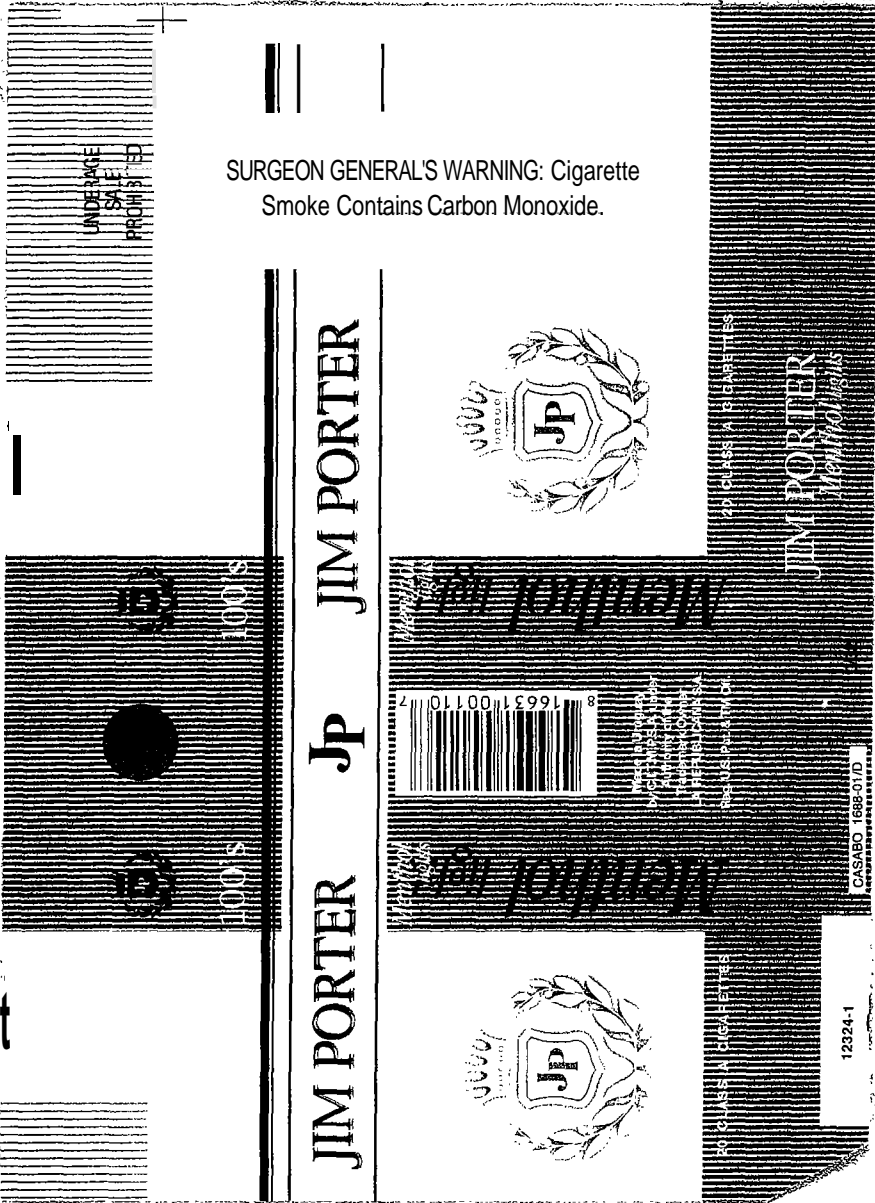
MADE IN U.S.A.
© 1988 JIM PORTER
CIGARETTE CO.
LEWISVILLE, OHIO

20 CIGARETTES

20 CLASS 1 CIGARETTES

JIM PORTER
Menthol Lights

12324-1
© 1988 JIM PORTER CIGARETTE CO.





UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

January 3, 2002

Mr. Fernando Sabino
President
PTT.Com, Inc.
114 Atlantic Annex Point
Maitland, FL 32751

Dear Mr. Sabino:

The Federal Trade Commission (“the Commission”) has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, *et seq.* (“the Cigarette Act”). On December 5, 2001, the Commission approved PTT.Com, Inc.’s November 28, 2001 plan for the quarterly rotation of the four health warnings on packaging and in Internet advertising of certain varieties of the Jim Porter brand of cigarettes. On December 20, 2001, PTT.Com, Inc. filed a supplement to expand its plan to include the ultra lights 100’s and menthol lights 100’s brand styles of the Jim Porter brand.

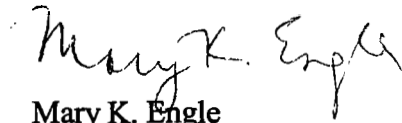
Your plan for the rotation of the warnings in advertising has been approved. Approval of the plan assumes that the plan is implemented in good faith. Your plan contemplates Internet advertising; I wish to clarify that the approval of your plan for the rotation of the health warnings in advertising is **not** an approval of advertising cigarettes on the Internet. With respect to the question of whether it is legal to advertise cigarettes on the Internet, Section 1335 of the Cigarette Act prohibits advertising cigarettes on any medium of electronic communication subject to the jurisdiction of the Federal Communications Commission. The enforcement of that provision is the responsibility of the Department of Justice and you should contact DOJ directly (Eugene **Thirolf** at 202-307-3009) to determine whether such advertising on the Internet is permissible.

The warnings on the packs and cartons submitted with your December 20, 2001 letter appear to meet the size and conspicuousness requirements of the Cigarette Act. PTT.Com, Inc.’s supplement to its plan is hereby approved. Approval of the plan is contingent on its good faith

Mr. Fernando Sabino
January 3, 2002
Page 2

implementation. We may **ask** for information demonstrating proper **implementation** of the plan.'
The Cigarette Act provides that any person who violates its provisions is guilty of a
misdemeanor.

Very truly yours,



Mary K. Engle
Acting Associate Director

¹ Knowingly and willfully making false statements to a federal government agency
is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.



JANUARY 4, 2002

Via Fax & Overnight

Associate Director of Advertising Practices
Federal Trade Commission
FTC Satellite Building
601 Pennsylvania Avenue, NW
Room 4002
Washington, D.C. 20580
(202) 326-3259 FAX

Re: FTC Health Warning Rotation Plan for S&M Brands, Inc. d/b/a
Bailey's Cigarettes and Tahoe Cigarettes

To Whom It May Concern:

The undersigned is general counsel to S&M Brands, Inc., a Virginia corporation doing business as Bailey's Cigarettes and Tahoe Cigarettes. S&M Brands, Inc. started production on August 19, 1994, with solely the Bailey's brand. Since that time, S&M Brands, Inc. has filed its Advertising and Packaging Health Warning Plan with the FTC, including submitting its packages and advertising materials. This plan was first approved through December 31, 1995, by Associate Director C. Lee Peeler of the Division of Advertising Practices. S&M Brands, Inc. has obtained approval for each subsequent year.

As a small, start-up manufacturer, under our reading of applicable law, S&M Brands, Inc. has qualified (and we believe still qualifies) to have a plan for the warnings on cigarette packages that would constitute the simultaneous display of the four health warnings on cigarette packaging. S&M Brands, Inc. will equalize the warnings on the packs and cartons for each brand style throughout the year. Last year, S&M Brands, Inc. received approval for its new Tahoe style for an identical rotation plan to Bailey's. Likewise, the FTC approved the health warnings displayed on Tahoe packs and cartons as to size and content.

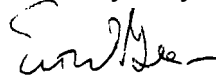
The packaging materials (cartons and packs) have not changed for our Bailey's brand or our Tahoe brand. Samples are available upon request, but your department should have complete and accurate samples on file.

Our best selling brand style for 2001 constituted the sale of [REDACTED] sticks. The best estimate for 2002 is sales for any one brand style will certainly not exceed [REDACTED] sticks. If this takes S&M Brands, Inc. outside of the exemption for the rotation plan, which I do not believe that it does, please let me know and we will amend this rotation plan to whatever your department and the law requires.

As to advertising, as in previous years, S&M Brands, Inc. would like to maintain its rotation plan. We are rotating warnings according to the schedule attached. The warning applied to advertising depends on when the advertising materials are ordered.

Thank you so much for your attention to this matter. Please feel free to call the undersigned if you have any questions.

Yours very truly,



Everett W. Gee III
Vice President Legal Affairs
& General Counsel

Enclosure

cc: Mr. Malcolm L. Bailey (w/encl.)
Mr. Steven A. Bailey (w/encl.)

S & M Brands, Inc. D/B/A Bailey's Cigarettes and Tahoe Cigarettes
3662 Ontario Road
Suite B
Keysville, VA 23947

**ROTATION PLAN FOR
ADVERTISING AND PROMOTIONAL MATERIALS**

	<u>Bailey's Brand</u>
First Quarter	C
Second Quarter	D
Third Quarter	A
Fourth Quarter	B

	<u>Tahoe Brand</u>
First Quarter	B
Second Quarter	A
Third Quarter	D
Fourth Quarter	C

The warnings are as follows:

- A. SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.
- B. SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.
- C. SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight.
- D. SURGEON GENERAL'S WARNING: Cigarette Smoke Contain Carbon Monoxide.



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

January 4, 2002

Everett W. Gee, III, Esq.
S&M Brands, Inc.
3662 Ontario Rd., Suite B
Keysville, VA 23947

Dear **Mr.** Gee:

The Federal Trade Commission ("the Commission") has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). Pursuant to that delegation, I have reviewed the revised proposed plan filed on behalf of S&M Brands, Inc. d/b/a Bailey's Cigarettes and Tahoe Cigarettes ("S&M") on January 4, 2002, calling for the simultaneous display of the four health warnings on packaging of the Bailey's and Tahoe brands of cigarettes.

S&M's sales appear to qualify for the aforementioned alternative to quarterly rotation of the warnings on packaging. The packaging of the Bailey's brand submitted with S&M's letter of December 9, 1998, and the packaging of the Tahoe brand submitted on December 28, 2000 appear to comply with the size and conspicuousness requirements of the Cigarette Act. S&M's plan for the display of the health warnings on packaging of the Bailey's and Tahoe Brands is hereby approved. This approval is effective on the date of this letter and ends on January 3, 2003. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.¹

Finally, I wish to remind you that Section 1335a of the Cigarette Act requires that cigarette manufacturers and importers annually file with the Secretary of the Department of Health and Human Services a list of the ingredients added to tobacco in the manufacture of their cigarettes.

Sincerely,

A handwritten signature in cursive script that reads "Mary K. Engle".

Mary K. Engle

Director

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

BENGAL TOBACCO CORPORATION

2030 SW 71 ST TERRACE, BAY # D-OFFICE
DAVIE, FLORIDA 33317 U.S.A

Phone 954-473-1168 Cell · 954-520-5116 Fax · 305-891-0897 Email · mhbabul@aol.com

January 14th, 2002

Mr. Lee Peeler
Associate Director
Federal Trade Commission
601 Pennsylvania Avenue
NW Room No - 4002
Washington DC - 20580

Dear **Sir**,

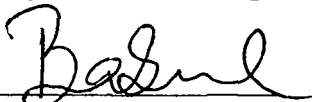
Reference to your letter dated January 3rd, 2001 ,your approval in connection with the Health Warning plan **has** expired on 2002.

It is our pleasure to inform you that Bengal Tobacco Corporation intend to continue to import "PARK" brand cigarette **as** namely PARK Full Flavor, PARK Menthol, PARK Lite, PARK Menthol Lite, PARK Full Flavor 100's, PARK Menthol 100's, PARK Lite 100's, PARK Menthol Lite 100's, PARK Ultra Lite 100's, and PARK Full Flavor Hard Box. Regarding the health warning label, we do here by declare that on each and every brand style, package, and carton, we will continue to equalize the four health warning label for the year 2002. Please be noted that there is no change in design and style of packages and cartons **as** we submitted to your good selfearlier for approval. Our total **import** for the year 2001 was [REDACTED] sticks and anticipated sale for the year 2002 is [REDACTED] sticks.

At the moment we don't have any plan for advertisement. When we decide in this regard, we **will** communicate with you.

Your good self is requested to approve our plan for the year 2002. Your early action in this regard will be highly appreciated.

Very Truly Yours,
For Bengal Tobacco Corporation



Mohammed Babul.
(President)



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

January 16, 2002

Mr. Mohammed Babul
Bengal Tobacco Corporation
2030 SW 71 Terrace, Bay # D-Office
Davie, FL 33317

Dear Mr. Babul:

The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). Pursuant to that delegation, I have reviewed the proposed plan filed by Bengal Tobacco Corporation on January 14, 2002, calling for the simultaneous display of the four health warnings on the packs and cartons of certain varieties of the Park brand of cigarettes.

Bengal's sales appear to continue to qualify for the aforementioned alternative to quarterly rotation of the warnings on packaging. The health warnings on the revised sample packaging submitted with your 2000 plan, and with your letters of July 9, 2000, July 12, 2000, February 10, 2001, and March 21, 2001, appear to comply with the requirements of the Cigarette Act for size and conspicuousness. Bengal's plan for the Park brand is hereby approved for the following varieties: Full Flavor King Box, Full Flavor King Soft, Light King Soft, Menthol King Soft, Menthol Light King Soft, Full Flavor 100s Soft, Light 100's Soft, Menthol 100s Soft, Menthol Lights 100s Soft, Ultra Light 100s Soft.¹ This approval is effective on the date of this letter and ends on January 15, 2003. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.² The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

If Bengal does decide to advertise in the future, it must submit a plan detailing how it will comply with the requirements of the Cigarette Act with respect to display of the health warning statements in advertisements.

¹ This approval of Bengal's cigarette health warning display plan is an approval of its plan for displaying the four health warnings mandated by the Cigarette Act. Approval of the plan is not in any way an approval of Bengal's packaging, other than the display of the mandated health warnings. This approval expresses no opinion on whether or not Bengal's packaging complies with relevant trademark law or with other applicable laws.

² Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Mr. Mohammed Babul
January 16, 2002
Page 2

You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of the Department of Health and Human Services ("HHS"). Furthermore, the Tariff Act of 1930, 19 U.S.C. § 1681a(c)(1), as amended by the Tariff Suspension and Trade Act of 2000, Pub. L. No. 106-476, 114 Stat. 2179, prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and will continue to submit the list of ingredients to HHS.

Very truly yours,



Mary K. Engle
Acting Associate Director



205 Pearl St.
Atlanta, GA 30316
Worldwide: 404-525-8633
US Toll Free: 800-243-3607
FAX: 404-525-8637
E-mail: quintinint@aol.com

January 16,2002

Ms. Diana Winterson
Federal Trade Commission
601 Pennsylvania Avenue, NW, Room 4209
Washington D.C. 20580

RE: Request for Approval of Warning Statement Rotation Plan for Quintin International ("Quintin") for the brand Mangalore Ganesh Beedies for the **US Virgin Islands**

Dear Ms. Winterson:

We respectfully submit the attached Rotation Plan for Mangalore Ganesh Beedies. There is only one brand style for this line, and we will rotate each of the four health warnings each quarter over a period of a year as per the attached sheet.

Enclosed with this letter is the actual packaging for the packs for all 4 quarters (the first quarter pack is shown as it appears around a bundle of beedies). Also enclosed is the actual carton wrapper for the first quarter as well as artwork for the remaining 3 quarters. As we receive the additional packaging with the warning labels permanently imprinted, we will forward them to your office. The four health warnings will appear exactly as they do on the packs, cartons, and artwork for the Mangalore Ganesh Beedie line of cigarettes submitted with our letter of January 4,2002.

With regard to advertising, please note that we do not plan to advertise this product and it is not included in our website. The sale of this product is limited to the **US Virgin Islands**, and thus we are seeking approval **only** for that territory.

We respectfully suggest that you now have all of the information necessary to approve the Warning Statement Rotation Plan submitted on behalf of Quintin International for the Mangalore Ganesh Beedie line. I look forward to receiving your approval as soon as possible to comply with new federal regulations.

Thank you for your kind courtesy and cooperation.

Regards.

A handwritten signature in black ink, appearing to read "Katherine K. Yeager", written over a white background.

Katherine K. Yeager
Vice President, Quintin International



205 Pearl St.
Atlanta, GA 30316
Worldwide: 404-525-8633
FAX: 404-525-8637
E-mail: quintinint@aol.com

Mangalore Ganesh Beedies QUARTERLY CIGARETTE ROTATION PLAN

The health warnings on following brands of cigarettes imported by Quintin USA, Inc. shall be rotated according to the following schedule:

Brand	<u>Warning Code Applied</u>			
	<u>1st Qtr*</u> (Jan-Mar)	<u>2nd Qtr*</u> (Apr-Jun)	<u>3rd Qtr*</u> (Jul-Sep)	<u>4th Qtr*</u> (Oct-Dec)
Manglore Ganesh Beedies	C	D	A	B

<u>Warning Code</u>	<u>Health Warning</u>
A	SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.
B	SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.
C	SURGEON GENERAL'S WARNING: Smoking By Pregnant Woman May Result in Fetal Injury, Premature Birth, And Low Birth Weight.
D	SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

* Based on Import Date

Adopted: January 4, 2002

Selected packaging samples from those
submitted with the plan.



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

January 16, 2002

Ms. Katherine K. Yeager, V.P.
Quintin International, Ltd.
205 Pearl St.
Atlanta, GA 30316

Dear Ms. Yeager:

The Federal Trade Commission ("the Commission") has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). Pursuant to that delegation, I have reviewed the proposed plan filed on behalf of Quintin International, Ltd. on January 16, 2002 plan calling for quarterly rotation of the four health warnings on packaging of the Mangalore Ganesh Beedies brand of cigarettes.

The warnings on the artwork and sample packs and cartons of the Mangalore Ganesh Beedies brand submitted with your letter of January 4, 2002 appear to comply with the requirements of the Cigarette Act for size and conspicuousness. Quintin International, Ltd.'s plan for the Mangalore Ganesh Beedies brand of cigarettes has been approved.¹ Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.² When actual packaging is developed, Quintin International, Ltd. should submit samples to the Commission. The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

If Quintin International, Ltd. does decide to advertise Mangalore Ganesh Beedies in the future, it must submit a plan detailing how it will comply with the requirements of the Cigarette Act with respect to display of the health warning statements in advertisements.

¹ Your application and this approval pertain only to the importation of Mangalore Ganesh Beedies into the U.S. Virgin Islands. As you know, there is a ban on the importation of Mangalore Ganesh Beedies into the U.S. Customs' territory.

² Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Ms. Katherine K. Yeager, V.P.

January 16, 2002

Page 2

You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of the Department of Health and Human Services ("HHS"). Furthermore, Section 802 of the Tariff Suspension and Trade Act of 2000 prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer **has** submitted and will continue to submit the list of ingredients to HHS.

Very truly yours,

A handwritten signature in cursive script that reads "Mary K. Engle". The signature is written in black ink and is positioned above the printed name.

Mary K. Engle
Acting Associate Director



205 Pearl St.
Atlanta, GA 30316
Worldwide: 404-525-8633
US Toll Free: 800-243-3607
FAX: 404-525-8637
E-mail: kky@quintin.com

January 16, 2002

Ms. Diana Winterson
Federal Trade Commission
601 Pennsylvania Avenue, NW, Room 4213
Washington D.C. 20580

RE: Request for Approval of Warning Statement Rotation Plan for Quintin International ("Quintin") for the brand styles for the **Jaz** line, including all flavors/brand styles (Banana Nut, Blueberry, Cherry Cheesecake, Cinnaberry, Swiss Chocolate and Vanilla Crème)

Dear **Ms.** Winterson:

We respectfully submit the attached Rotation Plan for the Jaz products, which includes the following flavors/brand styles: Banana Nut, Blueberry, Cherry Cheesecake, Cinnaberry, Swiss Chocolate and Vanilla Crème. The warning labels for the Jaz line will rotate each of the four health warnings each quarter over a period of a year as per the attached sheet.

Enclosed with our letter of January 2, 2002 is actual packaging for the First Quarter for each of the flavors. Also enclosed is artwork with the remaining three warnings for quarters two through four. As we receive the additional packaging with the warning labels permanently printed, we will forward them to your office. The four health warnings will appear exactly as they do on the packs, cartons, and artwork for the Jaz Cigarettes submitted.

With regard to advertising, we will only advertise to consumers on the Internet. Please see the attached rotation schedule (amended from my letter of May 7, 2001) for all Internet advertising materials. All four warnings will rotate quarterly as per the attached schedule. For advertising we will use the warning formats that were submitted with the plans of the five leading **US** cigarette manufacturers and we will place the warnings as specified in those plans. The warnings on our website, www.quintin.com will appear exactly as they are viewed on the site. (Please see website to view warnings. Please see copies enclosed with our letter of January 2, 2002 of sample pages from the web site.) Jaz is not currently up on the site, but it is now included in the attached schedule and the warnings will rotate as per that schedule.

We respectfully suggest that you now have all of the information necessary to approve the Warning Statement Rotation Plan submitted on behalf of Quintin International for the Jaz line, and for advertising. I look forward to receiving your approval as soon as possible to comply with federal regulations.

Thank you for your kind courtesy and cooperation.

Regards,

A handwritten signature in black ink, appearing to read "Katherine K. Yeager".

Katherine K. Yeager
Vice President, Quintin International



205 Pearl St.
 Atlanta, GA 30316
 Worldwide: 404-525-8633
 FAX: 404-525-8637
 E-mail: quintinint@aol.com

Jaz Cigarettes

QUARTERLY CIGARETTE ROTATION PLAN

The health warnings on following brands of cigarettes imported by Quintin USA, Inc. shall be rotated according to the following schedule:

	Warning Code Applied			
Brand	1 st Qtr*	2 nd Qtr*	3 rd Qtr*	4 th Qtr*
	(Jan-Mar)	(Apr-Jun)	(Jul-Sep)	(Oct-Dec)
Jaz	A	B	C	D

<u>Warning Code</u>	<u>Health Warning</u>
A	SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.
B	SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.
C	SURGEON GENERAL'S WARNING: Smoking By Pregnant Woman May Result in Fetal Injury, Premature Birth, And Low Birth Weight.
D	SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

* Based on Import Date

Adopted: January 16, 2002



P.O. Box 774287
 2570 South Copper Passage #3
 Steamboat Springs, CO 80477-4287
 Worldwide: 970-879-8707
 US Toll Free: 800-359-4170
 FAX: 970-879-8607
 E-mail: cigars@quintin.com

QUARTERLY ADVERTISING ROTATION PLAN

The health warnings on all advertising done by Quintin International will be rotated as follows:

_____ Warning Code Applied _____

	1 st Qtr	2 nd Qtr	3 rd Qtr	4 th Qtr
	(Jan-Mar)	(Apr-Jun)	(Jul-Sep)	(Oct-Dec)
American Spirit	A	B	C	D
Bima	B	C	D	A
Darshan Bidi	C	D	A	B
Djarum	D	A	B	C
Dunhill	A	B	C	D
Gauloises	B	C	D	A
Krakatoa	C	D	A	B
Kuta	D	A	B	C
Nat Sherman	A	B	C	D
Players	B	C	D	A
Ranvir Bidi	C	D	A	B
Rothmans	D	A	B	C
Sampoerna	A	B	C	D
Terong	B	C	D	A
Other Brands Page	**	**	**	**
Home Page	**	**	**	**
"Cigarettes" Page	**	**	**	**
State Express 555	C	D	A	B
Kalais Bidis	D	A	B	C
Sher Bidis	A	B	C	D
Bentoel	B	C	D	A
Black Death	C	D	A	B
Botschafter	D	A	B	C
Cartier	A	B	C	D
Chinese Ginseng	B	C	D	A
Craven A	C	D	A	B
Crystal	D	A	B	C
Ducados	A	B	C	D
DuMarier	B	C	D	A
Gitanes	C	D	A	B
G. Karelia	D	A	B	C
Glory	A	B	C	D
Go To Hell	B	C	D	A
Gunsmoke	C	D	A	B
HB Kings	D	A	B	C
Jakarta	A	B	C	D

-----Continued-----

_____Warning Code Applied_____

Jockey	B	C	D	A
John Player	C	D	A	B
Lucky Strike	D	A	B	C
Major	A	B	C	D
Matinee	B	C	D	A
Mild Seven	C	D	A	B
English Oval	D	A	B	C
Prince	A	B	C	D
Pure	B	C	D	A
Sweet Dreams	C	D	A	B
Turkish Special	D	A	B	C
Jaz	A	B	C	D

**For those pages that specify more than one brand, the warnings will be rotated as per the brand "American Spirit"

Warning Code

Health Warning

- A SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.
- B SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.
- C SURGEON GENERAL'S WARNING: Smoking by Pregnant Woman May Result in Fetal Injury, Premature Birth, And Low Birth Weight.
- D SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

Adopted: May 7, 2001
Amended, December 28, 2001

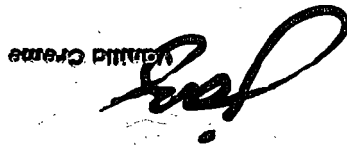
Selected packaging samples from those
submitted with the plan.



Orchestrate a worldly blend of exotic tobacco with the rich flavor of Vanilla Cream and the result is a symphony of wonderful aromatic flavors and a smooth indulgent taste.

Jaz UP YOUR LIFE!

Manufactured in Vietnam by S.C.F. exclusively for Pacific Sun



20 King Size Rich Flavored Cigarettes

SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.

Underage Sale Prohibited



8 934603 1412002

Imported exclusively by Quintin International, Inc. 800-359-4170 • www.quintin.com



SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.

Jay
Banana Nut
Rich Flavored Cigarettes

**King Size
Rich Flavored
Cigarettes**

☐
Jay
Banana Nut

Jay
Banana Nut
Rich Flavored Cigarettes



200/20

Manufactured in Vietnam
by S.C.F. exclusively for
Pacific Sun (asia) Limited

Banana Nut



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

January 16, 2002

Ms. Katherine K. Yeager
Vice President
Quintin International, Ltd.
205 Pearl St.
Atlanta, GA 30316

Dear Ms. Yeager:

The Federal Trade Commission ("the Commission") has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). Pursuant to that delegation, I have reviewed the proposed plan filed by Quintin International, Ltd. on January 16, 2002 calling for quarterly rotation of the four health warnings on packaging and in Internet advertising of certain varieties of the Jaz brand of cigarettes.

Your plan for the rotation of the warnings in Internet advertising has been approved. Approval of the plan assumes that the plan is implemented in good faith. The approval of your plan for the rotation of the health warnings in advertising is not an approval of advertising cigarettes on the Internet. With respect to the question of whether it is legal to advertise cigarettes on the Internet, Section 1335 of the Cigarette Act prohibits advertising cigarettes on any medium of electronic communication subject to the jurisdiction of the Federal Communications Commission. The enforcement of that provision is the responsibility of the Department of Justice and you should contact DOJ directly (Eugene Thierolf at 202-307-3009) to determine whether such advertising on the Internet is permissible.

The warnings on the artwork and sample packs and cartons of the Jaz brand submitted with your January 2, 2002 letter appear to comply with the requirements of the Cigarette Act for size and conspicuousness. Quintin International, Ltd.'s plan has been approved for the following varieties of the Jaz brand of cigarettes: Banana Nut, Blueberry, Cherry Cheesecake, Cinnaberry, Swiss Chocolate and Vanilla Creme. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.'

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Ms. Katherine K. Yeager
Vice President
January 16, 2002
Page 2

When actual packaging is developed, Quintin International, Ltd. should submit samples to the Commission. The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of ~~the~~ Department of Health and ~~Human~~ Services ("HHS"). Furthermore, the Tariff Act of 1930, 19 **U.S.C.** § 1681a(c)(1), **as** amended by the Tariff Suspension and Trade Act of 2000, Pub. L. No. 106-476, 114 Stat. 2179, prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer **has** submitted and will continue to submit the list of ingredients to HHS.

Very truly yours,



Acting
Mary K. Engle

FLEITAS & BUJAN
ATTORNEYS AT LAW

ROBERTO F. FLEITAS
JESUS F. BUJAN

OCEAN BANK BUILDING, SUITE 530
782 N.W. LEJEUNE ROAD
MIAMI, FLORIDA 33126
TEL. (305) 442-1439
FAX (305) 442-9944

January 7, 2002

Mr. C. Lee Peeler
Associate Director
Division of Advertising Practice
Federal Trade Commission
601 Pennsylvania Avenue, N.W.
Room 4002
Washington DC 20580

Re: FTC Approval of cigarette brand VL

Dear Mr. Peeler:

ZNF (**ZNF**) is the importer of the cigarette brand VL. ZNF's address is 19495 Biscayne Boulevard, Suite 300, Aventura, Florida 33180. The manager member is Leon Falic.

In accordance the requirements of 15 USC 1333, ZNF requests approval of the following plan detailed herein:

Attached hereto are four (4) packages and four (4) cartons displaying examples of each of the four (4) warning statements ZNF will use and how they will be affixed to each package and carton of the following styles of the cigarette brand VL:

VL	84 mm	Full Flavor
VL	84 mm	Menthol
VL	84 mm	Light
VL	100 mm	Full Flavor
VL	100 mm	Menthol
VL	100 mm	Light

The warnings are as follows:

A. SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.

B. SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.

C. SURGEON GENERAL'S WARNING: Smoking by Pregnant Women May Result in Fetal Injury, Premature Birth, and Low Birth Weight.

D. SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

The four (4) label statements specified in paragraph (1), (2) and (3) of subsection (a) of section 1333 will be displayed an equal number of times within the twelve-month period beginning on the date of the approval by the Federal Trade Commission of this application.

ZNF has not previously imported the cigarette brand VL to the United States. For the year 2002, ZNF anticipates sales will not exceed [REDACTED] cigarettes for any brand style.

ZNF will maintain records of the label statement rotation of VL in compliance with the Plan.

ADVERTISING:

For advertising ZNF will use the warning formats submitted with the 1985 Plans of the five (5) leading cigarette manufacturers and place the warnings as specified in these plans.

ZNF will use the format represented by acetates submitted with my letter of November 26, 2001 that meet the statutory requirements as follows:

SCHEDULE FOR WARNINGS IN ADVERTISEMENTS

	Size of Advertisement	Warning Statement
	ENGLISH WARNING STATEMENT	
Category 1	0-65 square inches	Exhibit 1 or 1(a)
Category 2	Over 65 to 110 square inches	Exhibit 2 or 2(a)
Category 3	Over 110 to 180 square inches	Exhibit 3
Category 4	Over 180 to 360 square inches	Exhibit 4
Category 5	Over 360 to 470 square inches	Exhibit 5
Category 6	Over 470 to 720 square inches	Exhibit 6
Category 7	Over 5 to 10 square feet	Exhibit 7
Category 8	Over 10 to 20 square feet	Exhibit 8

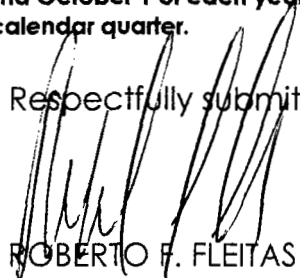
ZNF will rotate the warnings in advertising in the schedule for rotation as follows:

**Advertisement Label Statement Rotation of VI
SCHEDULE FOR QUARTERLY ROTATION**

1ST Quarter (Jan-Mar.)	A
2nd Quarter (Apr.-June)	B
3rd Quarter (July-Sept.)	C
4th Quarter (Oct. -Dec.)	D

and October 1 of each year. Rotation calendar quarter.

Respectfully submitted,


ROBERTO F. FLEITAS

RFF/sma

Selected packaging samples from those
submitted with the plan.

CLASS A
20
CIGARETTES



UNDERAGE
SALE
PROHIBITED

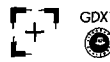
SURGEON GENERAL'S WARNING:
Smoking Causes Lung Cancer,
Heart Disease, Emphysema,
And May Complicate Pregnancy.



MADE IN SPAIN
BY CITA



A



FRS 6784
PIC 22503 11

MADE IN SPAIN
BY CITA



CLASS A
200 CIGARETTES
FILTER



UNDERAGE
SALE
PROHIBITED



SURGEON GENERAL'S WARNING:
Smoking By Pregnant Women May
Result in Fetal Injury, Premature
Birth, And Low Birth Weight.

LIGHS



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

January 17, 2002

Roberto F. Heitas, Esq.
Fleitas & Bujan
Ocean Bank Building, Suite 530
782 N.W. Lejeune Road
Miami, FL 33126

Dear Mr. Fleitas:

The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, *et seq.* ("the Cigarette Act"). Pursuant to that delegation, I have reviewed the revised proposed plan filed on behalf of ZNF International, LLC, on January 7, 2002, calling for quarterly rotation of the four health warnings in advertising of the VL brand of cigarettes, and for the simultaneous display of the four health warnings on the packaging of certain varieties of the VL brand.

Your plan for the rotation of the warnings in advertising of the VL brand of cigarettes has been approved. Approval of the plan assumes that the plan is implemented in good faith.

ZNF's sales appear to qualify for the aforementioned alternative to quarterly rotation of the warnings on packaging. The warnings on the revised sample packs and cartons of the VL brand submitted with your January 7, 2002 letter appear to meet the requirements of the Cigarette Act for size and conspicuousness. ZNF's plan for the simultaneous display of the four health warnings on packaging is hereby approved for the following soft pack varieties of the VL brand: Full Flavor King, Full Flavor 100's, Lights King, Lights 100's, Menthol King, Menthol 100s. This approval is effective on the date of this letter and ends on January 16, 2003. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.¹ The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

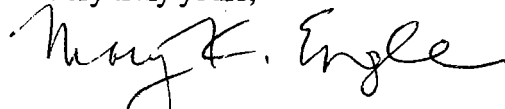
You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of the Department of Health and Human Services ("HHS"). Furthermore, the Tariff Act of 1930, 19 U.S.C. § 1681a(c)(1), as amended by the Tariff Suspension and Trade Act of 2000, Pub. L.

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Roberto F. Fleitas, Esq.
January 17, 2002
Page 2

No. 106-476, 114 Stat. 2179, prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and ~~will~~ continue to submit the list of ingredients to HHS.

Very truly yours,

A handwritten signature in cursive script that reads "Mary K. Engle". The signature is written in black ink and is positioned above the printed name and title.

Mary K. Engle
Acting Associate Director

Windward Tobacco, Inc.

34 Sunburst Circle, E. Amherst, ~~NY~~ 14051 Tel (716) 639-7544, E-Mail rsaffire@gdelphia.net

January 15,2002

Mr. Michael Ostheimer
Federal Trade Commission
Division of Advertising Practices
601 Pennsylvania Avenue, **N.W.**
Room 4004
Washington, DC **20580**

Cigarette Health Warning Rotation Plan – Niagara's Brand

Dear Mr. Ostheimer:

Please accept this letter as a revised formal plan of Surgeon General Warning Rotation ~~for~~ Windward Tobacco, Inc. (ATF Import License Number **NY-TI-67**) (the Importer). This plan is being submitted in accordance with the requirements as detailed in the Federal Cigarette Labeling and Advertising act of **1984** (the Act) (15 U.S.C. 1331 (**1997**), et seq.), **as** amended.

Upon approval **of** this plan, the Importer intends to import cigarettes **into** the United States (for a one-year period commencing upon **FTC** approval) that are manufactured outside the United States. The Importer intends to purchase the "**Niagara's**" brand of cigarettes in a variety of styles in the 100mm size in **Box** style (i.e. full flavor, light, menthol, menthol light and ultra light). The purpose of this letter is to get authorization for the importation **of** products that will be labeled by the foreign manufacturer **in** complete conformance with FTC guidelines. Please refer to the sample packs and **cartons** that were included with the January 1, 2001 letter. The actual packs and cartons will be identical the these samples.

The cigarettes will be delivered in shipping containers with 1000 master cases ("Master Case") per container. Each Master Case will contain 10,000 cigarettes packaged in 60, 200 count cartons ("Outer **Carton**"). Each Outer **Carton** will contain 10 packs of 20 cigarettes each ("Pack"). The packing **of** these **cigarettes** will be that of the original manufacturer. The Surgeon General Warnings will **be** on each Pack and Outer Carton of cigarettes in the form and content dictated by ~~the Act~~ and ~~therefore~~ satisfactory to the FTC.

The total number of cigarettes imported in 2001 for no one brand style exceeded [REDACTED] cigarettes. I anticipate that in 2002, the total number of cigarettes imported for no one brand style will exceed [REDACTED] cigarettes. The Importer will maintain records for the FTC of exact numbers imported each year via documentation prepared in accordance with this plan (see discussion of the Surgeon General Warning Rotation Log below). In accordance with Section 4(c)(2) of the Act, and based upon anticipated annual import quantities (i.e. total imports are less than one-fourth of one percent of total cigarettes sold in the United States, and the brand styles of the cigarettes imported meet this low sales threshold), the Importer respectfully requests that it be allowed to submit a Rotation Plan using the Alternative method to the Quarterly Rotation Plan described in Section 4(c)(1).

As a "small" importer by virtue of the information set forth above, the Importer hereby states as it plan of rotation that the labels described in Section 1333 (a)(1) of the Act shall appear on the packages of each brand style of cigarettes with respect to which this plan is approved an equal number of times for the one year period commencing on the date of approval. The Packs and Outer Cartons will bear the original warnings placed on the packaging by the cigarette manufacturer. The warning statement on the packs and cartons will be rotated to ensure that the four statutory warnings described in the Act (section 1333) will appear on the packs and cartons of each brand style an equal number of times during the above referenced on year period as required by the Act and under this Plan. The warnings will be printed in a legible and conspicuous manner and will be of a size, format and type as required by the FTC. The warnings will be placed on the product in an authorized location, a location which will be acceptable to the FTC and which complies with applicable labeling statutes. Samples of each of the Niagara's packs and cartons are enclosed for your review. Each of the brand styles is included and each of the four warnings is presented for each of the brand styles (on both packs and cartons). This packaging is representative of how all cigarettes imported under this plan will appear.

The Importer's Rotation Plan includes procedures to maintain a Surgeon General Warning Rotation Log (the "Log") at the import warehouse that will be used to quantify the number of the four approved health warning labels which are imported. The Log will be reviewed periodically throughout the year to assure that the four Surgeon General warnings are equalized in their use during the year.

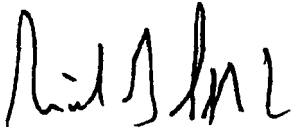
Since the Importer will not advertise the imported product, there is no need to submit a plan for the rotation of warnings on advertising.

The Importer is also aware of (and will abide by) the laws that have been established concerning the importation of cigarettes. A list of tobacco additives used in the manufacture of the Niagara's cigarettes will be sent to the CDC. Additionally, the Importer has received a letter from the owner of the US trademark "Niagara's" authorizing the importation of the cigarettes.

The Importer believes that the foregoing Plan complies with the requirements set forth in the Federal Cigarette Labeling and Advertising Act and respectfully requests approval.

Should this request conform to your requirements, I would appreciate that a letter evidencing the approval be sent (or faxed to 716-639-7544) to my attention at the above addresses. If you have any questions concerning the Plan I have described, or need additional information, please call. Your prompt attention to this matter is greatly appreciated.

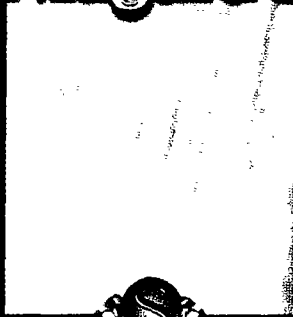
Sincerely,

A handwritten signature in black ink, appearing to read "Richard G. Saffire Jr.", written in a cursive style.

Richard G. Saffire Jr.
President

Enclosures

Niagara's



20 CLASS A CIGARETTES

20 CLASS A CIGARETTES
© AMERICAN TOBACCO CO.
SENEGAL NATIONAL TERRITORY
IRVING, NY USA
MADE IN INDONESIA



SURGEON GENERAL'S WARNING:
Smoking Causes Lung Cancer, Heart Disease,
Emphysema, And May Complicate Pregnancy.

Niagara's

MENTHOL LIGHTS 100'S

20 CLASS A CIGARETTES



Niagara's

ML 8-9-01

100'S

MENTHOL LIGHTS

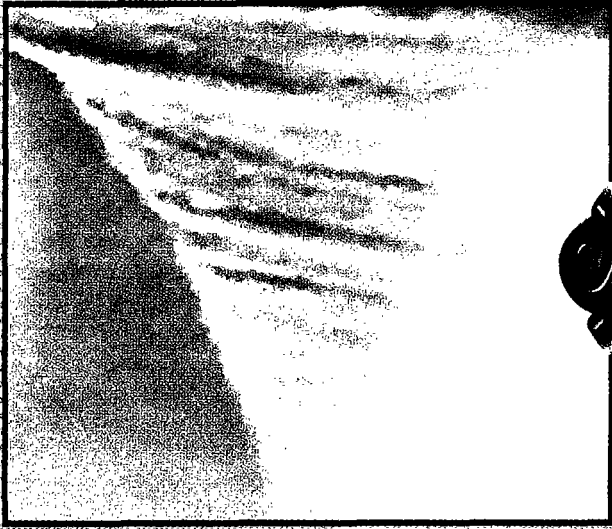
MENTHOL LIGHTS 100'S

Niagara's

UNDERAGE
SALE
PROHIBITED

MENTHOL LIGHTS
100'S

200 CLASS A CIGARETTES
©SOVEREIGN TOBACCO CO.
SENECA NATION TERRITORY
IRVING, NY USA
MADE IN HONDURAS



200 CIGARETTES

Niagara's

Niagara's

ULTRA LIGHTS 100'S

Niagara's

LIGHTS 100'S

200 CIGARETTES

SURGEON GENERAL'S WARNING:
Quitting Smoking Now Greatly Reduces
Serious Risks to Your Health.



UNDERAGE
SALE
PROHIBITED



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

January 18, 2002

Mr. Richard G. Saffire, Jr.
Windward Tobacco, Inc.
34 Sunburst Circle
East Amherst, NY 14051

Dear Mr. Saffire:

The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, *et seq.* ("the Cigarette Act"). Pursuant to that delegation, I have reviewed the revised proposed plan filed by Windward Tobacco, Inc. on January 15, 2002, calling for the simultaneous display of the four health warnings on packaging of certain varieties of the Niagara's brand of cigarettes.

Windward's sales appear to qualify for the aforementioned alternative to quarterly rotation of the warnings on packaging. The warnings on the sample packs and cartons of the Niagara's brand submitted with your January 1, 2002 letter appear to meet the requirements of the Cigarette Act for size and conspicuousness. Windward's plan is hereby approved for the following varieties of the Niagara's brand: Full **Box** loo's, Lights **Box** loo's, Ultra Lights **Box** loo's, Menthol **Box** loo's, Menthol Lights **Box** loo's. This approval is effective on the date of this letter and ends on January 17, 2003. Approval of the plan is contingent on its good faith implementation. We may **ask** for information demonstrating proper implementation of the plan.' The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

If Windward does decide to advertise in the future, it must submit a plan detailing how it will comply with the requirements of the Cigarette Act with respect to display of the health warning statements in advertisements.

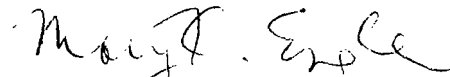
You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of the Department of Health and Human Services ("HHS"). Furthermore, the Tariff Act of 1930, 19 U.S.C. § 1681a(c)(1), as amended by the Tariff Suspension and Trade Act of 2000, Pub. L. No. 106-476, 114 Stat. 2179, prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Mr. Richard G. Saffire, Jr.
Windward Tobacco, Inc.
January 18, 2002
Page 2

manufacturer has submitted and **will** continue to submit the list of ingredients to HHS.

Very truly yours,

A handwritten signature in cursive script that reads "Mary K. Engle".

Mary K. Engle
Acting Associate Director

Southern Tobacco, Inc.

122 Caggiano Dr.
Gafhey, S.C. 29341
Tel: (864) 489-6194
Fax: (864) 488-3805

January 22, 2002

Ms. Diana Winterson
Federal Trade Commission
601 Pennsylvania Avenue
NW Washington, DC 20580

Dear Ms. Winterson:

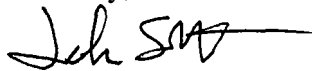
Southern Tobacco, Inc. located at 122 Caggiano Dr. in Gaffney, SC would like to submit the following plan for the Golden and Dynamic brands of cigarettes to comply with the Federal Cigarette Labeling and Advertising Act for the year period from date of approval. We are applying for the alternative to the quarterly rotation plan. We qualify for the alternative plan based on our sales for the calendar year of 2001. During the calendar year of 2001 Southern Tobacco had sales that totaled approximately [REDACTED] sticks. We expect sales of [REDACTED] sticks for the 2002 calendar year.

For the packs and cartons of each brand style of Golden, Original (84mm and 100mm), Light (84 mm and 100mm), Ultra Light (84mm and 100mm), Menthol (84mm and 100mm), Light Menthol (84mm and 100mm), and Non- Filter and Dynamic 84mm and 100mm made in the Philippines (Full Flavor, Light, Ultra Light, Menthol, and Menthol Light) we will equally distribute the four Surgeon General Warnings during the one year period covered by this proposed plan. The health warnings will appear exactly as they do on the samples of packs and cartons submitted with our letter dated January 8th 2002.

Southern Tobacco will also keep records to demonstrate compliance with the Federal Cigarette Labeling and Advertising Act.

Southern Tobacco at this time will not be advertising either brand, if in the future we do advertise we will submit a plan of rotation.

Sincerely,



John Short
Vice President, Southern Tobacco

Selected packaging samples from those
submitted with the plan.

Made in United Arab Emirates
under authority of
Emir International Tobacco
Corporation, Delaware, U.S.A.



Golden
MENTHOL

100's

PREMIUM BLEND

SMOKE GENERAL'S WARNING:
Cigarette Smoke Contains
Carbon Monoxide.



Golden
MENTHOL

100's

PREMIUM BLEND

Made in United Arab Emirates
under authority of
Emir International Tobacco
Corporation, Delaware, U.S.A.



Golden
MENTHOL

100's

PREMIUM BLEND

SMOKE GENERAL'S WARNING:
Smoking Now Greatly Reduces
Risks to Your Health.



Made in United Arab Emirates
under authority of trademark
owner by arrangement with
Emir International Tobacco Corp.,
Delaware, U.S.A.

FILTER CIGARETTES



Golden
MENTHOL

100's

PREMIUM BLEND

SMOKE GENERAL'S WARNING:
Cigarette Smoke Contains

FILTER CIGARETTES



Golden
MENTHOL

100's

PREMIUM BLEND

Made in United Arab Emirates
under authority of trademark
owner by arrangement with
Emir International Tobacco Corp.,
Delaware, U.S.A.



FILTER CIGARETTES



Golden
MENTHOL

100's

PREMIUM BLEND

SMOKE GENERAL'S WARNING:
Quitting Smoking Now Greatly Reduces
Serious Risks to Your Health.

Golden
MENTHOL 100's

100's

Golden
MENTHOL 100's

100's



Golden

MENTHOL

100's

PREMIUM BLEND

Golden

MENTHOL 100's

PREMIUM BLEND

100's

MENTHOL

Golden



200
CLASS A
CIGARETTES

SURGEON GENERAL'S WARNING:
Smoking Causes Lung Cancer,
Heart Disease, Emphysema,
And May Complicate Pregnancy.

NEW
100's
SOFT PACK

100's

100's

100's

JHJ160401

JHJ160401

FILTER CIGARETTE

FILTER CIGARETTE

DYNAMIC
LIGHTS

DYNAMIC
LIGHTS

DYNAMIC
LIGHTS



100's

100's

100's

LOWERED TAR & NICOTINE

LOWERED TAR & NICOTINE

LOWERED TAR & NICOTINE

SURGEON GENERAL'S WARNING:
Smoking By Pregnant Women May Result in
Fetal Injury, Premature Birth, And Low Birth Weight.

Made in the Philippines



JHJ160401

JHJ160401

FILTER CIGARETTE

FILTER CIGARETTE

FILTER CIGARETTE

DYNAMIC
LIGHTS

DYNAMIC
LIGHTS

DYNAMIC
LIGHTS



100's

100's

100's

LOWERED TAR & NICOTINE

LOWERED TAR & NICOTINE

LOWERED TAR & NICOTINE

SURGEON GENERAL'S WARNING:
Cigarette Smoke Contains
Carbon Monoxide.

Made in the Philippines



JHJ160401

JHJ160401

DYNAMIC
LIGHTS 100'S

202020

DYNAMIC

LIGHTS



100's

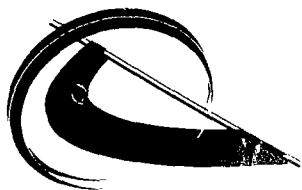
LOWERED TAR & NICOTINE

DYNAMIC

LIGHTS 100's

LOWERED TAR & NICOTINE

100's



LIGHTS

DYNAMIC

SURGEON GENERAL'S WARNING:

Smoking Causes Lung Cancer,
Heart Disease, Emphysema,
And May Complicate Pregnancy.





UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

January 24, 2002

Mr. John Short
Southern Tobacco, Inc.
122 Caggiano Dr.
Gafhey, SC 29341

Dear Mr. Short:

The Federal Trade Commission ("the Commission") has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). Pursuant to that delegation, I have reviewed the revised proposed plan filed on behalf of Southern Tobacco, Inc. on January 22, 2002 calling for the simultaneous display of the four health warnings on packaging of certain varieties of the Golden and Dynamic brand of cigarettes.

Southern Tobacco, Inc.'s sales appear to qualify for the aforementioned alternative to quarterly rotation of the warnings on packaging. The warnings on the packs and cartons submitted with your January 8, 2002 letter appear to comply with the requirements of the Cigarette Act for size and conspicuousness.¹ Southern Tobacco, Inc.'s plan for the Full Flavor, Light, Ultra Light, Menthol, Menthol Light, Full Flavor 100's, Light 100's, Ultra Light 100's, Menthol 100's, and Menthol Light 100's brand styles of the Dynamic brand manufactured in the Philippines and the Original, Light, Ultra Light, Menthol, Light Menthol, 100's, Light 100's, Ultra Light 100's, Menthol 100's, Light Menthol 100's, and Non-Filter brand styles of the Golden brand is hereby approved. This approval is effective on the date of this letter and ends on January 23, 2003. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.² The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

¹ With your January 8, 2002 letter, you submitted two sets of Dynamic brand packaging, one manufactured in the Philippines and the other in Malaysia. The packaging manufactured in Malaysia does not comply with the Cigarette Act. Your January 22, 2002 plan and this approval do not apply to Malaysian varieties of Dynamic brand cigarettes.

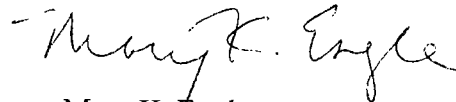
² Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Mr. John Short
January 24, 2004
Page 2

If Southern Tobacco, Inc. does decide to advertise in the future, it must submit a plan detailing how it will comply with the requirements of the Cigarette Act with respect to display of the health warning statements in advertisements.

You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of the Department of Health and Human Services ("HHS"). Furthermore, the Tariff Act of 1930, 19 U.S.C. § 1681a(c)(1), as amended by the Tariff Suspension and Trade Act of 2000, Pub. L. No. 106-476, 114 Stat. 2179, prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and will continue to submit the list of ingredients to HHS.

Very truly yours,

A handwritten signature in cursive script that reads "Mary K. Engle".

Mary K. Engle
Acting Associate Director

TRADE CORP INTERNATIONAL

January 25, 2002

C. Lee Peeler
Federal Trade Commission
Division of Advertising Practices
601 Pennsylvania Ave. N.W.
Washington, D.C. 20580

Dear Mr. Peeler:

Tradecorp International is submitting a Quarterly Rotation Plan as required under the Federal Cigarette Labeling and Advertising Act of 1984 (The Act). This cigarettes covered under this proposed plan are **WILD HORSE** Brand cigarettes.

There are seventeen (17) varieties of **WILD HORSE**. . Our estimated sales for 2002 are [REDACTED] sticks for **WILD HORSE**. I have attached a list of statistics for sales for each variety.

We are applying for the quarterly rotation plan whereby each of the four warnings will be rotated quarterly on packs and cartons of **WILD HORSE** Brand cigarettes, using the following schedule:

WILD HORSE CIGARETTE PLAN

Jan-Mar	SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.
Apr-June	SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.
July-Sept	SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight.
Oct-Dec	SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

Tradecorp International also submits that all four (4) warnings shall appear exactly as they do on the packaging that was enclosed in the letter dated 1/4/02.

Tradecorp International maintains an office at the following address:
1209 Orange Street
Wilmington, DE 19801

As for advertising, Tradecorp International will comply with the Act and will rotate quarterly in compliance with the following schedule. Tradecorp International will use the warning formats that

TRADECORP INTERNATIONAL

were submitted with the plan of the 5 leading U.S. cigarette manufacturers, and place the warnings as specified in those plans. Tradecorp will be using the same acetates that were enclosed in the letter dated April 3, 2001 for the warning labels for the various pieces of point-of-sale and advertising, listed below. As you can see from the listing, our largest piece of advertising is 10.4sq. feet (exhibit 8).


	Width (inches)	Height (inches)	Sq. Inches	Sq. Feet	Exhibit #
Pole Sign	28	38	1064	7.4	7
Poster (lrg.)	25	16	400	2.8	5
Poster (sml.)	22	15	330	2.3	4
Shelf Talker	11	3.5	38.5	0.3	1
Counter Rack Header	9	9	81	0.6	2
Floor Rack Header	16	5.5	88	0.6	2
Temp. Floor Rack Header	16	14.5	232	1.6	4
Temp. Counter Rack Header	13	5	65	0.5	1
Banner (lrg.)	50	30	1500	10.4	8
Banner (sml.)	50	18	900	6.3	7

WILD HORSE ADVERTISING PLAN

Jan-Mar	SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.
Apr-June	SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.
July-Sept	SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury. Premature Birth, And Low Birth Weight.
Oct-Dec	SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

We submit the foregoing complies with the Act and request approval of this plan.

Sincerely,



Tradecorp International, LLC
Mark Dunham, President

TRADECORP INTERNATIONAL

2002 Sales (est.)
WILD HORSE brand cigarettes [REDACTED] sticks

WILD HORSE	% of Sales	Cases	Sticks
Full Flavor Kings (Soft)	%		
Full Flavor Kings (Box)	%		
Light Kings (Soft)	%		
Light Kings (Box)	%		
Menthol Kings (Soft)	%		
Light Menthol Kings	%		
Ultra Light Kings	%		
Non-Filter Kings	%		
Full Flavor 100's	%		
Full Flavor 100's Box	%		
Light 100's	%		
Light 100's Box	%		
Menthol 100's	%		
Light Menthol 100's	%		
Light Menthol 100's Box	%		
Ultra Light 100's	%		
Ultra Light 100's Box	%		

Selected packaging samples from those
submitted with the plan.

WILD HORSE™

Underage
Sale
Prohibited

WILD HORSE™



**KING SIZE
MENTHOL**

20 CLASS A CIGARETTES

SURGEON GENERAL'S WARNING:
Smoking Causes Lung Cancer,
Heart Disease, Emphysema,
And May Complicate Pregnancy.



**KING SIZE
MENTHOL**

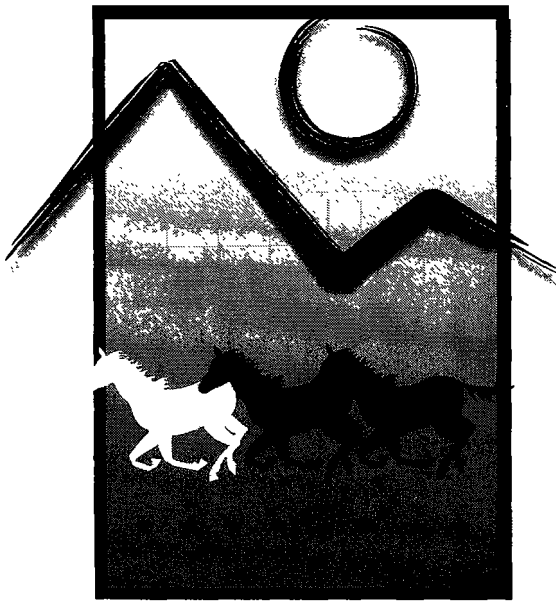
20 CLASS A CIGARETTES

**WILD HORSE™
MENTHOL**

AMERICAN BLEND

Comments:
P.O. Box 99319
Stockton, CA 95209-9319
Mfd. In Greece





WILD HORSE[™]

MENTHOL KING

200 CLASS A CIGARETTES

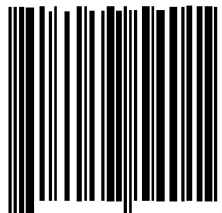
SURGEON GENERAL'S WARNING:

Smoking Causes Lung Cancer,
Heart Disease and Complications,
And May Complicate Pregnancy.

Underage Sale Prohibited

AMERICAN BLEND

Comments:
P.O. Box 99319
Stockton, CA 95209-9319
Mfd. In Greece



200 CLASS A CIGARETTES

MENTHOL KING

WILD HORSE





UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

January 30, 2002

Mr. Mark Dunham, President
Tradecorp International
P.O. Box 968
Chesterfield, MO 63006

Dear Mr. Dunham:

The Federal Trade Commission ("the Commission") has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, *et seq.* ("the Cigarette Act"). Pursuant to that delegation, I have reviewed the proposed plan filed on behalf of Tradecorp International on January 25, 2002 calling for quarterly rotation of the four health warnings on packaging and advertising of certain varieties of the Wild Horse brand of cigarettes.

Your plan for the rotation of the warnings in advertising has been approved. Approval of the plan assumes that the plan is implemented in good faith.

The warnings on the sample packs and cartons of the Wild Horse brand submitted with your January 4, 2002 letter appear to comply with the requirements of the Cigarette Act for size and conspicuousness. Tradecorp International's plan has been approved for the following varieties of the Wild Horse brand of cigarettes: full flavor kings box, full flavor kings soft, light kings soft, light kings box, menthol kings soft, light menthol lungs, ultra light kings, non-filter kings, full flavor 100s, full flavor 100's box, light 100s, light 100's box, menthol 100s, light menthol 100s, light menthol 100's box, ultra light 100's and ultra light 100's box. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.¹ The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of the Department of Health and Human Services ("HHS"). Furthermore, the Tariff Act of

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Mr. Mark Dunham, President
January 30, 2002
Page 2

1930, 19 U.S.C. § 1681a(c)(1), as amended by the Tariff Suspension and Trade Act of 2000, Pub. L. No. 106-476, 114 Stat. 2179, prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and will continue to submit the list of ingredients to HHS.

Very truly yours,

A handwritten signature in cursive script that reads "Mary K. Engle".

Mary K. Engle
Acting Associate Director



Single Stick, Inc.

December 26, 2001

Sally Schools
Division of Advertising Practices
Federal Trade Commission
601 Pennsylvania Avenue
Washington, DC 20004

RE: Compliance Plan – Scenic 101 Brand Cigarettes
Manufacturer: Grand River Enterprises
Ohsweken, Ontario, Canada NOAIMD
Importer: Single Stick, Inc.
Import License #AZ-TI-3
Extention of Compliance Plan

Dear Ms. Schools:

This submission is made pursuant to the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq, and represents an extension of the Plan first filed on July 3, 2001 and approved on July 9, 2001 as extended by filing dated September 24, 2001 and approved October 1, 2001. The purpose of this extension is to add four additional brand styles in 100 mm sizes in hinge lid packaging.

The Scenic 101 brand will be imported by Single Stick, Inc. under its import license AZ-TI-3 issued by the Bureau of Alcohol, Tobacco, and Firearms. Single Stick is importing these cigarettes from the manufacturer, Grand River Enterprises whose address is listed above. Single Stick, as importer, will assume responsibility for compliance matters on this brand with the Federal Trade Commission. Upon approval of this submission, Single Stick will import four brand styles in hinge lid **box** packaging, of Scenic 101 product: These four brand styles are as follows: Full Flavor (100's), Light (100's), Menthol (100's), and Ultra Light (100's). All brand styles will be marked with the same warning in each calendar quarter corresponding to the warnings for the Scenic 101 brand styles registered by letter dated July 3, 2001 and previously approved by letter dated July 9, 2001. The warnings and quarters are as follows:

Calendar Quarter 3
(July-September)

SURGEON GENERAL'S WARNING:
Smoking Causes Lung Cancer, Heart
Disease, Emphysema, And May

Sally Schools
December 26, 2001
Page 2

Complicate Pregnancy.

Calendar Quarter 4
(October-December)

SURGEON GENERAL'S WARNING:
Quitting Smoking Now Greatly Reduces
Serious Risks to Your Health.

Calendar Quarter 1
(January-March)

SURGEON GENERAL'S WARNING:
Smoking By Pregnant Woman May
Result in Fetal Injury, Premature Birth,
And Low Birth Weight.

Calendar Quarter 2
(April-June)

SURGEON GENERAL'S WARNING:
Cigarette Smoke Contains Carbon
Monoxide.

The labels will be rotated in the annual sequence from Calendar Quarter 1 to Calendar Quarter 4, with the rotation occurring each calendar quarter. For example, the warning opposite Calendar Quarter 1 would be used January through March, the warning opposite Calendar Quarter 2 would be used April through June, the warning opposite Calendar Quarter 3 would be used July through September, and the warning opposite Calendar Quarter 4 would be used October through December. The date of shipment from the factory would determine the quarterly warning which applies.

Production samples of the cartoning and packaging for all four quarters for all four brand styles is submitted to you herewith via Federal Express. The cigarettes as manufactured will be contained in cartoning and packaging which conforms to these samples, and the Surgeon General's Warnings will appear on the packaging exactly as they appear on the submitted samples.

We do not at this time anticipate doing any consumer advertising. In the event of use of any consumer advertising, we will submit such advertising to the Federal Trade Commission Division of Advertising Practices and obtain their approval prior to any actual use.

Very truly yours,



John T. Wertheim,
President
ENC.

Selected packaging samples from those
submitted with the plan.

Single Stick, Inc.
Phoenix, AZ
Made in Canada

UNDERAGE
SALE
PROHIBITED

Full Flavor

Scenic
Full Flavor
101

Full Flavor

Scenic
cigarettes
101



20 Class A Cigarettes

Scenic
Full Flavor
101

20 Class A Cigarettes



Scenic
101

Scenic
cigarettes
101

SURGEON GENERAL'S
WARNING:
Cigarette Smoke Contains
Carbon Monoxide.

Menthol
Hard Box 100's

Scenic
cigarettes

101

TM

UNDERAGE SALE PROHIBITED

Scenic
Menthol
Hard Box
101

TM



SURGEON GENERAL'S WARNING:
Smoking By Pregnant Women May
Result in Fetal Injury, Premature Birth,
And Low Birth Weight.

UNDERAGE SALE PROHIBITED

TM

101



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

January 31, 2002

Mr. John T. Wertheim
Single Stick
16060 North 8 1st Street, Suite 1
Scottsdale, AZ 85260

Dear **Mr.** Wertheim:

The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). Pursuant to that delegation, your July 3, 2001 and September 24, 2001 plans for certain varieties of the Scenic 101 brand were approved on July 9, 2001 and October 1, 2001, respectively. You now propose in a letter dated December 26, 2001 to expand your plan to include certain hard pack "100's" varieties **of** the Scenic 101 brand.

The health warnings on the sample packs and cartons enclosed with your December 26, 2001 letter appear to meet the size and conspicuousness requirements of the Cigarette Act. Single Stick's expansion of its plan for the Scenic 101 brand is hereby approved for the following hard pack 100's varieties: **full** flavor, light, ultra light, and menthol. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation **of** the plan.¹ The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

If Single Stick does decide to advertise the Scenic 101 brand in the future, it must submit a plan detailing how it will comply with the requirements **of** the Cigarette Act with respect to display of the health warning statements in advertisements.

You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of the Department of Health and Human Services ("**HHS**"). Furthermore, the Tariff Act of 1930, 19 U.S.C. § 1681a(c)(1), **as** amended by the Tariff Suspension and Trade Act **of** 2000, Pub. L. **No.** 106-476, 114 Stat. 2179, prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and will continue to submit the list of ingredients to HHS.

Sincerely,

A handwritten signature in cursive script that reads "Mary K. Engle".

Mary Koelbel Engle
Acting Associate Director

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.



REVISED
January 22, 2002

Mr. Michael Ostheimer
Ms. Sallie Scholls
Division of Advertising Practices
Federal Trade Commission
601 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

RE: Carolina Tobacco Company's Surgeon General Rotation Plan for 2002, as required under the Federal Cigarette Labeling and Advertising Act of 1960 (15 USC 1331 (1997), et seq).

Pursuant to our need for a Compliance Letter from the Federal Trade Commission, our firm hereby submits CAROLINA TOBACCO COMPANY'S Surgeon General Rotation Plan as required under the Federal Cigarette Labeling and Advertising Act of 1964, (15 USC 1331 (1997), et seq.). The cigarettes covered by the proposed Plan will be manufactured in the country of Latvia, in the original manufacturer's packaging, which includes health warnings complying with the Surgeon General warning language set forth in the statute.

The brand name to be covered by this Plan is **ROGER** which will be manufactured in (A) Full Flavor King Size Filter Box, 84mm, (B) King Size Filter Light Box, 84 mm, (C) King Size Filter Menthol Box, 84mm, (D) Full Flavor Filter Box, 100mm, (E) Light Filter Box, 100mm, (F) Ultra Light Filter Box, 100mm, (G) Menthol Box, 100mm, and (H) Light Menthol Box, 100mm. A master case of cigarettes contains fifty (50) individual cartons, each carton in turn containing 10 packages of 20 cigarettes, for a total of ten thousand (10,000) cigarettes per master case. All packaging will be the same as samples submitted January 11, 2001. Additional samples were provided with the original November 15, 2001 letter.

Carolina Tobacco Company submits that the number of cigarettes sold in the United States during year 2001 were a total of all brand styles of [REDACTED] sticks. Carolina Tobacco Company submits the number of cigarettes to be sold in the United States during the one year period beginning the approval date of this Plan, for any one brand style will not exceed [REDACTED] (10 packs per carton) equaling ([REDACTED] individual cigarette sticks).

Page two

The second part of the test, brand packaging, meaning that more than one-half of the cigarettes manufactured or imported by such manufacture or importer for sale in the united States are packaged into brand styles that meet the on-fourth of one percent rule set forth above, will also be met since all of the cigarettes imported by Carolina Tobacco Company will be packaged into brand styles with sales that are below the one quarter of one percent requirement.

As a small importer by virtue of the information set forth above, and as classified under the Act, Carolina Tobacco Company submits as its Plan that the warnings specified in the 15 USC 1333(a)(1)(1997) shall appear on the packs and cartons of each brand style of cigarettes, with respect to which the application is approved, an equal number of times within the one year period beginning the approval date of this Plan..

Carolina Tobacco Company requests approval of the Plan Application to provide an Alternative to the quarterly rotation of the warning on the packs and cartons. Individual packs and cartons will bear the original warnings, printed by the foreign manufacturer. The warning statement on the packages and cartons will be rotated to ensure that the four statutorily mandated warnings set forth in 15 USC 133(a)(1) will be printed on each pack and carton by the manufacturer, for each brand style, in a manner equalizing the four mandatory warnings within the one year period beginning the approval date of this Plan.. This will ensure that the four warning statements will appear an equal number of times per year on both the packs and cartons of each brand, as required by stature and under the Plan.

We respectfully submit that the cigarettes imported by Carolina Tobacco Company will comply with the Alternative Plan, insofar as all requirements set forth in Section 1333 will be met.

We understand and confirm that any person who plans to manufacture, package, or import for sale or distribution within the United States must confirm that each package must bear, in accordance with the requirements, one of the following warning statements.

SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.

SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.

SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight.

SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

Page three

Carolina Tobacco Company's Advertising Plan: Carolina Tobacco Company does not advertise. At this time, Carolina Tobacco Company does not intend to print or supply advertising materials for the "ROGER" Brand cigarettes. If in the future, Carolina Tobacco Company is requested and agrees to provide any advertising materials, we will submit an Advertising Plan to your organization for approval prior to doing so.

We submit that the foregoing complies with the requirements set forth in the Federal Cigarette Labeling and Advertising Act and look forward to receiving an approval letter issued to Carolina Tobacco Company sent to the address in the paragraph below.

Our office shall be responsible for marketing and sales of the ROGER products as imported. Records regarding compliance shall be kept at the address indicated below. Therefore, please remit all documentation and communications to:

Karon Redmond
Carolina Tobacco Company
5620 S.W. Dover Lane
Portland, OR. 97225
Tele: (503) 244 5313, Fax: (503) 244 0550s

Sincerely,



Karon R. Redmond, Vice President
Carolina Tobacco Company



Division of Advertising Practices

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

January 31, 2002

Ms. Karon Redmond
Carolina Tobacco Company
5620 SW Dover Lane
Portland, OR 97225

Dear Ms. Redmond:

The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, *et seq.* ("the Cigarette Act"). Pursuant to that delegation, I have reviewed the revised proposed plan filed by Carolina Tobacco Company on January 22, 2002, calling for the simultaneous display of the four health warnings on packaging of certain varieties of the Roger brand of cigarettes.

Carolina Tobacco's sales appear to qualify for the aforementioned alternative to quarterly rotation of the warnings on packaging. The warnings on the sample packs and cartons of the Roger brand submitted with your January 11, 2001 letter appear to meet the requirements of the Cigarette Act for size and conspicuousness. Carolina Tobacco's plan is hereby approved for the following hard pack varieties of the Roger brand: Full Flavor King, Lights King, Menthol King, Full Flavor loo's, Lights loo's, Ultra Lights loo's, Menthol loo's, Menthol Lights 100's. This approval is effective on the date of this letter and ends on January 30, 2003. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.¹ The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

If Carolina Tobacco does decide to advertise in the future, it must submit a plan detailing how it will comply with the requirements of the Cigarette Act with respect to display of the health warning statements in advertisements.

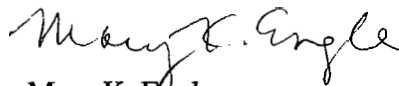
You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of the Department of Health and Human Services ("HHS"). Furthermore, the Tariff Act of 1930, 19 U.S.C. § 1681a(c)(1), as amended by the Tariff Suspension and Trade Act of 2000, Pub. L. No. 106-476, 114 Stat. 2179, prohibits the importation of cigarettes unless at the time of entry the

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Ms. Karon Redmond
Carolina Tobacco Company
January 31, 2002
Page 2

importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and ~~will~~ continue to submit the list of ingredients to HHS.

Very truly yours,

A handwritten signature in cursive script that reads "Mary K. Engle".

Mary K. Engle
Acting Associate Director

SANDLER, TRAVIS & ROSENBERG, P.A.

ATTORNEYS AT LAW

THE WATERFORD
5200 BLUE LAGOON DRIVE
MIAMI, FL 33126-2022

(305) 267-9200

FAX (305) 267-5155

E-MAIL ADDRESS: info@strtrade.com

WEBSITE: www.strtrade.com

NICOLE BIVENS COLLINSON
SHANNON E. FURA
JO BRONSON HARRIS
WILLIAM H. HOUSTON
W. CHAD NESBIT
LAUREN V. PEREZ
MICHELLE SALEM
RONALD J. SORINI
DENNIS J. WAKEMAN
ADRIAN A. WILLIAMS
TRADE ADVISORS

RAUL A. CASAL*††
JOHN M. DALY*
T. RANDOLPH FERGUSON'
PAUL G. GIGUERE*
LEON I. JACOBSON
TODD G. KOCOUREK
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CHRISTOPHER C. MCNATT, JR.'
LEE MERMELSTEIN*
ANDREW J. SAMET*
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NANCY J. WOLLIN
OF COUNSEL

†† RESIDENT IN ARGENTINA
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ARGENTINIAN MATTERS ONLY

SANDLER & TRAVIS
TRADE ADVISORY SERVICES

DETROIT • PORTLAND • OTTAWA
CONSULTING SERVICES

DONNA L. BADE*
P.
PEGGY LOUIE CHAPLIN*
DAVID E. COHEN*
JORGE ESPINOSA
PHILIP S. GALLAS*
RONALD W. GERDES*
GERALD B. HORN*
EDWARD M. JOFFE▼
THOMAS E. JOHNSON*
GERSON M. JOSEPH
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CHANDRI NAVARRO-BOWMAN'
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SUSAN L. RENTON*
BETH C. RING'
LEONARD L. ROSENBERG
FRANCESCA RUSSO-DI STAULO
GILBERT LEE SANDLER
CINDY R. TABER*
THOMAS G. TRAVIS
KENNETH WOLF'

* NOT ADMITTED IN FL

▼ BOARD CERTIFIED INTERNATIONAL LAW

January 30, 2002

Department of Advertising Practices
Federal Trade Commission
Sixth Street and Pennsylvania Avenue, N.W.
Washington, D.C. 20580
ATTN: Sallie Schools

via facsimile and federal express

Cigarette Health Warning Display Plans

Dear Ms. Schools:

This letter revises the application plan approval request for the UNIFY brand of cigarettes submitted on January 15, 2002 and serves as our client's request for approval of its equalized application of the four Surgeon General's Warnings on the packs and cartons of each brand style of the UNIFY cigarettes for the one (1) year period of time following approval of this plan, as set forth below.

The UNIFY brand of cigarettes is manufactured by Tabacalera, S.A., under authority of Maryjane Cigarette Company of Miami, Florida and is imported by our client, American Automotive Security Products d/b/a F.T.S. Distributors. This request is being submitted on behalf of our client, American Automotive Security Products d/b/a F.T.S. Distributors, importer of the UNIFY brand of cigarettes for the following brand styles:

MENTHOL brand style hard packs and cartons (king size)
ULTRA LIGHTS brand style hard packs and cartons (king size)
MENTHOL LIGHTS brand style hard packs and cartons (king size)
LIGHTS brand style hard packs and cartons (king size)

AFFILIATED OFFICES

WASHINGTON, D.C. NEWYORK BALTIMORE SAN FRANCISCO CHICAGO BUENOSAIRES LOS ANGELES

SANDLER, TRAVIS & ROSENBERG, P.A.

Federal Trade Commission
January 30, 2002
Page 2

FULL FLAVOR brand style hard packs and cartons (king size)
NON FILTER brand style soft packs and cartons (king size)
FULL FLAVOR brand style soft packs and cartons (king size)
LIGHTS brand style soft packs and cartons (king size)
MENTHOL LIGHTS 100s brand style soft packs and cartons
MENTHOL 100s brand style soft packs and cartons
FULL FLAVOR 100s brand style soft packs and cartons
ULTRA LIGHTS 100s brand style soft packs and cartons
LIGHTS 100s brand style soft packs and cartons

1. Contact Information

The contact information, for the importer, is as follows:

Importer of Record for UNIFY Cigarettes

American Automotive Security Products d/b/a F.T.S. Distributors
23 15 N.W. 107th Avenue
Bay # B-15, Box 66
Miami, Florida 33172
ATTN: Basil Battah
Telephone: (954) 326-1496

2. Warning Application Plan

As set forth in 15 U.S.C. 1333(c)(2), an importer may apply for approval of a Surgeon General's Warning application plan whereby the four warnings are equalized on the packs and cartons of each brand style it imports of a particular brand for the one (1) year period following FTC approval of such plan if that importer meets the following criteria:

- (i) the number of cigarettes of such brand style sold in the fiscal year of the manufacturer or importer preceding the submission of the application is less than one-fourth of 1 percent of all the cigarettes sold in the United States in such year, and
- (ii) more than one-half of the cigarettes manufactured or imported by such manufacturer or importer for sale in the United States are packaged into brand styles which meet the requirements of clause (i).

The subject applicant, American Automotive Security Products d/b/a F.T.S. Distributors, the importer of record of the UNIFY brand of cigarettes, hereby certifies, as verified in the attached letter, that in the calendar year 2001 it sold a total of [REDACTED] cigarettes, all under the United brand name, equaling less than $\frac{1}{4}$ of 1 percent of all the cigarettes sold in the United States during that same calendar year. In addition, American Automotive Security Products d/b/a F.T.S. Distributors estimates that it will import a total of approximately [REDACTED] of the UNIFY cigarettes only during the one year period following approval of this plan.

SANDLER, TRAVIS & ROSENBERG, P.A.

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American Automotive Security Products d/b/a F.T.S. Distributors will equalize the following four warnings on the packs and cartons of all brand styles of the UNIFY cigarettes for the one year period following approval of this plan:

SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.

SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.

SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury, Premature Birth, and Low Birth Weight.

Attached to the correspondence submitted to the FTC on January 15, 2002 were actual hard packs and cartons for the MENTHOL, ULTRA LIGHTS, MENTHOL LIGHTS, LIGHTS and FULL FLAVOR brand styles and actual soft packs and cartons of the NON FILTER, FULL FLAVOR, LIGHTS, MENTHOL LIGHTS 100s, MENTHOL 100s, FULL FLAVOR 100s, ULTRA LIGHTS 100s and LIGHTS 100s brand styles of the UNIFY cigarettes, each such brand style showing application of each of the four Surgeon General's Warnings in the exact form as they will appear during the 12-month period following FTC approval of this rotation plan request.

3. Additional Discussion


At this point in time, there will be no advertising for the UNIFY cigarettes.

American Automotive Security Products d/b/a F.T.S. Distributors will maintain the necessary records to ensure tracking and recordation of the equalization of the four warnings on all brand styles of the UNIFY cigarettes.

We sincerely appreciate your continued consideration and attention to this matter and send you our very best regards. We ask that you forward your approval of the Surgeon General's Warnings application plan for the UNIFY packs and cartons to the undersigned as soon as possible, as importation is pending.

Sincerely,
SANDLER, TRAVIS & ROSENBERG, P.A.

By: _____


Lauren V. Perez
IPR Trade Advisor

AMERICAN AUTOMOTIVE SECURITY PRODUCTS, INC.
F.T.S. DISTRIBUTORS

2315 N.W. 107th AVE, Miami, FL 33172

Toll Free: 1-800-741-7744

Local:

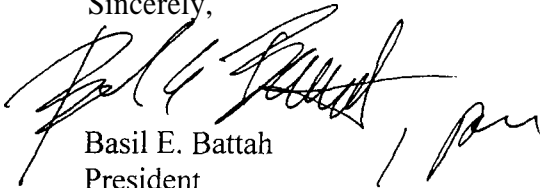
Fax: 305-718-4999

January 22, 2002

To Whom It May Concern:

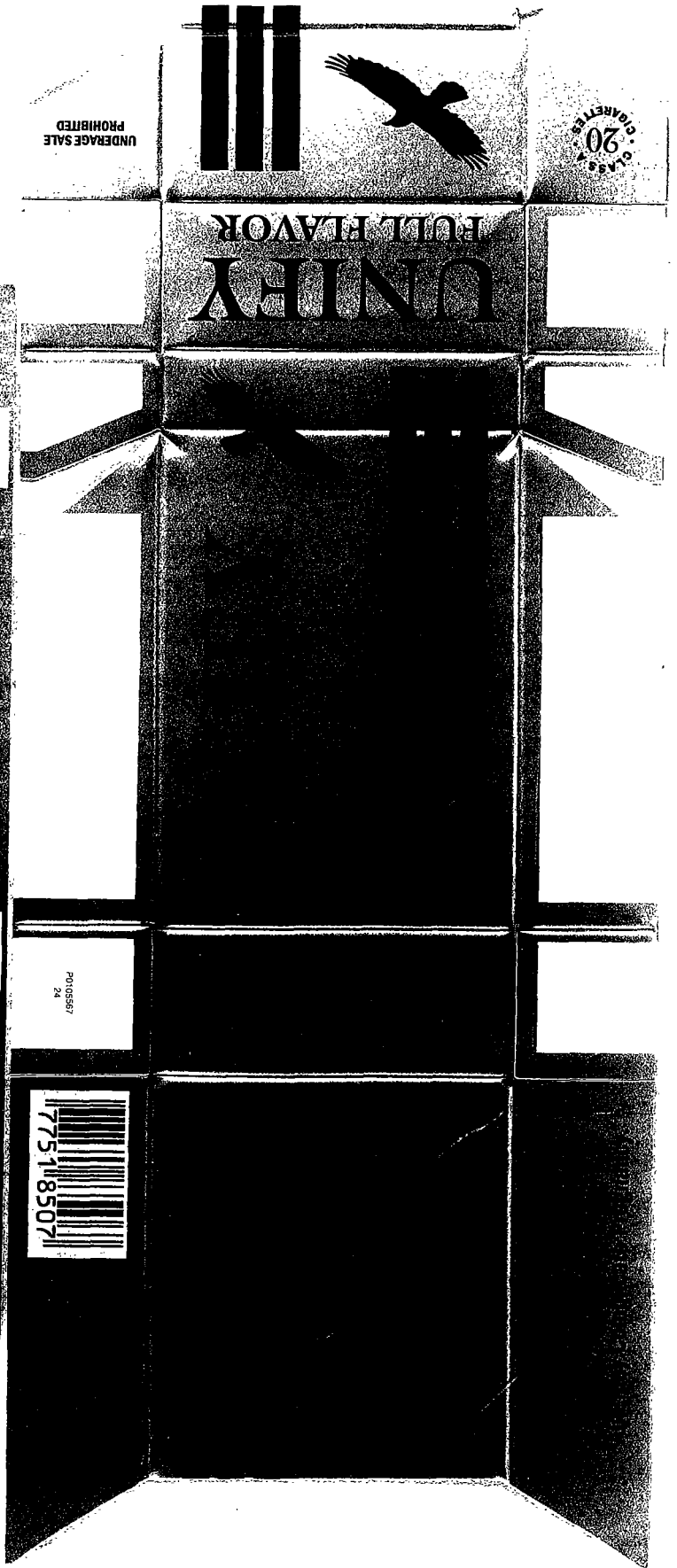
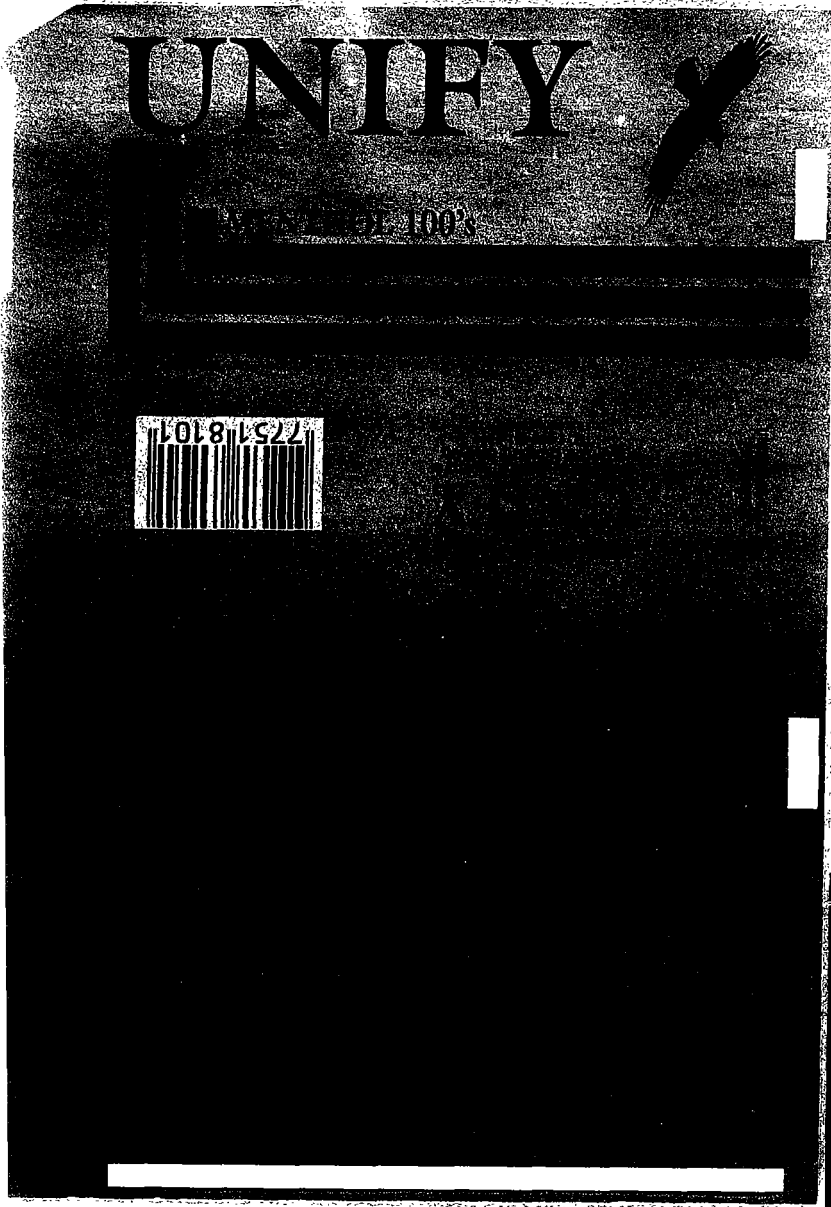
During the calendar year 2001. American Automotive Security Products, Inc. d/b/a F.T.S. Distributors (Importer # 65-0280690), imported a total of [REDACTED] cigarettes into the United States. All of the previously stated cigarettes were the United brand name, for which we are the exclusive importer for the United States. We have a rough forecast plan of importing approximately the same number of cigarettes for the 2002 calendar year. of our new Unify brand name only.

Sincerely,



Basil E. Battah
President

Selected packaging samples from those
submitted with the plan.



UNION

UNION
ULTRA LIGHTS

UNION

ULTRA LIGHTS



10 BOXES OF
20 CLASS A
CIGARETTES

UNION

ULTRA LIGHTS

CHATEAU GENERAL'S WARNING:
Cigarette Smoke Contains
Carbon Monoxide.





UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

January 31, 2002

Ms. Lauren V. Perez
IPR Trade Advisor
Sandler, Travis & Rosenberg, P.A.
The Waterford, 5200 Blue Lagoon Drive
Miami, FL 33126-2022

Dear Ms. Perez:

The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). Pursuant to that delegation, I have reviewed the revised proposed plan filed on behalf of American Automotive Security Products, d/b/a F.T.S. Distributors, on January 30, 2002, calling for the simultaneous display of the four health warnings on packaging of certain varieties of the Unify brand of cigarettes.

F.T.S. Distributors' sales appear to qualify for the aforementioned alternative to quarterly rotation of the warnings on packaging. The warnings on the sample packs and cartons of the Unify brand submitted with your January 15, 2002 letter appear to meet the requirements of the Cigarette Act for size and conspicuousness. F.T.S. Distributors' plan is hereby approved for the following varieties of the Unify brand: Full King Box, Full King Soft, Full 100's Soft, Lights King Box, Lights King Soft, Lights 100s Soft, Ultra Lights King Box, Ultra Lights 100's Soft, Menthol King Box, Menthol 100s Soft, Menthol Lights King Box, Menthol Lights 100s Soft, Non Filter King Soft. This approval is effective on the date of this letter and ends on January 30, 2003. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.¹ The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

If F.T.S. Distributors does decide to advertise in the future, it must submit a plan detailing how it will comply with the requirements of the Cigarette Act with respect to display of the health warning statements in advertisements.

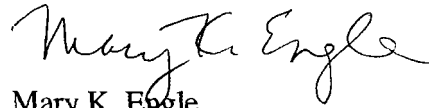
You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of the Department of Health and Human Services ("HHS"). Furthermore, the Tariff Act of 1930, 19 U.S.C. § 1681a(c)(1), as amended by the Tariff Suspension and Trade Act of 2000, Pub. L.

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Ms. Lauren V. Perez
January 31, 2002
Page 2

No. 106-476, 114 Stat. 2179, prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and will continue to submit the list of ingredients to HHS.

Very truly yours,

A handwritten signature in black ink that reads "Mary K. Egle". The signature is written in a cursive style with a large, looping "M" and "E".

Mary K. Egle
Acting Associate Director

LAW OFFICES OF
BARRY M. BOREN

Dadeland Towers
9200 South Dadeland Boulevard
Suite 412
Miami, Florida 33156

Telephone
(305) 670-2200
Facsimile
(305) 670-9672

January 23, 2002

Ms. Mary K. Engle, Acting Associate Director
Division of Advertising Practices
Federal Trade Commission
601 Pennsylvania Avenue, N.W. Room 4213
Washington, D.C. 20580

Attention: Ms. Sallie Schools

Amended
Surgeon General's Warning Rotation Plan for
International Cruise Liquor & Tobacco, L.L.C.
For Backard Cigarettes

Dear Ms. Engle:

Please be advised that we are the attorneys for an importer of tobacco products, International Cruise Liquor & Tobacco, L.L.C. ("ICLT"), a Florida limited liability corporation, with offices located at 11091 N.W. Miami, Florida 33172. ICLT wishes to file a Surgeon General's Warning Rotation Plan as required by the Federal Cigarette Labeling and Advertising Act of 1964, as amended, ("Act") (15 U.S.C. §1331 *et seq.*) for cigarettes they wish to import into the United States under the brand name "Backard." The contact person for the company will be its Director, Alex De La Cruz, who can be reached at: 11091 N.W. Miami, Florida 33172. The plan we are proposing for the Backard cigarettes is an equalization plan.

The brand styles of cigarettes ICLT intends to import are listed on Exhibit "A." Enclosed with our January 8, 2002 submission were the actual production packs and cartons (listed on Exhibit "A") for the various brand styles showing exactly where and how the four (4) Surgeon General's health warnings will appear on individual packs and cartons ICLT will be importing. The two samples (Full Flavor King Box Carton with Lung Cancer warning and the Ultra Lights King Box Pack with the Carbon Monoxide warning) are enclosed with this submission.

ICLT did not import or manufacture any cigarettes in the year 2001 and, to date, has not imported or manufactured any cigarettes in 2002. They anticipate importing approximately [REDACTED] master cases a month of all its brand styles for the twelve (12) month period beginning upon the date this plan is approved. No one brand style of cigarettes imported by ICLT has for the past year constituted more than [REDACTED] cigarettes per year

and no one brand style will constitute more than _____cigarettes a year in the next year. As you can see from these figures, the number of each brand style of Backard cigarettes sold by ICLT in the fiscal year 2000, is less than 1/4 of 1% of all the cigarettes sold in the United States in such year. In addition, more than 1/2 of the cigarettes manufactured or imported by ICLT for sale in the United States will be packaged into brand styles which meet the requirements of 15 U.S.C. §1333(c)(2)(A)(i).

As a small importer/manufacture as defined by the Act, ICLT wishes to submit a plan to equalize the health warning statements as required by 15 U.S.C. §1333(c) for its Backard brand. The equalization plan we wish to submit requires that each of the four warning statements will appear on the packs and cartons of each brand style of cigarettes imported by ICLT an equal number of times in the one year period beginning on the date this plan is approved.

The individual packs of Backard cigarettes to be imported by ICLT will have the proper health warnings printed by the manufacturer directly on the packs under the cellophane. The cartons will have the proper health warnings printed directly on the cartons by the manufacturer. ICLT will keep a log with a running total of the number of cartons and packs it imports with each warning label for each brand style.

ICLT understands that the FTC is charged with ensuring that ICLT's Surgeon General's Health Warning Label Plan is complied with and, therefore, it agrees to maintain records to demonstrate that they are in compliance with, and are properly implementing their plan.

ICLT intends to print all of its cartons and packs in a rotation using all four (4) health warnings so each shipment should be approximately equalized as imported. If, toward the end of the one year period, it appears that the warnings are not equalized, ICLT will place special orders for the specific health warnings needed to ensure that the rotation is equalized by the plan's anniversary date.

The samples that were enclosed with our January 8, 2002 submission (along with the two samples, Full Flavor King Box Carton with Lung Cancer warning and the Ultra Lights King Box Pack with the Carbon Monoxide warning, submitted herewith) have the health warnings as required by the statute and show exactly where and how the Surgeon General's health warnings will appear on the individual packs and cartons ICLT will be importing. These warning labels will be printed directly on the packs and cartons by the manufacturers in the place and in the manner indicated.

Nothing herein shall be construed to require the manufacture, packaging, distribution or importation of any cigarette during any period of time. ICLT shall be deemed to have satisfied its responsibilities under the plan if it has taken reasonable steps to: (1) provide by written contract or the giving of clear instructions, or otherwise, for the rotation of the warning statements required by the Act in accordance with the pertinent provisions

of this plan; and (2) prevent the recurrence of any mistakes, errors, or omissions that have come to its attention.

No provision of this plan and no action taken pursuant hereto or statement made in connection herewith constitutes or shall be construed as an admission in any judicial or administrative proceeding, in any private litigation, or in any official action, report or statement by the United States Government, or any instrumentality thereof.

Please be advised that, at this time, ICLT does not advertise, and therefore, will not need to comply with the Act's requirements requiring the rotation of warning labels on advertising. If this should change, we will notify the FTC and modify our plan accordingly.

We believe this plan complies in all respects with the Federal Cigarette Labeling and Advertising Act, as amended, (15 U.S.C. § 1331 *et seq.*) including any modifications made by the Public Health Act of 1969, the Comprehensive Smoking Education Act of 1984, the Nurses' Education Amendments of 1985 and the Imported Cigarette Compliance Act of 2000. For this reason, we hereby request that you approve this plan as soon as possible.

Should you have any further questions regarding this matter, please do not hesitate to contact us.

Sincerely yours,

LAW OFFICES OF BARRY M. BOREN



Barry M. Boren

BMB:mw
encs.

Backard -FTC-EqualizationPlan

EXHIBIT 'A' LIST OF CIGARETTES

Backard

Full Flavor Box King Size
Lights Box King Size
Ultra Lights Box King Size
Menthol Lights Box King Size
Menthol Box King Size

Full Flavor 100's Soft Pack
Lights 100's Soft Pack
Ultra Lights 100's Soft Pack
Menthol Lights 100's Soft Pack
Menthol 100's Soft Pack

Non-Filter Soft Pack King Size
Full Flavor Soft Pack King Size
Lights Soft Pack King Size
Ultra Lights Soft Pack King Size
Menthol Lights Soft Pack King Size
Menthol Soft Pack King Size

Selected packaging samples from those
submitted with the plan.

CLASS A
20
CIGARETTES

NON-FILTER CIGARETTES

BACKARD

Non-Filter

20 PREMIUM
NON-FILTER CIGARETTES

BACKARD

Made and Packaged
in Colombia, under the
authority of DCTS LTD, London.



CLASS A
20
CIGARETTES

NON-FILTER CIGARETTES

BACKARD

Non-Filter

20 PREMIUM
NON-FILTER CIGARETTES

MI

MO. BACKARD NON FILTER BD2084 GD 17

SURGEON GENERAL'S WARNING:
Cigarette Smoke Contains
Carbon Monoxide.

FILTER CIGARETTES

FILTER CIGARETTES

BACKARD

Menthol

20 CLASS A CIGARETTES

BACKARD

20 CLASS A CIGARETTES

Menthol

BACKARD

SURGEON GENERAL'S WARNING:
Smoking By Pregnant Women May Result
in Fetal Injury, Premature Birth,
And Low Birth Weight.

13

MO. BACKARD MENTHOL DD2079 GD . T 6

CP



Made and Packaged
in Colombia Made under
the authority of Dcts Ltd., London.

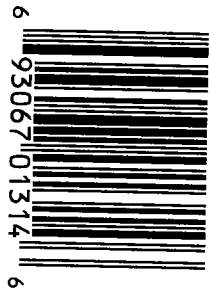
+

BACKARD



BACKARD

**SURGEON GENERAL'S WARNING:
Smoking Causes Lung Cancer,
Heart Disease, Emphysema,
And May Complicate Pregnancy.**



Made and Packaged in Colombia
Made under the authority of
Dets Ltd., London.





UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

February 4, 2002

Barry M. Boren, Esq.
Dadeland Towers
9200 South Dadeland Boulevard, Suite 412
Miami, FL 33156

Dear Mr. Boren:

The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, *et seq.* ("the Cigarette Act"). Pursuant to that delegation, I have reviewed the revised proposed plan filed on behalf of International Cruise Liquor & Tobacco, LLC ("ICLT") on January 23, 2002, calling for the simultaneous display of the four health warnings on packaging of certain varieties of the Backard brand of cigarettes.

ICLT's sales appear to qualify for the aforementioned alternative to quarterly rotation of the warnings on packaging. The warnings on the sample packs and cartons of the Backard brand submitted with your January 8, 2002 and January 23, 2002 letters appear to comply with the requirements of the Cigarette Act for size and conspicuousness. ICLT's plan for the Backard brand is approved for the sixteen varieties listed in its plan. This approval is effective on the date of this letter and ends on February 3, 2003. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.¹ The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

If ICLT does decide to advertise in the future, it must submit a plan detailing how it will comply with the requirements of the Cigarette Act with respect to display of the health warning statements in advertisements.

You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of the Department of Health and Human Services ("HHS"). Furthermore, the Tariff Act of 1930, 19 U.S.C. § 1681a(c)(1), as amended by the Tariff Suspension and Trade Act of 2000, Pub. L. No. 106-476, 114 Stat. 2179, prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and will continue to submit the list of ingredients to HHS.

Very truly yours,


Mary K. Engle
Acting Associate Director

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.



Manufacturer and Importer
of Premium Cigarettes

February 1, 2002

Mary K. Engle
Acting Associate Director/Division of Advertising Practice
FEDERAL TRADE COMMISSION
FTC ~~HEADQUARTERS~~ SATELLITE BUILDING
601 Pennsylvania Ave., NW Washington, DC 20580

RE: Compliance of Federal Cigarette Labeling And Advertising Act, 15 U.S.C.

Dear Ms. Engle,

This letter shall serve as formal notice to the Federal Trade Commission regarding Sun Tobacco's "plan" to manufacture and import the "Bronco" line of cigarettes; Full Flavor, Lights, and Menthol.

In Compliance with Sections 1333 (c) (1), Sun Tobacco, Inc. chooses to rotate the four Surgeon General Warnings on packs and cartons of the Bronco brand of cigarettes with a trigger date of 01/01/02 in the following quarterly manner:

From January 1st to March 31st - Surgeon General's Warning:

Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.

- 1) From April 1st to June 30th - Surgeon General's Warning:
Smoking By Pregnant Women May Result in Fetal **Injury**, Premature Birth, And Low Birth.
- 2) From July 1st to September 30th - Surgeon General's Warning:
Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.
- 3) From October 1st to December 31st - Surgeon General's Warning:
Cigarette Smoke Contains Carbon Monoxide.

The company will ensure that all four warnings will appear exactly as shown on the sample packs and cartons previously submitted with our letter of April 18, 2000. Also, the packaging has not changed since that time.

Sun Tobacco, Inc. will maintain sufficient records to demonstrate compliance with the plan.

Sun Tobacco, Inc. will advertise this brand to consumers. For our advertising, we will use the warning formats that were submitted with the plans of the five leading U.S. cigarette manufacturers and we will place the warnings as specified in those plans. We will rotate the four warnings on advertising of the "Bronco" brand of cigarettes according to the same schedule used for its packaging (see above). Copies of advertising acetate warning exhibits 1-5 are enclosed. The largest size advertising we will use is 470 square inches.

Sincerely,

Thomas O'Connell, President

SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.

Exhibit 5 Category 5. Over 360 to 470 square inches

SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.

Exhibit 4 Category 4. Over 180 to 360 square inches

SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.

Exhibit 3 Category 3. Over 110 to 180 square inches

SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.

Exhibit 2 Category 2. Over 65 to 110 square inches

SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.

Exhibit 1 Category 1. 0 to 65 square inches

STATEMENT B

SURGEON GENERAL'S WARNING: Quitting Smoking
Now Greatly Reduces Serious Risks to Your Health.

Exhibit 5 Category 5. Over 360 to 470 square inches

SURGEON GENERAL'S WARNING: Quitting Smoking
Now Greatly Reduces Serious Risks to Your Health.

Exhibit 4 Category 4. Over 180 to 360 square inches

SURGEON GENERAL'S WARNING: Quitting Smoking
Now Greatly Reduces Serious Risks to Your Health.

Exhibit 3 Category 3. Over 110 to 180 square inches

SURGEON GENERAL'S WARNING: Quitting Smoking
Now Greatly Reduces Serious Risks to Your Health.

Exhibit 2 Category 2. Over 65 to 110 square inches

SURGEON GENERAL'S WARNING: Quitting Smoking
Now Greatly Reduces Serious Risks to Your Health.

Exhibit 1 Category 1. 0 to 65 square inches

STATEMENT C

SURGEON GENERAL'S WARNING: Smoking
By Pregnant Women May Result in Fetal
Injury, Premature Birth, And Low Birth Weight.

Exhibit 5 Category 5. Over 360 to 470 square inches

SURGEON GENERAL'S WARNING: Smoking
By Pregnant Women May Result in Fetal
Injury, Premature Birth, And low Birth Weight.

Exhibit 4 Category 4. Over 180 to 360 square inches

SURGEON GENERAL'S WARNING: Smoking
By Pregnant Women May Result in Fetal
Injury, Premature Birth, And Low Birth Weight.

Exhibit 3 Category 3. Over 110 to 180 square inches

SURGEON GENERAL'S WARNING: Smoking
By Pregnant Women May Result in Fetal
Injury, Premature Birth, And Low Birth Weight.

Exhibit 2 Category 2. Over 65 to 110 square inches

SURGEON GENERAL'S WARNING: Smoking
By Pregnant Women May Result in Fetal
Injury, Premature Birth, And Low Birth Weight.

Exhibit 1 Category 1. 0 to 65 square inches

STATEMENT D

**SURGEON GENERAL'S WARNING: Cigarette
Smoke Contains Carbon Monoxide.**

Exhibit 5 Category 5. Over 360 to 470 square inches

**SURGEON GENERAL'S WARNING: Cigarette
Smoke Contains Carbon Monoxide.**

Exhibit 4 Category 4. Over 180 to 360 square inches

**SURGEON GENERAL'S WARNING: Cigarette
Smoke Contains Carbon Monoxide.**

Exhibit 3 Category 3. Over 110 to 180 square inches

**SURGEON GENERAL'S WARNING: Cigarette
Smoke Contains Carbon Monoxide.**

Exhibit 2 Category 2. Over 65 to 110 square inches

**SURGEON GENERAL'S WARNING: Cigarette
Smoke Contains Carbon Monoxide.**

Exhibit 1 Category 1. 0 to 65 square inches

Selected packaging samples from those
submitted with the plan.



menthol



AMERICAN BLEND

BRONCO
menthol
20 CLASS A CIGARETTES
AMERICAN BLEND
FINE TOBACCO
MADE UNDER AUTHORITY
OF SUN TOBACCO LTD.



SURGEON GENERAL'S WARNING:
Quitting Smoking Now
Greatly **Reduces** Serious
Risks to Your Health.

BRONCO
menthol



PLEGACOL S A



14
COD PROD 30014 PLA # 0898 1 1

BRONCO
FILTER CIGARETTES

BRONCO
menthol

UNDERAGE
SALE
PROHIBITED

FILTER CIGARETTES

BRONCO

PRODUCT OF COLOMBIA
COLOMBIAN TAX EXEMPT
FOR EXPORT ONLY

BRONCO

RAGE
LE
BITED

200 CLASS A CIGARETTES



SURGEON GENERAL'S WARNING:
Cigarette Smoke
contains Carbon Monoxide.



menthol
BRONCO

KING SIZE



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

February 4, 2002

Mr. Thomas O'Connell
President
Sun Tobacco
16300NE 19th Avenue
Ste. 103
North Miami Beach, FL 33162

Dear Mr. O'Connell:

The Federal Trade Commission ("the Commission") has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, *et seq.* ("the Cigarette Act"). Pursuant to that delegation, I have reviewed the proposed plan filed by Sun Tobacco on February 1, 2002 calling for quarterly rotation of the four health warnings, on packaging and advertising of certain varieties of the "Bronco" brand of cigarettes.

Your plan for the rotation of the warnings in advertising has been approved. Approval of the plan assumes that the plan is implemented in good faith.

The warnings on the packs and cartons of the "Bronco" brand submitted with your letter dated April 18, 2000 appear to comply with the requirements of the Cigarette Act for size and conspicuousness. Sun Tobacco's plan has been approved for the following varieties of the "Bronco" brand of cigarettes: full flavor, lights, and menthol. Approval of the plan is contingent on its good faith implementation. We may **ask** for information demonstrating proper implementation of the plan.' The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. §1001.

Mr. Thomas O'Connell
February 4, 2002
Page 2

You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of the Department of Health and Human Services ("HHS"). Furthermore, the Tariff Act of 1930, 19 U.S.C. § 1681 as amended by the Tariff Suspension and Trade Act of 2000, Pub. L. No. 106-476, 114 Stat. 2179, prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and will continue to submit the list of ingredients to HHS.

Very truly yours,

A handwritten signature in cursive script that reads "Mary K. Engle".

Acting
Mary K. Engle

WINNER COMPANY
763 Kasota Ave. SE.
Minneapolis MN 55414

Tuesday, January 22, 2002

Mr. C. Lee Peeler
Associate Director
Division of Advertising Practice
Federal Trade Commission
601 Pennsylvania Av. NW, Room 4002
Washington, DC 20580

Re: Cigarette Health Warning Rotation Plan.

Dear Mr. Peeler:

On behalf of Winner Company, I am submitting a renewal Cigarette Health Warning Plan (the 'plan'), as required under the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. 1331, et seq. ("the Cigarette Act"). The cigarettes covered by the proposed plan are "Winner" brand.

The company will be importing eight brand styles of "Winner" cigarettes: full flavor, full flavor loo's, lights, lights 100's, menthol full flavor, menthol full flavor loo's, menthol lights 100's and ultra lights 100's.

All of the brand styles to be imported by the company under the plan qualify for the alternative to quarterly rotation set forth in 15 U.S.C. 1333(C)(2). The company have imported a total of [REDACTED] cartons of cigarettes combined of all brand styles in 2001, and anticipates that during the calendar year covered by this renewal plan it will not import more than [REDACTED] cartons of cigarettes of any one-brand style.

Under the alternative method for rotating the warnings on packaging, set forth in 15 U.S.C. [REDACTED] the company assures that each of the four health warnings specified in 15 U.S.C. 1333(a)(1) will appear on the packaging, both packs and cartons, of each brand style an equal number of times during the year exactly as they appear in the enclosed sample packs and cartons, and will keep records demonstrating compliance with this undertaking. The four health warnings are printed in white lettering on dark background, see enclosed artwork.

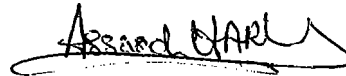
All of the "Winner" cigarettes covered by this plan will be sold in their original packaging. All of the individual packs and cartons of cigarettes bear the statutorily mandated health warnings in a manner that complies with the Cigarette Act.

All four warnings specified in the Cigarette Act appear on the individual packs and cartons of each brand style the company is importing. In order to assure that the four warnings specified in the Cigarette Act appear on the individual packs and cartons of each brand style an equal number of times during the year, the manufacturer will print packs on sheets, containing **16** packs each, in a row of 4. Because of this, it is very easy to arrange the printing machine so that each row of packs is printed with a different Health Warning. That way, it is certain that no matter how many sheets of packs are printed of the same style, the 4 Health Warnings will be evenly distributed among them. It is a similar case with the cartons for the packs. Instead of being printed on sheets of **16**, cartons are printed 4 per sheet, giving us one of each Health Warning on each printed sheet. During the year, the company will maintain a log for each brand style of cigarette to determine if the cigarettes it has imported had an equal number of the 4 Health Warnings on the packs and cartons of each brand style.

The company will not be advertising the cigarettes imported under this plan and therefore is not submitting a plan for the rotation of the health warnings in advertising.

The company will keep records to demonstrate compliance with this plan. These records will be maintained at 763 Kasota Avenue SE. Minneapolis Minnesota, and the person responsible for maintaining these records will be Assaad Hark.

Sincerely,
Assaad Hark, officer

A handwritten signature in black ink that reads "Assaad Hark". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

**Selected packaging samples from those
submitted with the plan.**

Selected packaging samples from those submitted with the plan.



Winner
FULL FLAVOR

Winner

FULL FLAVOR

SURGEON GENERAL'S WARNING:
Quitting Smoking Now Greatly
Reduces Serious Risks to Your Health.

Winner

FULL FLAVOR

FULL FLAVOR

Winner



SPECIAL FILTER

Winner

FULL FLAVOR

SPECIAL FILTER



Winner
FULL FLAVOR

Winner

FULL FLAVOR

SURGEON GENERAL'S WARNING:
Smoking By Pregnant Women May
Result in Fetal Injury, Premature
Birth, And Low Birth Weight.

Winner

FULL FLAVOR

FULL FLAVOR

Winner



SPECIAL FILTER

Winner

FULL FLAVOR

SPECIAL FILTER



Winne

LIGHTS
100's BOX
200 FILTER CIGARETTES



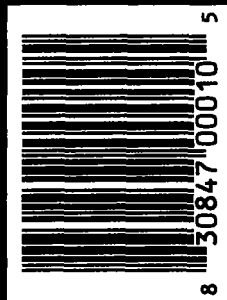
SPECIAL FILTER

SURGEON GENERAL'S WARNING:
Smoking Causes Lung Cancer,
Heart Disease, Emphysema, And
May Complicate Pregnancy.



SPECIAL FILTER

UNDERAGE
SALE
PROHIBITED



100's

1

Winner

Winn



Division of Advertising Practices

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

February 5, 2002

Mr. Assaad Hark
Winner Company
763 Kasota Ave., SE
Minneapolis, MN 55414

Dear Mr. Hark:

The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, *et seq.* ("the Cigarette Act"). Pursuant to that delegation, I have reviewed the revised proposed plan filed by the Winner Company on January 22, 2002, calling for the simultaneous display of the four health warnings on packaging of certain hard pack varieties of the Winner brand of cigarettes.

Winner's sales appear to qualify for the aforementioned alternative to quarterly rotation of the warnings on packaging. The warnings on the sample packs and cartons of the Winner brand submitted with your January 22, 2002 letter appear to meet the requirements of the Cigarette Act for size and conspicuousness. Winner's plan is hereby approved for the following hard pack varieties of the Winner brand: Full Flavor King, Full Flavor 100's, Lights King, Lights 100's, Menthol King, Menthol 100's, Ultra Lights 100's, Menthol Lights 100's. This approval is effective on the date of this letter and ends on February 4, 2003. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.' The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

If Winner does decide to advertise in the future, it must submit a plan detailing how it will comply with the requirements of the Cigarette Act with respect to display of the health warning statements in advertisements.

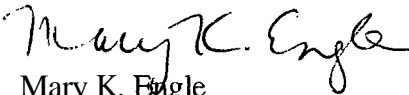
You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of the Department of Health and Human Services ("HHS"). Furthermore, the Tariff Act of 1930, 19 U.S.C. § _____ as amended by the Tariff Suspension and Trade Act _____ L.

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Mr. Assaad Hark
Winner Company
February 5, 2002
Page 2

No. 106-476, 114 Stat. 2179, prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and will continue to submit the list of ingredients to HHS.

Very truly yours,


Mary K. Engle
Acting Associate Director



LANE LIMITED

Manufacturers of Luxury Tobaccos Since 1890

February 1, 2002

Ms. Diana Winterson
Division of Advertising Practices
Federal Trade Commission
Suite 4002
601 Pennsylvania Avenue, NW
Washington, D.C. 20580

Dear **Ms.** Winterson,

Reference is made to Section 4 of the Federal Cigarette Labeling and Advertising Act, as amended (Act), and to the Lane Limited Label Statement Rotation Plan (Plan) submitted to the Federal Trade Commission under date December 6, 1999 pursuant to Section 4(c) of the Act.

Pursuant to Section 4(c)(2)(A) of the Act, Lane Limited hereby makes application, in accordance with the provisions of Section 2(d) of the Plan, to continue simultaneous rotation of the four health warnings set forth in Section 4(a)(1) of the Act on packages of the cigarette brands stated in the supporting Affidavit attached to our letter dated December 14, 2001. In addition, we would like the brands Gitanes Blondes and Gitanes Blondes Lights covered by this plan. The packaging for these brand styles was submitted with our 2001 rotation plan. Please find enclosed all 4 warnings on packs and cartons of the following brands **of** cigarettes:

DUNHILL INTERNATIONAL Filter De Luxe
DUNHILL INTERNATIONAL Lights
DUNHILL INTERNATIONAL Menthol
DUNHILL INTERNATIONAL Superior Mild
DUNHILL Special Reserve
DUNHILL Lights
DUNHILL Menthol Lights
CARTIER Vendome Lights
CARTIER Vendome Menthol Lights

CARTIER Vendome Ultra Lights
CRAVEN "A" King Size
Menthol
GAULOISES Non-Filter
GAULOISES Filter
GAULOISES Blondes
GAULOISES Lights
GITANES Non-Filter
GITANES Filter

On the basis **of** this application and the attached supporting Affidavit, it is submitted that Lane Limited meets the requirements of Section 4(c)(2)(A) of the Act.

Sincerely,

Alan E. Balch
Chairman and CEO

LAH
Attachment



LANE LIMITED

Manufacturers of Luxury Tobaccos Since 1890

December 14, 2001

Mr. C. Lee Peeler
Division of Advertising Practices
Federal Trade Commission
Suite 4002
601 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Dear Mr. Peeler:

Reference is made to Section 4 of the Federal Cigarette Labeling and Advertising Act, as amended (Act), and to the Lane Limited Label Statement Rotation Plan (Plan) submitted to the Federal Trade Commission under date December 6, 1999 pursuant to Section 4(c) of the Act.

Pursuant to Section 4(c)(2)(A) of the Act, Lane Limited hereby makes application, in accordance with the provisions of Section 2(d) of the Plan, to continue simultaneous rotation of the four health warnings set forth in Section 4(a)(1) of the Act on packages of the cigarette brands stated in the supporting Affidavit attached hereto. This application is for the twelve-month period beginning January 1, 2002.

On the basis of this application and the attached supporting Affidavit, it is submitted that Lane Limited meets the requirements of Section 4(c)(2)(A) of the Act.

With kind regards, I am

Very truly yours,

LANE LIMITED

Robert S. Pless
Vice President &
General Counsel

RSP

Attachment

AFFIDAVIT IN SUPPORT OF
APPLICATION BY LANE LIMITED
FOR SIMULTANEOUS LABEL STATEMENT ROTATION

I, Robert S. Pless, being duly sworn, do hereby state as follows:

1. I am Vice President and General Counsel of the Applicant, Lane Limited, a cigarette importer and manufacturer with a label statement rotation plan approved by the Federal Trade Commission.

2. Lane Limited imports, manufactures and sells cigarettes the brand names of which are set forth below. The packaging for the listed cigarette brands previously approved by the Federal Trade Commission **has** not changed.

DUNHILL INTERNATIONAL Filter De Luxe	CRAVEN 'A' Standard Size
DUNHILL INTERNATIONAL Lights	CRAVEN 'A' King Size
DUNHILL INTERNATIONAL Menthol	Menthol
DUNHILL INTERNATIONAL Superior Mild	GAULOISES Non-Filter
DUNHILL Special Reserve	GAULOISES Filter
DUNHILL Lights	GAULOISES Blondes
DUNHILL Menthol Lights	GAULOISES Lights
CARTIER Vendôme Lights	GITANES Non-Filter
CARTIER Vendôme Menthol Lights	GITANES filter
CARTIER Vendôme Ultra Lights	

3. This Affidavit is given in support of an Application by Lane Limited pursuant to Section (c)(2)(A) of the Act to continue, in accordance with Section 2(d) of the Plan, simultaneous rotation of the four health warning statements set forth in Section 4(a)(1) of the Act on packages of the cigarette brands set forth above.

4. The financial year of Lane Limited is a calendar year ending December 31.

5. The total number of cigarettes sold in the domestic market of the United States of America during the twelve-month period ended December 31, 2000, as reported in the Maxwell Report, was [REDACTED] units.

6. The total number of cigarettes sold by Lane Limited in the domestic market of the United States of America during the twelve-month period ended December 31, 2000 was [REDACTED] units, which represented only [REDACTED] of one percent of the total number of cigarettes sold in the domestic market of the United States of America during the same period.

7. Therefore, (i) the number of cigarettes of each brand style sold by Lane Limited and (ii) the total number of cigarettes sold by Lane Limited during the twelve-month period ended December 31, 2000, are each less than one-fourth of one percent of all cigarettes sold in the domestic market of the United States of America during the same period.

8. During the calendar year ending December 31, 2001, Lane Limited expects to sell approximately [REDACTED] cigarettes and does not anticipate that volume to be equal to or in excess of one-fourth of one percent of all cigarettes sold in the domestic market of the United States of America during the same period.

9. During the calendar year ending December 31, 2002, Lane Limited estimates that its domestic cigarette volume will approximate [REDACTED] units; and Lane Limited does not expect that cigarette volume to be equal to or in excess of one-fourth of one percent of all cigarettes sold in the domestic market of the United States of America during the same period.

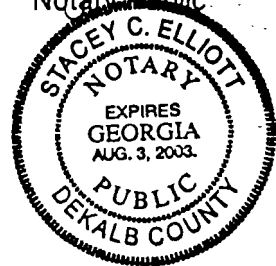
DATED: December 14, 2001

Robert S. Pless
Robert S. Pless

STATE OF GEORGIA)
)
COUNTY OF DEKALB)

On this 14th day of December, 2001, personally appeared before me, Robert S. Pless, being known to me to be the Vice President and General Counsel of Lane, Limited, who, being duly sworn by me, (i) stated that the facts set forth in the foregoing document are accurate and correct and (ii) subscribed his name to the aforesaid document.

Stacey C. Elliott
Notary Public



Selected packaging samples from those
submitted with the plan.

London · Paris · New York



MADE TO DUNHILL'S UNIQUE STANDARDS OF PERFECTION
INTERNATIONALLY RENOWNED SINCE 1907



INTERNATIONAL
Lights

FILTER DE LUXE CIGARETTES



DUNHILL

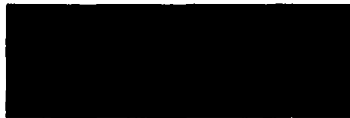
MADE TO DUNHILL'S UNIQUE STANDARDS OF PERFECTION
INTERNATIONALLY RENOWNED SINCE 1887



SURGEON GENERAL'S WARNING: Quitting Smoking
Now Greatly Reduces Serious Risks to Your Health.



MADE TO DUNHILL'S UNIQUE STANDARDS OF PERFECTION
INTERNATIONALLY RENOWNED SINCE 1887



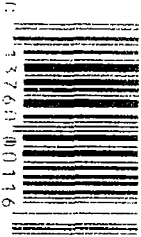
INTERNATIONAL

Lights

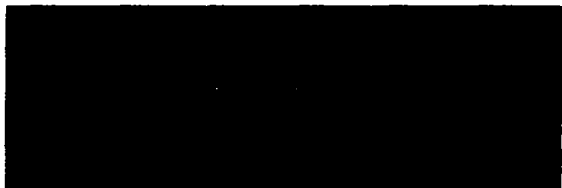
LONDON · PARIS · NEW YORK

MANUFACTURED UNDER AUTHORITY OF
DUNHILL TOBACCO OF LONDON LIMITED

MADE IN ENGLAND



Lights
INTERNATIONAL



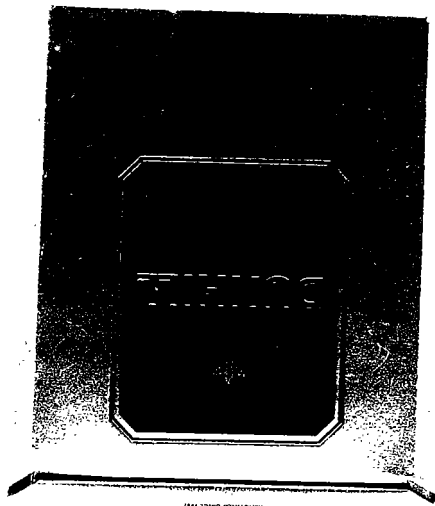
MADE TO DUNHILL'S UNIQUE STANDARDS OF PERFECTION
INTERNATIONALLY RENOWNED SINCE 1887



Lights
INTERNATIONAL

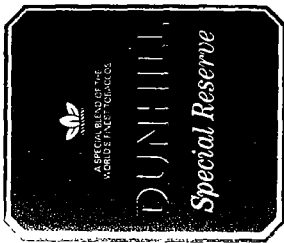
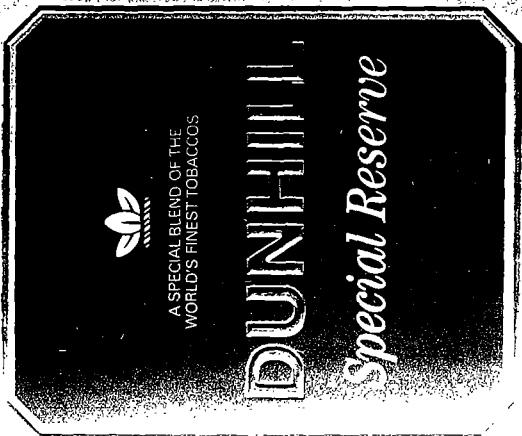
SURGEON GENERAL'S WARNING: Quitting Smoking
Now Greatly Reduces Serious Risks to Your Health.

20



MADE TO ORDER BY THE
OF THE UNITED STATES
REMOVED SINCE 1987





DUNHILL

SURGEON GENERAL'S WARNING: Quitting Now Greatly Reduces Serious Risks to Your Smoking.





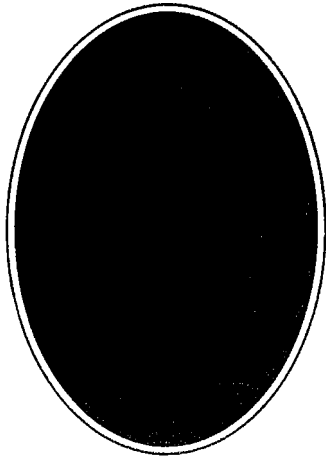
Cartier

ROYAL WELLS
ULTRA LIGHTS

PARIS · LONDON · NEW YORK

SURGEON GENERAL'S WARNING: Smoking By
Pregnant Women May Result in Fetal Injury,
Premature Birth, And Low Birth Weight.

20

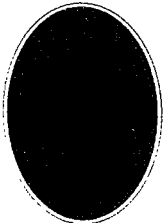


Cartier

VENDÔME
ULTRA LIGHTS

PARIS LONDON NEW YORK

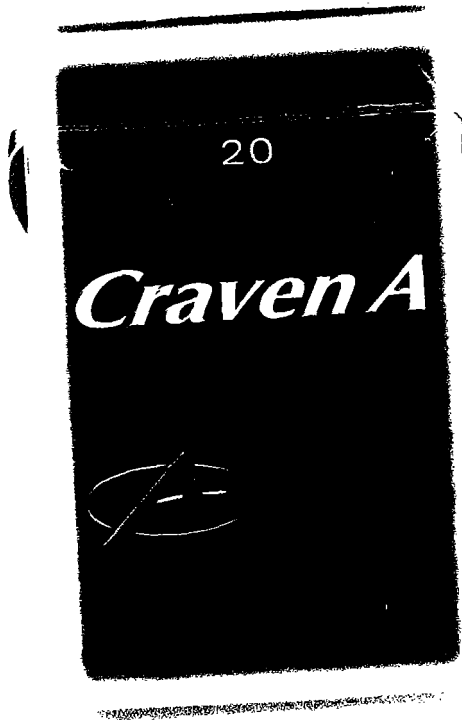
10 PACKS OF 20 CIGARETTES

Ultra  *Lights*
200/20

SURGEON GENERAL'S WARNING: Quitting Smoking
Now Greatly Reduces Serious Risks to Your Health.

REMOVE FOR TAX STAMP APPLICATION

DP 16563
CIVIL



SURGEON GENERAL'S
WARNING
Quitting Smoking Now
Greatly Reduces Serious
Risks to Your Health.

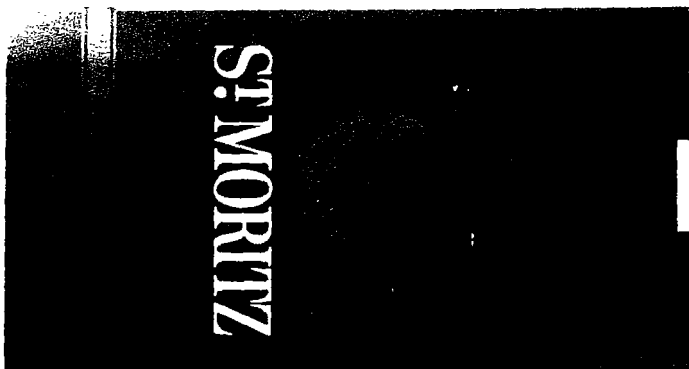
Craven A

CIGARETTES

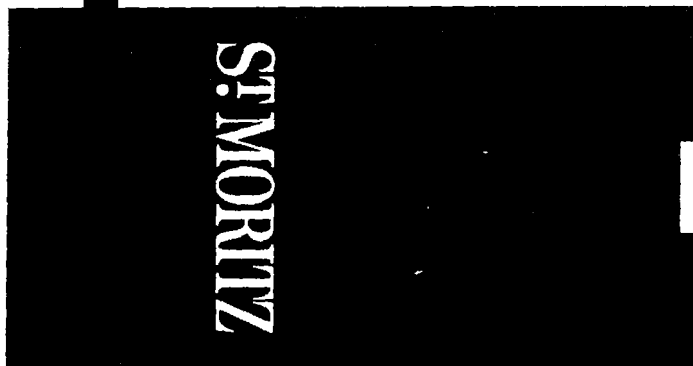
SURGEON GENERAL'S
WARNING Smoking Causes
Lung Cancer, Heart Disease,
Emphysema, And May
Complicate Pregnancy.

Craven A

11/16



ST MORITZ MENTHOL
MADE IN U.S.A. UNDER THE SUPERVISION OF
THE TRADE MARK COMMITTEE



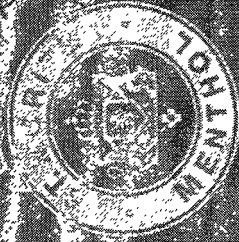
ST MORITZ
MENTHOL

SURGEON GENERALS WARNING:
Smoking Causes Lung Cancer, Heart Disease,
Emphysema, And May Complicate Pregnancy

ST. MORITZ

MENTHOL

GOLD BA FILTER

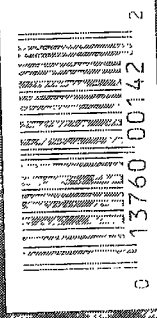


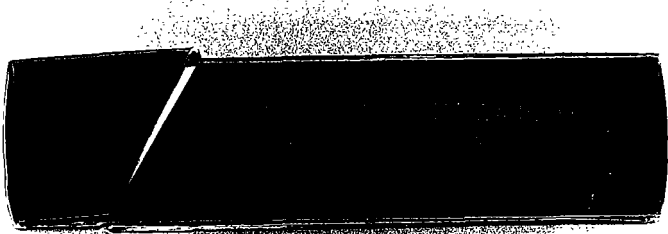
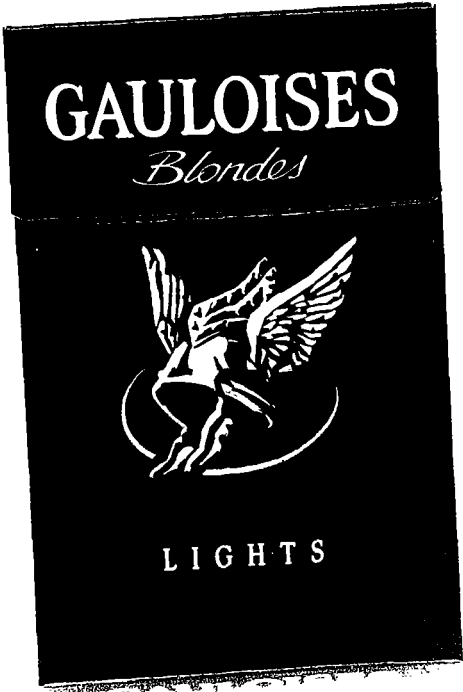
ST. MORITZ'S WARNING:
Existing Smokers: Now Greatly Reduces
Santitas Risk to Your Health.

MADE IN U.S.A. UNDER THE PATENT OF ST. MORITZ TOBACCO CO. CIGARETTES

ST. MORITZ

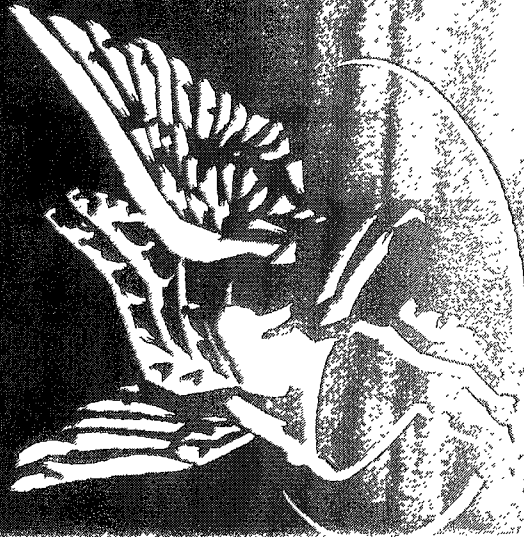
MENTHOL





GAULOISES

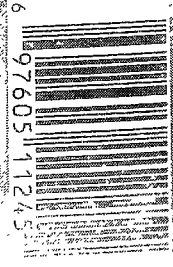
Blondes



GAULOISES

Blondes

MADE IN FRANCE

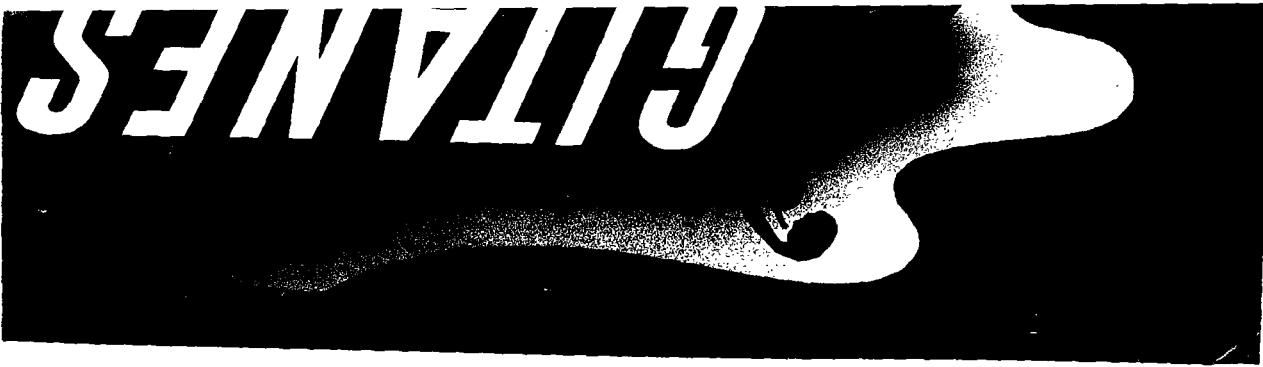


Blondes

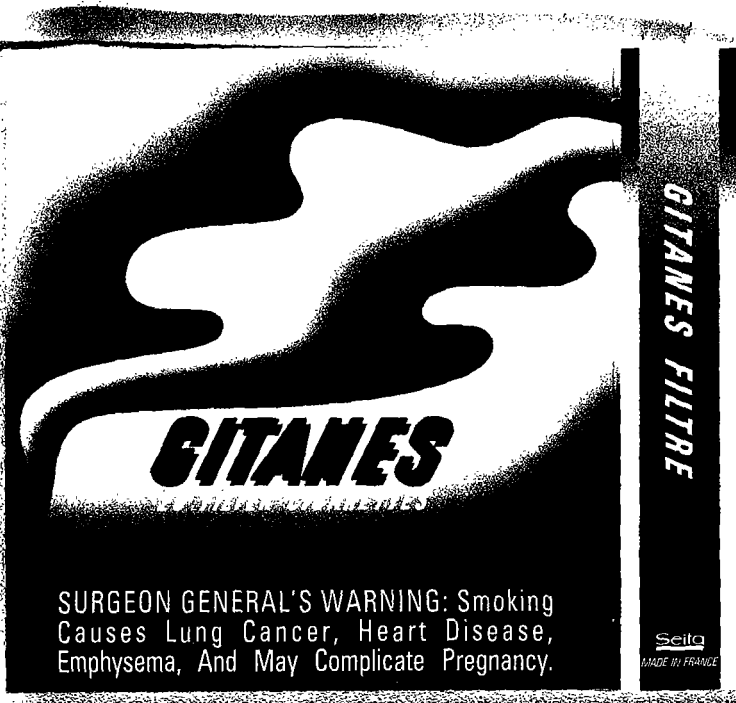
GAULOISES



SURGEON GENERAL'S
WARNING: Smoking By
Pregnant Women May Result
in Fetal Injury, Premature
Birth, And Low Birth Weight.



SURGEON GENERAL'S WARNING: Quitting Smoking
Now Greatly Reduces Serious Risks to Your Health.



SURGEON GENERAL'S WARNING: Smoking
Causes Lung Cancer, Heart Disease,
Emphysema, And May Complicate Pregnancy.

Seita
MADE IN FRANCE



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

February 7, 2002

Mr. Alan E. Balch
Chairman and CEO
Lane Limited
2280 Mountain Industrial Blvd.
Tucker, GA 30084

Dear Mr. Balch:

The Federal Trade Commission ("the Commission") has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). Pursuant to that delegation, I have reviewed the proposed plan filed on behalf of Lane Limited in letters dated December 14, 2001 and February 1, 2002. The plan calls for the simultaneous display of the four health warnings on the packaging of certain varieties of the Dunhill International, Dunhill, Cartier, Craven, St. Moritz, Gauloises, and Gitanes brands of cigarettes listed in your plan.

Lane Limited's sales appear to qualify for the aforementioned alternative to quarterly rotation of the warnings on packaging. The warnings on the packs and cartons submitted with your February 1, 2002 letter appear to comply with the requirements of the Cigarette Act for size and conspicuousness. Lane Limited's plan for the Dunhill International (Filter De Luxe, Lights, Menthol, and Superior Mild), Dunhill (Special Reserve, Lights, and Menthol Lights), Cartier (Vendome Lights, Vendome Menthol Lights, and Vendome Ultra Lights), Craven ("A" King Size), St. Moritz Menthol, Gauloises (Blondes and Lights), and Gitanes (Blondes, Blondes Lights, Non-filter and Filter) brand styles is hereby approved.¹ This approval is effective on the date of this letter and ends on February 6, 2003. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.² The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

¹ The warnings on cartons of the Filter and Non-filter brand styles of the Gauloises brand of cigarettes submitted contained typographical errors. This approval does not pertain to those brand styles.

² Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Mr. Alan E. Balch
February 7, 2002
Page 2

You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of the Department of Health and Human Services ("HHS"). Furthermore, the Tariff Act of 1930, 19 U.S.C. § 1681a(c)(1), as amended by the Tariff Suspension and Trade Act of 2000, Pub. L. No. 106-476, 114 Stat. 2179, prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and will continue to submit the list of ingredients to HHS.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mary K. Engle". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Mary K. Engle
Acting Associate Director

Law Offices

HOLLAND & KNIGHT LLP

195 Broadway
New York, New York 10007-3189

212-513-3200
FAX 212-385-9010
www.hklaw.com

Atlanta	Northern Virginia
Boston	Orlando
Bradenton	Providence
Chicago	St. Petersburg
Fort Lauderdale	San Antonio
Jacksonville	San Francisco
Lakeland	Seattle
Los Angeles	Tallahassee
Melbourne	Tampa
Miami	Washington, D.C.
New York	West Palm Beach

International Offices:

Caracas*	São Paulo
Mexico City	Tel Aviv*
Rio de Janeiro	Tokyo

*Representative Office

February 15, 2002

NEAL N. BEATON
212-513-3470

Internet Address:
nbeaton@.hklaw.com

BY HAND

Mr. C. Lee Peeler
Associate Director
Division of Advertising Practices
Federal Trade Commission
Sixth and Pennsylvania Avenue, N.W
Washington, D.C. 20580

Re: Application Pursuant to 4(c)(2) of the Federal
Cigarette Labeling and Advertising Act, as amended

Dear Mr. Peeler:

On behalf of Japan Tobacco Inc. and its U.S. importer, Japan Tobacco International U.S.A., Inc., and other affiliates (collectively "Japan Tobacco"), we respectfully submit an application pursuant to Section 4(c)(2) of the Federal Cigarette Labeling and Advertising Act, as amended (the "Act"), seeking approval, for Japan Tobacco to continue to display the warning labels specified in Section 4(a)(1) of the Act on packages and cartons of cigarettes in the manner provided in Section 4(c)(2)(C) of the Act, as provided in paragraph 2(b) of the Label Statement Rotation Plan of Japan Tobacco submitted to the Federal Trade Commission on August 28, 1985 (the "Plan"), as subsequently amended, and approved on October 11, 1985 and as of January 1, 1993, January 1, 1994, January 1, 1995, January 1, 1996, January 1, 1997, January 1, 1998, January 1, 1999,, January 1, 2000, January 19, 2001 and April 11, 2001, which approval was most recently renewed effective January 19, 2001 and April 17, 2001 for the ensuing one-year period thereafter.

Mr. C. Lee Peeler
February 15, 2002
Page 2

We have no additional amendments to the Plan at this time.

In support of Japan Tobacco's application for renewal of Federal Trade Commission approval of its simultaneous display plan for packages and cartons, we submit herewith a sworn affidavit of Mr. Thomas Hirshfield, President of Japan Tobacco International U.S.A., Inc., importer of the brands covered thereby, which affirms that the cigarettes sold by Japan Tobacco continue to comply with the two-tiered test in Section 4(c)(2) of the Act.

We are also submitting herewith samples of cartons and packaging for all of the brand styles covered by the Plan.

If you should have any questions in connection with this application, please call me at (212) **513-3470**.

Thank you for your continued cooperation in this matter.

Very truly yours,



Neal N. Beaton


Enclosures

AFFIDAVIT OF JAPAN TOBACCO INTERNATIONAL U.S.A., INC.
PURSUANT TO SECTION 4(c)(2)(A) OF THE
FEDERAL CIGARETTE LABELING AND ADVERTISING ACT
[15 U.S.C. §1333(c)(2)(A)]

STATE OF NEW JERSEY)
) **ss.:**
COUNTY OF BERGEN)

Thomas Hirshfield, being duly sworn, deposes and says:

1. I am the President of Japan Tobacco International U.S.A., Inc. (collectively, with its ultimate parent company, Japan Tobacco Inc. and **all** of Japan Tobacco Inc.'s direct and indirect subsidiaries, "Japan Tobacco") and make this affidavit on behalf of Japan Tobacco pursuant to Section 4(c)(2)(A) of the Federal Cigarette Labeling and Advertising Act, as amended (the "Act"), in support of the application of Japan Tobacco for Federal Trade Commission approval to display the warning labels specified in Section 4(a)(1) of the Act on packages of cigarettes manufactured by Japan Tobacco for the one-year period beginning on the date of approval, as provided in paragraph 2(b) of the Label Statement Rotation Plan of Japan Tobacco submitted to the Federal Trade Commission on August 28, 1985, and approved on October 11, 1985, and amended as of January 1, 1993, January 1, 1994, January 1, 1995, January 1, 1996, January 1, 1997, January 1, 1998, January 1, 1999, January 1, 2000, January 19, 2001 and April 17, 2001, which approval was most recently renewed effective January 19, 2001 and April 17, 2001 for the one year period thereafter.

2. The total number of cigarettes of any brand style sold by Japan Tobacco in the United States in its fiscal year ended December 31, 2001, was less than  and therefore (i) each brand style of cigarettes which Japan Tobacco manufactures accounted for less than one-

fourth of one percent of all cigarettes sold in the United States during Japan Tobacco's most recent completed fiscal year and (ii) more than one-half of the cigarettes manufactured by Japan Tobacco for sale in the United States are packaged into brand styles which meet the requirements of clause (i).

IN WITNESS WHEREOF, I have hereunto signed my name this 5th day of February, 2002.


Thomas Hirshfield, President

Sworn to before me this 5th day of February, 2002


Notary Public

NEAL N. BEATON
Notary Public, State of New York
No. 02BE4700760
NYC1 #443537
Qualified in New York County
Commission Expires Feb. 27, 2002

Selected packaging samples from those
submitted with the plan.

20 CIGARETTES

WAVE

Full Flavor

SURGEON GENERAL'S WARNING:
Quitting Smoking Now Greatly Reduces
Serious Risks to Your Health.

KING SIZE
20 FILTER CIGARETTES



WAVE
MADE IN JAPAN
JAPAN TOBACCO INC.



KING SIZE
20 FILTER CIGARETTES



Full Flavor

WAVE

JT

WAVE

Full Flavor

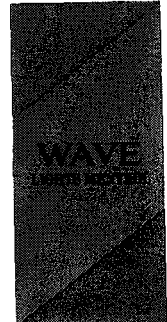
742159 B 23 TO

CFA00783 B



20 CIGARETTES

WAVE



WAVE

LIGHTS

MENTHOL
20 FILTER CIGARETTES



WAVE

LIGHTS MENTHOL

MENTHOL
20 FILTER CIGARETTES

LIGHTS



SURGEON GENERAL'S WARNING: Smoking By
Pregnant Women May Result in Fetal Injury,
Premature Birth, And Low Birth Weight.

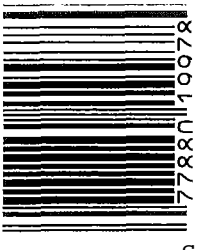


JT

726430 C 63
CEA00399 C



WAVE
LIGHTS MENTHOL
MADE IN JAPAN
JAPAN TOBACCO INC.



SURGEON GENERAL'S WARNING:
Smoking By Pregnant Women May
Result in Fetal Injury, Premature
Birth, And Low Birth Weight.

WAVE Full Flavor

Full Flavor

WAVE



KING SIZE 200 FILTER CIGARETTES

JAPAN TOBACCO INC



Full Flavor

WAVE



KING SIZE FILTER CIGARETTES

Full Flavor

WAVE



MILD SEVEN Lights
MADE IN JAPAN, A TRADEMARK OF
JAPAN TOBACCO INC.



CEA10138D

13 GBH

A PRODUCT OF
JT INTERNATIONAL

Lights
CHARCOAL FILTER

LOW TAR & NICOTINE

MILD SEVEN
Lights

MILD SEVEN

LOW TAR & NICOTINE

Lights
CHARCOAL FILTER

MILD SEVEN
Lights

N



D

MILD SEVE

SURGEON GENERAL'S WARNING:
Cigarette Smoke Contains Carbon Monoxide



SURGEON GENERAL'S WARNING:
Smoking Causes Lung Cancer, Heart Disease,
Emphysema, And May Complicate Pregnancy.

MILD SEVEN

Charcoal
Filter

20 FILTER CIGARETTES

MILD SEVEN
Charcoal Filter

A PRODUCT OF
JT INTERNATIONAL

MILD SEVEN
MADE IN JAPAN, A TRADEMARK OF
JAPAN TOBACCO INC.



13 TO

MILD SEVEN

Charcoal
Filter

20 FILTER CIGARETTES

CFA10066 A

Lights



LOW TAR & NICOTINE

Lights
LOW TAR & NICOTINE



MILD SEVEN



A PRODUCT OF JT INTERNATIONAL, A TRADEMARK OF
JAPAN TOBACCO INC.

LOW TAR & NICOTINE



Lights

MILD SEVEN

MILD SEVEN



LOW TAR & NICOTINE

Lights

SURGEON GENERAL'S WARNING:

Quitting Smoking Now
Greatly Reduces

Serious Risks to Your Health.



200/20

MILD SEVEN

2

SURGEON GENERAL'S WARNING:
Cigarette Smoke Contains Carbon Monoxide

CABIN

MILD



CABIN MILD
MADE IN JAPAN - A TRADEMARK OF
JT JAPAN TOBACCO INC



CABIN

MILD BOX



MILD

CABIN

CEA10135D

TFS



MILD BOX

CABIN



CLASS
20
CIGARETTES

A PRODUCT OF
JT INTERNATIONAL

BOX

SURGEON GENERAL'S WARNING.
Smoking Causes Lung Cancer,
Heart Disease, Emphysema,
And May Complicate Pregnancy

CABIN MILD



BOX

CABIN MILD



**CHARCOAL
FILTER**

BOX

CABIN MILD

A PRODUCT OF JT INTERNATIONAL, A TRADE
MARK OF JAPAN TOBACCO



BOX

OLD CLASS
20'S
NEW RET.

SURGEON GENERAL'S WARNING:
Quitting Smoking Now Greatly
Reduces Serious Risks to Your Health.

CASTER



MILD

LOW TAR AND NICOTINE
CHARCOAL FILTER

CASTER

MILD

A PRODUCT OF
JT INTERNATIONAL

CASTER MILD
MADE IN JAPAN, A TRADEMA MARK
JT JAPAN TOBACCO CO. LTD.



CASTER



MILD

LOW TAR AND NICOTINE
CHARCOAL FILTER

25 ⊕ GBH

CFA10065B

MILD



SOFT
PACK

SOFT PACK

CASTER MILD

LOW TAR AND NICOTINE
200 CHARCOAL FILTER CIGARETTES



A PRODUCT OF JTI INTERNATIONAL, A TRADEMARK OF JTI INC.

SOFT
PACK



MILD

CASTER

LOW TAR AND NICOTINE
200 CHARCOAL FILTER CIGARETTES

CASTER MILD

LOW TAR AND NICOTINE
200 CHARCOAL FILTER CIGARETTES

SOFT PACK

SURGEON GENERAL'S WARNING
Cigarette Smoke
Contains Carbon Monoxide.





NOT FOR SALE
VENTE INTERDITE
IN / AU CANADA



EXPORTA

Full Flavour

25 CLASS A FINEST CANADIAN FILTER CIGARETTES

PRODUCE OF CANADA

SURGEON GENERAL'S WARNING:
Cigarette Smoke
Contains Carbon Monoxide.



EXPORTA

Full Flavour

25 CLASS A FINEST CANADIAN FILTER CIGARETTES

© 1998 IMPERIAL TOBACCO COMPANY



MACDONALD

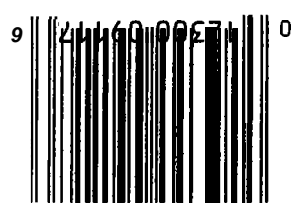
EXPORT 'A'

Ultra Light



EXPORT 'A'

MACDONALD



FINEST CANADIAN BLEND FILTER CIGARETTES

Ultra Light

EXPORT 'A'

MACDONALD



SURGEON GENERAL'S WARNING:
Smoking Causes Lung Cancer, Heart Disease,
Emphysema, And May Complicate Pregnancy.



MACDONALD

EXPORT 'A'

Ultra Light

Ultra Light



EXPORT 'A'

FILTER CIGARETTES

FINEST C



8x25/200
FILTER CIGARETTES



Division of Advertising Practices

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

February 20, 2002

Neal N. Beaton, Esq.
Holland & Knight, **LLP**
195 Broadway
New York, **NY** 10007-3189

Dear Mr. Beaton:

The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). Pursuant to that delegation, I have reviewed the proposed plan filed on behalf of Japan Tobacco International U.S.A., Inc. on February 15, 2002, calling for the simultaneous display of the four health warnings on packaging of certain varieties of the Wave, Mild Seven, Cabin Mild, Caster Mild, and Export A brands of cigarettes.

Japan Tobacco's sales appear to qualify for the aforementioned alternative to quarterly rotation of the warnings on packaging. The warnings on the sample packs and cartons of the above mentioned brands submitted with your February 15, 2002 letter appear to meet the requirements of the Cigarette Act for size and conspicuousness. Japan Tobacco's plan is hereby approved for the following brand styles: Wave Full Flavor, Wave Lights, Wave Ultra Lights, Wave Menthol, Wave Menthol Lights, Cabin Mild King **Box**, Caster Mild King Soft, Mild Seven Filter, Mild Seven Lights, Mild Seven Super Lights, and Export A Full, Medium, Mild, Light, Extra Light, and Ultra Light. This approval is effective on the date of this letter and ends on February 19, 2003. Approval of the plan is contingent on its good faith implementation. We may **ask** for information demonstrating proper implementation of the plan.¹ The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of the Department of Health and Human Services ("HHS"). Furthermore, the Tariff Act of 1930, 19 U.S.C. § 1681a(c)(1), **as** amended by the Tariff Suspension and Trade Act of 2000, Pub. L. No. 106-476, 114 Stat. 2179, prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and will continue to submit the list of ingredients to HHS.

Very truly yours,

Mary K. Engle
Associate Director

¹ Knowingly **and** willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Q INTERNATIONAL

CORPORATE
757 SE
FORT LAUDERDALE, FL 33316
WAREHOUSE
FOREIGN TRADE ZONE #25 - PORT EVERGLADES
3400 MCINTOSH ROAD, E-15
FORT LAUDERDALE, FL 33136

TEL. (954) 524-7575
FAX. (954) 524-7596

Via Facsimile Transmission & U.P.S. Courier Delivery

Re: Final FTC Plan for Westport™ & Outdoor Advertising Pole Sign

February 19, 2002

Ms. Mary K. Engle, Acting Associate Director
ATTN: Ms. Diana Winterson
Division of Advertising Practices
Federal Trade Commission, Room 4002
601 Pennsylvania Avenue - NW
Washington, DC 20580

Dear Ms. Engle & Ms. Winterson:

Under previous correspondence, we wrote your office in letters dated September 10, 2001 (regarding Westport™ king box styles), September 20, 2001 (regarding Westport™ king soft styles), and on September 30, 2001 (regarding the Westport™ Ultra Light King Soft Style). Previously, we requested and received preliminary artwork approval for the Westport™ brand of cigarettes for certain styles. We now write to follow up these letters with the additional information requested by your office regarding our 2001 sales and distribution, and to submit our final rotation and advertising plan for all of the Westport styles of cigarettes and one consumer advertising item for calendar year 2002.

In accordance with the Federal Trade Commission's Memorandum to Potential Cigarette Manufacturers or Importers, I write to submit our company's final plan for compliance with Section 1333 of the Cigarette Act. This plan is limited to eleven (11) Westport™ styles including box and soft pack king size cigarette styles. This plan also includes a consumer advertising pole sign and window sign. Under a separate plan, our company will apply for final approval of the 5-cigarette "mini" pack that we discussed in our telephone conversation on October 26, 2001.

Q Import-Export Company, Inc. was formed as a Delaware corporation on June 7, 2000 as an international wholesale distribution company. Our warehouse is located in Foreign Trade Zone #25 in Port Everglades, FL. The company is registered as a Florida foreign corporation, *Q Products, Inc.*, and is authorized to do business as *Q International*. We currently distribute cigarettes and cigars manufactured and imported by other companies and are submitting this plan for the purposes of importing a new brand of cigarette into the U.S. market. We have received approval for our list of ingredients from the *Department of Health and Human Services*. We have also already received our *Tobacco Importer Permit* from the *Bureau of Alcohol, Tobacco & Firearms* to operate an approved tobacco import warehouse.

I. PACKAGING

A. WARNING LABEL SIZE & LOCATION

1. Brand - The company will import the Westport™ brand of cigarettes, manufactured in Colombia, South America, by *La Compania Colombiana de Tabaco, S.A.* ("Coltabaco").

2. Brand Styles – As part of this plan, we shall import the following eleven (11) brand styles:

<u>#</u>	<u>Variety Style</u>	<u>Packaging</u>
1	King Size Full Flavor	BOX Packaging
2	King Size Light	BOX Packaging
3	King Size Ultra Light	BOX Packaging
4	King Size Menthol	BOX Packaging
5	King Size Menthol Light	BOX Packaging
6	King Size Full Flavor	SOFT Packaging
7	King Size Light	SOFT Packaging
8	King Size Ultra Light	SOFT Packaging
9	King Size Menthol	SOFT Packaging
10	King Size Menthol Light	SOFT Packaging
11	King Size Non-Filter	SOFT Packaging

It should be noted that all of the warning labels will be printed on all of the cigarette packs and cartons of the Westport™ brand of cigarettes and will appear exactly as they do on the packs and cartons of the Westport™ brand of cigarettes submitted with our letters of September 10, 2001, September 20, 2001, September 30, 2001, and October 29, 2001. Each cigarette pack will contain twenty cigarettes and each carton will contain ten packs. Each of the four warning labels has been designed to be of appropriate size, conspicuousness and contrast. We have provided examples of each of the four warnings on packages and cartons for each of the eleven (11) different brand styles that we intend to import at this time. As of the writing of this letter, we anticipate submitting one additional plan for the 5-cigarette per pack “mini” pack of Westport™ in the full flavor, menthol and light king box styles in the near future. We also may submit a plan for 100s box style for certain flavors.

At this time, we are seeking final approval of our label rotation plan for eleven (11) different styles, including King Box and King Soft pack styles. Please refer to the enclosed rotation plan and evidence of how we will satisfy the documentation requirement in 2002. After reviewing the enclosed materials, please advise us as to whether any elements of the packaging or the plan need to be modified in order to comply with the FTC regulations.

B. WARNING LABEL SIZE & LOCATION

In order to satisfy the warning label rotation requirement, we elected the option provided by Section 1333c(2) that allow us to display each of the four (4) warnings an equal number of times during the year. The four cigarette health warnings will appear on packs and cartons for each brand style of the Westport™ brand of cigarettes and equal number of times during the one-year period following approval of this plan by the F.T.C. We qualify for this option because we will import less than one-fourth of one percent of all the cigarettes sold in the United States. The Westport™ brand was first marketed in the U.S. in 3rd and 4th quarters of the 2001 calendar year. As such, please find the enclosed historical statement for all Westport™ sales volume numbers for the past year.

The attached chart illustrates our expected import sales volume for all styles for the year ending December 21, 2002. We shall implement two processes to ensure that the four warning labels on each pack and cartons are equally distributed. First, as part of our import contract with the Colombian factory, we have specified that the printing and production must comply with our FTC plan. Our contract agreement is that the factory will ship the product with an invoice and bill of lading that specifically states the number of cigarettes and cartons that have each warning label. This contract provision ensures that the factory will manufacture only those cigarettes that are in compliance. Second, when the goods are received in the United States, we shall perform a physical inspection of the cigarettes and maintain a physical count. The tallies will be logged in a journal, located in our warehouse.

From a production standpoint, the equal rotation plan is by far an easier plan for our company to monitor, track and maintain records.

C. RECORDS OF COMPLIANCE

We shall maintain written records in the form of copies of invoices, inventory sheets and journals that list: (a) the specific brand styles imported by date of import shipment; (b) quantity of cartons and packs imported by date; and (c) specific labels listed on each of the pack and cartons. This written journal log, accompanied by monthly physical inventories will ensure that the company successfully maintains our warning label rotation plan. Records will be kept in an open book manner for any designate of the FTC to inspect and verify.

II. ADVERTISING

For our advertising, we will use the warning formats that were submitted with the plans of the five (5) leading U.S. cigarette manufacturers, and we will place the warnings as specified in those plans. We will rotate the four (4) cigarette health warnings quarterly on advertising, as per our following schedule.

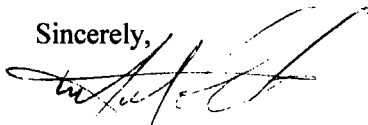
SCHEDULE FOR QUARTERLY ROTATION

<u>QUARTER</u>	<u>WESTPORT™ BRAND WARNING</u>
1 ST Quarter (Mar-May)	B (i.e. <i>'Quitting Smoking Now Greatly. . .'</i>)
2 nd Quarter (Jun-Aug)	A (i.e. <i>'Smoking Causes Lung Cancer. . .'</i>)
3 rd Quarter (Sep-Nov)	C (i.e. <i>'Smoking By Pregnant Women. . .'</i>)
4 th Quarter (Dec-Feb)	D (i.e. <i>'Cigarette Smoke Contains. . .'</i>)

With our October 29* letter, we enclosed hard copies of the acetates for the large pole sign. I affirm that the largest size of the advertising poster that we will print will be no more than 9.9 square feet, which falls into category seven (7). Our actual desired poster size is 30" wide by 40" high, which is 8.25 square feet, an amount less than the maximum stated size of 9.9 square feet. At this time, we do not foresee requesting an approval for **any** other advertising materials to consumers. If we do, we will submit another plan to the F.T.C.

If you require any additional information or assistance with this, or any other matters, please do not hesitate to contact me.

Sincerely,



Michael A. Canul
President, QInternational

EVIDENCE OF ROTATION PLAN COMPLIANCE:

Every final invoice from the factory receives a factory certification that affirms that the items are produced, shipped, delivered and sold in the U.S., with certification that each of the required four labels is rotated an equal number of times. Upon receipt, a manual log is kept at the import warehouse that affirms that the labels do in fact physically appear an equal number of times.

WESTPORT - 2001 Business Year Activity Report

Total Master Cases Distributed

[REDACTED]

Total Cartons Distributed

[REDACTED]

Schedule of Warning Label Rotation Plan Compliance

Warning Label A

[REDACTED]

Warning Label B

[REDACTED]

Warning Label C

[REDACTED]

Warning Label D

[REDACTED]

TOTAL ALL CARTONS

[REDACTED]

Total Packs Distributed

[REDACTED]

Schedule of Warning Label Rotation Plan Compliance

Warning Label A

[REDACTED]

Warning Label B

[REDACTED]

Warning Label C

[REDACTED]

Warning Label D

[REDACTED]

TOTAL ALL PACKS

[REDACTED]

Westport 2002 Warning Label Rotation Plan

Detail:

[REDACTED]

Maximum number of total 40 foot long containers that will be imported to U.S. prior to Dec. 31, 2001

[REDACTED]

Maximum Number of cases in each 40 foot long containers that will be imported to U.S. prior to Dec. 31, 2001

[REDACTED]

Exact number of cartons in each case.

[REDACTED]

Maximum number of cartons tat we estimate will be imported and sold prior to Dec. 31, 2001

[REDACTED]

Maximum number of packs that we estimate will be imported and sold prior to Dec. 31, 2001

[REDACTED]

Maximum number of individual sticks that we estimate will be imported and sold prior to Dec. 31, 2001

Michael A. Caruso
INTERNATIONAL

Westport 2002 Warning Label Rotation Plan

WESTPORT PACKS

Item#	Brand Variety	% of Total	2001 # of Cartons	Label 1#	Label 2#	Label 3#	Label 4#	Total
1	100s Full Flavor T	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
2	100s Ultra Light SOFT	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
3	100s Light SOFT	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
4	100s Menthol SOFT	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
5	100s Menthol Light SOFT	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
6	King Full Flavor BOX	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
7	King Light BOX	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
8	King Ultra Light BOX	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
9	King Menthol BOX	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
10	King Menthol Light BOX	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
11	King Full F BOX	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
12	King Light BOX	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
13	King Ultra Light BOX	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
14	King Menthol BOX	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
15	King Menthol BOX	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
16	Non-Filter SOFT	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Michael J. [Signature]

Westport 2002 Warning Label Rotation Plan

WESTPORT CARTONS

<i>Item#</i>	<i>Brand Variety</i>	<i>% of Total</i>	<i>2001 # of Cartons</i>	<i>Label 1 #</i>	<i>Label 2 #</i>	<i>Label 3 #</i>	<i>Label 4 #</i>	<i>Total</i>
1	100s Full Flavor SOFT							
2	100s Ultra g SOFT							
3	100s Light SOFT							
4	100s Menthol SOFT							
5	100sMen Light SOFT							
6	King Full Flavor BOX							
7	King Light BOX							
8	King Ultra Light BOX							
9	King Menthol BOX							
10	King Menthol Light BOX							
11	King Full Flavor BOX							
12	King Light BOX							
13	King Ultra Light BOX							
14	King Menthol BOX							
15	King Menthol Light BOX							
16	Non-Filter SOFT							

INTERNATIONAL
Michael A. Canal

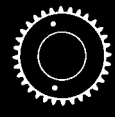
Selected packaging samples from those
submitted with the plan.

Filter Cigarettes

WESTPORTTM
Full Flavor

Premium Quality

EC7



Filter Cigarettes

WESTPORTTM
Full Flavor

Premium Quality

WESTPORTTM
Full Flavor

UNDERAGE SALE
PROHIBITED

SURGEON GENERAL'S WARNING:
Quitting Smoking Now Greatly Reduces
Serious Risks to Your Health.

MO B02094 GD WESTPORT FULL FLAVOR

*200 Class A
Filter Cigarettes*

WESTPORT™
Full Flavor

*200 Class A
Filter Cigarettes*



SURGEON GENERAL'S WARNING:
Smoking By Pregnant Women May
Result in Fetal Injury, Premature Birth,
And Low Birth Weight.

WESTPORT™
Full Flavor

Full Flavor

WESTPORT™

*200 Class A
Filter Cigarettes*

*200 Class A
Filter Cigarettes*



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

February 22, 2002

Mr. Michael A. Canul
President
Q Products, Inc.
757 SE 17th Street #365
Fort Lauderdale, FL 33316

Dear Mr. Canul:

The Federal Trade Commission ("the Commission") has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, *et seq.* ("the Cigarette Act"). Pursuant to that delegation, I have reviewed the revised proposed plan filed on behalf of Q Products, Inc./d.b.a. Q International ("Q International") on February 19, 2001 calling for the simultaneous display of the four health warnings on the packs and cartons and the quarterly rotation of the four health warnings on advertising of certain varieties of the Westport brand of cigarettes.

Your plan for the rotation of the warnings in advertising has been approved. Approval of the plan assumes that the plan is implemented in good faith.

Q International's sales appear to qualify for the aforementioned alternative to quarterly rotation of the warnings on packaging. The warnings on the sample packs and cartons submitted with your September 10, 2001, September 20, 2001, September 30, 2001 and October 29, 2001 letters appear to comply with the requirements of the Cigarette Act for size and conspicuousness. Q International's plan has been approved for the following varieties of the Westport brand of cigarettes: full flavor king box, light king box, ultra light king box, menthol king box, menthol light king box, full flavor king soft, light king soft, ultra light king soft, menthol king soft, menthol light king soft and non-filter king soft. This approval is effective on the date of this letter and ends on February 21, 2003. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.'

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Mr. Michael A. Canul
February 22, 2002
Page 2

The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

Very truly yours,


Mary K. Engle
Associate Director



205 Pearl St.
Atlanta, GA 30316
Worldwide: 404-525-8633
US Toll Free: 800-243-3607
FAX: 404-525-8637
E-mail: quintinint@aol.com

February 28, 2002

Ms. Diana Winterson
Federal Trade Commission
601 Pennsylvania Avenue, NW, Room 4213
Washington D.C. 20580

RE: Request for Approval of Warning Statement Rotation Plan for Quintin International ("Quintin") for the brand styles for the Stars line, including all flavors/brand styles (Banana Nut, Blueberry, Cherry Cheesecake, Cinnaberry, Swiss Chocolate and Vanilla Crème). (Note: "Stars" replaces the "Jaz" product line)

Dear Ms. Winterson:

We respectfully submit the attached Rotation Plan for the Stars products, which includes the following flavors/brand styles: Banana Nut, Blueberry, Cherry Cheesecake, Cinnaberry, Swiss Chocolate and Vanilla Crème. The warning labels for the Stars line will rotate each of the four health warnings each quarter over a period of a year as per the attached sheet.

Enclosed with this letter is actual packaging for the Second Quarter for each of the flavors. Also enclosed is artwork with the remaining three warnings for quarters one, three and four. As we receive the additional packaging with the warning labels permanently printed, we will forward them to your office. The four health warnings will appear exactly as they do on the packs, cartons, and artwork for the Stars Cigarettes submitted.

With regard to advertising, we will only advertise to consumers on the Internet. Please see the attached rotation schedule (amended from my letter of May 7, 2001) for all Internet advertising materials. All four warnings will rotate quarterly as per the attached schedule. For advertising we will use the warning formats that were submitted with the plans of the five leading US cigarette manufacturers and we will place the warnings as specified in those plans. The warnings on our website, www.quintin.com will appear exactly as they are viewed on the site. (Please see website to view warnings. Please see copies enclosed with our letter of January 2, 2002 of sample pages from the web site.) Stars is not currently up on the site, but it is now included in the attached schedule and the warnings will rotate as per that schedule.

We respectfully suggest that you now have all of the information necessary to approve the Warning Statement Rotation Plan submitted on behalf of Quintin International for the Stars line, and for advertising. I look forward to receiving your approval as soon as possible to comply with federal regulations.

Thank you for your kind courtesy and cooperation.

Regards,

A handwritten signature in black ink, appearing to read "Katherine K. Yeager".

Katherine K. Yeager
Vice President, Quintin International



205 Pearl St.
 Atlanta, GA 30316
 Worldwide: 404-525-8633
 FAX: 404-525-8637
 E-mail: quintinint@aol.com

Stars Cigarettes QUARTERLY CIGARETTE ROTATION PLAN

The health warnings on following brands of cigarettes imported by Quintin USA, Inc. shall be rotated according to the following schedule:

	Warning Code Applied			
Brand	1 st Qtr*	2 nd Qtr*	3 rd Qtr*	4 th Qtr*
	(Jan-Mar)	(Apr-Jun)	(Jul-Sep)	(Oct-Dec)
Jaz	A	B	C	D

<u>Warning Code</u>	<u>Health Warning</u>
A	SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.
B	SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.
C	SURGEON GENERAL'S WARNING: Smoking By Pregnant Woman May Result in Fetal Injury, Premature Birth, And Low Birth Weight.
D	SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

* Based on Import Date

Adopted: February 28, 2002 (This plan for Stars replaces the plan for Jaz Cigarettes)

Selected packaging samples from those
submitted with the plan.

Imported exclusively by
Quinnia
International, Inc.
800-359-4170 • www.quinnia.com



Under no circumstances

**Vanilla
Creme**

**20 King Size
Rich Flavored
Cigarettes**



**SURGEON GENERAL'S WARNING:
Quitting Smoking Now Greatly
Reduces Serious Risks to Your Health.**

Stars
Vanilla
Creme

By combining rich flavors
with a worldly blend of
fine tobaccos, we've
orchestrated a heavenly
cigarette with a smooth,
indulgent taste creating
an aromatic experience
that is out of this world.
REACH FOR THE STARS

Manufactured in Vietnam
by S.C.F. exclusively for
Pacific Sun (Asia) Limited

Stars
Vanilla
Creme

Stars
Vanilla
Creme



SURGEON GENERAL'S WARNING:
Quitting Smoking Now Greatly
Reduces Serious Risks to Your Health.

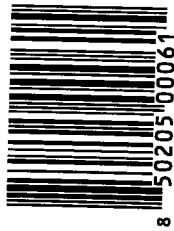
Stars Vanilla
Creme
Rich Flavored Cigarettes

**King Size
Rich Flavored
Cigarettes**

Vanilla Creme

Stars Vanilla
Creme
Rich Flavored Cigarettes

Underage Sale Prohibited



200/20

Vanilla Creme

Manufactured in Vietnam
by S.C.F. exclusively for
Pacific Sun (Asia) Limited

REACH FOR THE STARS



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

March 1, 2002

Ms. Katherine K. Yeager
Vice President
Quintin International, Ltd.
205 Pearl St.
Atlanta, GA 30316

Dear Ms. Yeager:

The Federal Trade Commission ("the Commission") has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). Pursuant to that delegation, I have reviewed the proposed plan filed by Quintin International, Ltd. on February 28, 2002 calling for quarterly rotation of the four health warnings on packaging and in Internet advertising of certain varieties of the Stars brand of cigarettes.

Your plan for the rotation of the warnings in advertising has been approved. Approval of the plan assumes that the plan is implemented in good faith. The approval of your plan for the rotation of the health warnings in Internet advertising is not an approval of advertising cigarettes on the Internet. With respect to the question of whether it is legal to advertise cigarettes on the Internet, Section 1335 of the Cigarette Act prohibits advertising cigarettes on any medium of electronic communication subject to the jurisdiction of the Federal Communications Commission. The enforcement of that provision is the responsibility of the Department of Justice and you should contact DOJ directly (Eugene Thirolf at 202-307-3009) to determine whether such advertising on the Internet is permissible.

The warnings on the artwork and sample packs and cartons of the Stars brand submitted with your February 28, 2002 letter appear to comply with the requirements of the Cigarette Act for size and conspicuousness. Quintin International, Ltd.'s plan has been approved for the following varieties of the Stars brand of cigarettes: Banana Nut, Blueberry, Cherry Cheesecake, Cinnaberry, Swiss Chocolate and Vanilla Creme. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.¹ When actual packaging is developed, Quintin International, Ltd. should submit samples to the Commission. The Cigarette Act provides that any person who violates its provisions is guilty

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Ms. Katherine K. Yeager
March 1, 2002
Page 2

of a misdemeanor.

You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of the Department of Health and Human Services ("HHS"). Furthermore, the Tariff Act of 1930, 19 U.S.C. § 1681a(c)(1), as amended by the Tariff Suspension and Trade Act of 2000, Pub. L. No. 106-476, 114 Stat. 2179, prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and will continue to submit the list of ingredients to HHS.

Very truly yours,

A handwritten signature in cursive script that reads "Mary K. Engle". The signature is written in dark ink and is positioned to the right of the typed name.

Associate Director

Mary K. Engle

Windward Tobacco, Inc.

34 Sunburst Circle, E. Amherst, NY 14051
Tel (716) 639-7544, Fax (716) 639-1214
E-Mail rsaffire@adelphia.net

March 4, 2002

Mr. Michael Ostheimer
Federal Trade Commission
Division of Advertising Practices
601 Pennsylvania Avenue, N.W.
Room 4004
Washington, DC 20580

Renewal of Cigarette Health Warning Rotation Plan

Dear Mr. Ostheimer:

On March 8, 2001 the Federal Trade Commission ("the Commission") approved a cigarette health warning rotation plan submitted by Windward Tobacco, Inc. This plan related to the importing of the following American Diplomat brand styles: premium filter, light and menthol light in king and 100 size, and menthol light and ultra light in the 100 size only. This approval is effective through March 7, 2002.

The purpose of this letter is to ask that the rotation plan be approved (continued) for the one-year period beginning on the date that the original approval expires.

Upon approval, the Importer intends to continue to import cigarettes into the United States (for a one-year period commencing upon FTC approval) that are manufactured outside the United States.

The cigarettes will be delivered in shipping containers with [REDACTED] master cases ("Master Case") per container. Each Master Case will contain [REDACTED] cigarettes packaged in [REDACTED] count cartons ("Outer Carton"). Each Outer Carton will contain [REDACTED] packs of [REDACTED] cigarettes each ("Pack"). The packing of these cigarettes will be that of the original manufacturer. The Surgeon General Warnings will be on each Pack and Outer Carton of cigarettes in the form and content dictated by the Act and therefore satisfactory to the FTC. Samples of packs and outer cartons showing each of the warnings were submitted to the Commission with the March 1, 2001 letter. The packs and cartons to be imported with this letter will be identical to those previously submitted.

The total number of cigarettes imported in 2001 for any one brand style will not exceed [REDACTED] cigarettes. I anticipate that in 2002, the total number of cigarettes imported for any one brand style will not exceed [REDACTED] cigarettes. The Importer will maintain records for the FTC of exact numbers imported each year via documentation prepared in accordance with this plan (see discussion of the Surgeon General Warning Rotation Log below). In accordance with Section 4(c)(2) of the Act, and based upon anticipated annual import quantities (i.e. total imports are less than one-fourth of one percent of total cigarettes sold in the United States, and the brand styles of the cigarettes imported meet this low sales threshold), the Importer respectfully requests that it be allowed to continue to use the Rotation Plan using the Alternative method to the Quarterly Rotation Plan described in Section 4(c)(1).

As a "small" importer by virtue of the information set forth above, the Importer hereby states as its plan of rotation that the labels described in Section 1333 (a)(1) of the Act shall appear on the packs and outer cartons of each brand style of cigarettes with respect to which this plan is approved an equal number of times for the one year period commencing on the date of approval. The Packs and Outer Cartons will bear the original warnings placed on the packaging by the cigarette manufacturer. The warning statement on the packs and cartons will be rotated to ensure that the four statutory warnings described in the Act (section 1333) will appear on the packs and cartons of each brand style an equal number of times during the above referenced on year period as required by the Act and under this Plan. The warnings will be printed in a legible and conspicuous manner and will be of a size, format and type as required by the FTC. The warnings will be placed on the product in an authorized location, a location which will be acceptable to the FTC and which complies with applicable labeling statutes. Samples of each of the American Diplomat packs and cartons were submitted with the March 1, 2001 letter. Each of the brand styles was included and each of the four warnings was presented for each of the brand styles (on both packs and cartons).

The Importer's Rotation Plan includes procedures to maintain a Surgeon General Warning Rotation Log (the "Log") at the import warehouse that will be used to quantify the number of the four approved health warning labels which are imported. The Log will be reviewed periodically throughout the year to assure that the four Surgeon General warnings are equalized in their use during the year.

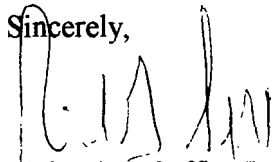
Since the Importer will not advertise the imported product, there is no need to submit a plan for the rotation of warnings on advertising.

The Importer is also aware of (and will abide by) the laws that have been established concerning the importation of cigarettes. A list of tobacco additives used in the manufacture of the American Diplomat cigarettes has been sent to the CDC. Additionally, the Importer has received a letter from the owner of the US trademark "American Diplomat" authorizing the importation of the cigarettes.

The Importer believes that the foregoing Plan continues to comply with the requirements set forth in the Federal Cigarette Labeling and Advertising Act and respectfully requests approval of this renewal (continuation).

Should this request conform to your requirements, I would appreciate that a letter evidencing the approval be sent (or faxed to 716-639-1214) to my attention at the above addresses. If you have any questions concerning the Plan I have described, or need additional information, please call. Your prompt attention to this matter is greatly appreciated.

Sincerely,



Richard G. Saffire Jr.
President

Enclosures



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

March 5, 2002

Mr. Richard G. Saffire, Jr., President
Windward Tobacco, Inc.
34 Sunburst Circle
E. Amherst, **NY** 14051

Dear Mr. Saffire:

The Federal Trade Commission ("the Commission") has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). Pursuant to that delegation, I have reviewed the revised proposed plan filed on behalf of Windward Tobacco, Inc. ("Windward") on March 4, 2002 calling for the simultaneous display of the four health warnings on the packs and cartons of certain varieties of the American Diplomat brand of cigarettes.

Windward's sales appear to qualify for the aforementioned alternative to quarterly rotation of the warnings on packaging. The warnings on the packs and cartons submitted with your March 1, 2001 letter appear to comply with the requirements of the Cigarette Act for size and conspicuousness. Windward's plan has been approved for the following varieties of the American Diplomat brand of cigarettes: premium filter, premium filter 100's, light, light loo's, menthol, menthol 100's, menthol light 100's and ultra light 100's. This approval is effective on the date of this letter and ends on March 4, 2003. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.¹ The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

If Windward does decide to advertise in the future, it must submit a plan detailing how it will comply with the requirements of the Cigarette Act with respect to display of the health warning statements in advertisements.

Very truly yours,

A handwritten signature in cursive script that reads "Mary K. Engle".

Mary K. Engle
Associate Director

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.



LANE LIMITED

Manufacturers of Luxury Tobaccos Since 1890

March 4, 2002

Ms. Diana Winterson
Division of Advertising Practices
Federal Trade Commission
Suite 4002
601 Pennsylvania Avenue, NW
Washington, D.C. 20580

Dear Ms. Winterson,

Reference is made to Section 4 of the Federal Cigarette Labeling and Advertising Act, as amended (Act) and to the Lane Limited Label Statement Rotation Plan (Plan) submitted to the Federal Trade Commission under date December 6, 1999 pursuant to Section 4(c) of the Act.

On February 7, the FTC approved Lane Limited's Feb. 1, 2002 plan for the simultaneous display of the four health warnings on the packing of certain varieties of Dunhill International, Dunhill, Cartier, Craven, St. Moritz, Gauloises and Gitanes brands of cigarettes. Pursuant to Section 4(c)(2)(A) of the Act, Lane Limited would like to supplement that plan in accordance with the provisions of Section 2(d) of the Plan, to continue simultaneous rotation of the four health warnings set forth in Section 4(a)(1) of the Act on packages of the Craven "A" Standard Size brand of cigarettes stated in the supporting Affidavit attached to our letter dated December 14, 2001. Please find enclosed with our letter dated February 27, 2002 all 4 warnings on packs and cartons of the following brand and brand style of cigarettes:

CRAVEN "A" Standard Size

The 4 warnings on packs and cartons of the Craven "A" Standard Size brand of cigarettes will appear exactly as they do on the packs and cartons enclosed with our letter of February 27, 2002.

On the basis of this application and the supporting Affidavit attached to our letter dated December 14, 2001, it is submitted that Lane Limited meets the requirements of Section 4(c)(2)(A) of the Act.

Sincerely,

Alan E. Balch
Chairman and CEO

LAH

Selected packaging samples from those
submitted with the plan.

20

FILTER CIGARETTES

CRAVEN

“A”

VIRGINIA

SURGEON GENERAL'S
WARNING:
Quitting Smoking Now
Greatly Reduces Serious
Risks to Your Health.

VIRGINIA FILTER CIGARETTES



2000/20



VIRGINIA
CIGARETTES

IMPORTED
FROM JAMAICA



VIRGINIA FILTER CIGARETTES

MADE IN JAMAICA BY
OF JAMAICA LTD.

SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

March 5, 2002

Mr. Alan E. Balch
Chairman and CEO
Lane Limited
2280 Mountain Industrial Blvd.
Tucker, GA 30084

Dear **Mr.** Balch:

The Federal Trade Commission ("the Commission") has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). On February 7, 2002, the Commission approved Lane Limited's February 1, 2002 plan for the simultaneous display of the four health warnings on packaging of certain specified varieties of the Dunhill International, Dunhill, Cartier, Craven, St. Moritz, Gauloises, and Gitanes brands of cigarettes.

On March 4, 2002, Lane Limited filed a supplement to expand its plan to include the Craven "A" Standard size of the Craven brand. The warnings on the packs and cartons submitted with your February 27, 2002 letter appear to meet the size and conspicuousness requirements of the Cigarette Act. Lane Limited's supplement to its plan is hereby approved. This approval is effective on the date of this letter and ends on March 4, 2003. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.¹ The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

Very truly yours,

A handwritten signature in cursive script that reads "Mary K. Engle".

Mary K. Engle
Associate Director

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

.....

122 Caggiano Dr.
Gaffney, SC 29341
Tel: (864) 489-6194
Fax: (864) 488-3805

Southern Tobacco, Inc.

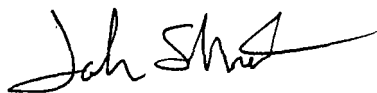
March 4, 2002

Ms. Diana Winterson
Federal Trade Commission
601 Pennsylvania Avenue
NW Washington, D.C. 20580

Dear Ms. Winterson:

Southern Tobacco, Inc. located in Gaffney, SC would like to supplement our plan to comply with the Federal Cigarette Labeling and Advertising Act. Southern Tobacco will be adding Dynamic (made in Malaysia) 84mm and 100mm (Full-Flavor, Light, Ultra Light, Menthol, and Menthol Light) to our January 22, 2002 plan that was approved on January 24, 2002. We will distribute the four Surgeon General Warnings equally on packs and cartons of these brand styles during the one year period beginning on the date this plan is approved, and they will appear exactly as they do on the enclosed packs and cartons with our letter of February 4, 2002.

Sincerely,



John Short
Vice President, Southern Tobacco

.....

Selected packaging samples from those
submitted with the plan.

ALTER CIGARETTE
DYNAMIC
LIGHTS



KING SIZE
POWERED TAR & NICOTIN

Made in Malaysia



SURGEON GENERAL'S WARNING:
Cigarette Smoke Contains
Carbon Monoxide.

ALTER CIGARETTE
DYNAMIC
LIGHTS



KING SIZE
POWERED TAR & NICOTIN

JHJ160451

Delta 2 D6
RMTC 153793/DYNAMIC PACK/KING LIGHT
10.12.2001 '33.10

020202

DYNAMIC

MENTHOL

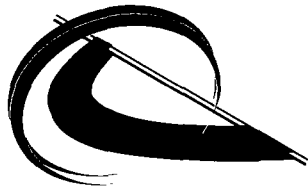


PREMIUM BLEND

DYNAMIC

MENTHOL KING SIZE

PREMIUM BLEND



MENTHOL

DYNAMIC

MADE IN MALAYSIA

MENTHOL KING SIZE

SURGEON GENERAL'S WARNING:

Smoking Causes Lung Cancer,
Heart Disease, Emphysema,
And May Complicate Pregnancy.

MENTHOL KING SIZE



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

March 5, 2002

Mr. John Short
Southern Tobacco, Inc.
122 Caggiano Dr.
Gafhey, SC 29341

Dear Mr. Short:

The Federal Trade Commission ("the Commission") has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). On January 24, 2002, the Commission approved Southern Tobacco, Inc.'s ("Southern Tobacco") January 22, 2001 plan for the simultaneous display of the four health warnings on packaging of certain specified varieties of the Dynamic and Golden brands of cigarettes.

On March 4, 2002, Southern Tobacco filed a supplement to expand its plan to include the full flavor, light, ultra light, menthol, and menthol light brand styles, both 84mm and 100mm, of the Dynamic brand manufactured in Malaysia. The warnings on the packs and cartons submitted with your February 4, 2002 letter appear to meet the size and conspicuousness requirements of the Cigarette Act.¹ Southern Tobacco's supplement to its plan is hereby approved. This approval is effective on the date of this letter and ends on March 4, 2003. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.² The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

Very truly yours,

A handwritten signature in cursive script that reads "Mary K. Engle".

Mary K. Engle
Associate Director

¹ Although the warnings on packs of some of the brand styles submitted were not sufficiently clear and conspicuous, revised packaging was submitted. This approval pertains only to the packaging that meets the requirements of the Cigarette Act.

² Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.



205 Pearl St.
Atlanta, GA 30316
Worldwide: 404-525-8633
US Toll Free: 800-243-3607
FAX: 404-525-8637
E-mail: kky@quintin.com

March 8, 2002

Ms. Diana Winterson
Federal Trade Commission
601 Pennsylvania Avenue, NW, Room 4213
Washington, DC 20580

RE: Request for Approval of Warning Statement Rotation plan for Quintin International for Point of Purchase Display for Stars line

Dear Ms. Winterson:

We respectfully submit the attached rotation plan for a Stars Point of Purchase Display. This plan serves as an addition to the advertising plan submitted on February 28, 2002 and approved on March 1, 2002, which covered advertising on the Internet at www.quintin.com. At that time, we do not anticipate any other form of advertising. For advertising we will use the warning formats that were submitted with the plans of the five leading US cigarette manufacturers and we will place the warnings as specified in those plans. The warning labels for the display will rotate each of the four health warnings each quarter over a period of a year as per the attached sheet.

Enclosed with this letter is a copy of the acetates, Exhibits 1-5, purchased from Integrated Imaging Center. The four health warnings will appear exactly as they do on the acetates and the largest size advertisement will measure 470 square inches.

We respectfully suggest that you now have all of the information necessary to approve the Warning Statement Rotation Plan submitted on behalf of Quintin International for the Stars Point of Purchase Display. I look forward to receiving your approval as soon as possible to comply with federal regulations.

Thank you for your kind courtesy and cooperation.

Regards,

A handwritten signature in black ink, appearing to read "Katherine K. Yeager".

Katherine K. Yeager
Vice President, Quintin International



205 Pearl St.
 Atlanta, GA 30316
 Worldwide: 404-525-8633
 US Toll Free: 800-243-3607
 FAX: 404-525-8637
 E-mail: quintinint@aol.com

Stars Point of Purchase Display
QUARTERLY CIGARETTE ROTATION PLAN

The health warnings on following point of purchase display distributed by Quintin International shall be rotated according to the following schedule:

	_____ Warning Code Applied _____			
Brand	<u>1st Qtr*</u>	<u>2nd Qtr*</u>	<u>3rd Qtr*</u>	<u>4th Qtr*</u>
	(Jan-Mar)	(Apr-Jun)	(Jul-Sep)	(Sep-Dec)
Stars	A	B	C	D

<u>Warning Code</u>	<u>Health Warning</u>
A	SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.
B	SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.
C	SURGEON GENERAL'S WARNING: Smoking by Pregnant Woman May Result in Fetal Injury, Premature Birth, And Low Birth Weight.
D	SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

* Based on Distribution Date

Adopted: March 7, 2002

STATEMENT A

SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.

Exhibit 5 Category 5. Over 360 to 470 square inches

SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.

Exhibit 4 Category 4. Over 180 to 360 square inches

SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.

Exhibit 3 Category 3. Over 110 to 180 square inches

SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.

Exhibit 2 Category 2. Over 65 to 110 square inches

SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.

Exhibit 1 Category 1. 0 to 65 square inches

STATEMENT B

**SURGEON GENERAL'S WARNING: Quitting Smoking
Now Greatly Reduces Serious Risks to Your Health.**

Exhibit 5 Category 5. Over 360 to 470 square inches

**SURGEON GENERAL'S WARNING: Quitting Smoking
Now Greatly Reduces Serious Risks to Your Health.**

Exhibit 4 Category 4. Over 180 to 360 square inches

**SURGEON GENERAL'S WARNING: Quitting Smoking
Now Greatly Reduces Serious Risks to Your Health.**

Exhibit 3 Category 3. Over 110 to 180 square inches

**SURGEON GENERAL'S WARNING: Quitting Smoking
Now Greatly Reduces Serious Risks to Your Health.**

Exhibit 2 Category 2. Over 65 to 110 square inches

**SURGEON GENERAL'S WARNING: Quitting Smoking
Now Greatly Reduces Serious Risks to Your Health.**

Exhibit 1 Category 1. 0 to 65 square inches

SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight.

Exhibit 5 Category 5. Over 380 to 470 square inches

SUR
Sm

SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight.

Exhibit 4 Category 4. Over 180 to 380 square inches

SI
S

SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight.

Exhibit 3 Category 3. Over 110 to 180 square inches

S

SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight.

Exhibit 2 Category 2. Over 65 to 110 square inches

S

SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight.

Exhibit 1 Category 1. 0 to 65 square inches

S

Statement e

STATEMENT D

**SURGEON GENERAL'S WARNING: Cigarette
Smoke Contains Carbon Monoxide.**

Exhibit 5 Category 5. Over 300 to 470 square inches

**SURGEON GENERAL'S WARNING: Cigarette
Smoke Contains Carbon Monoxide**

Exhibit 4 Category 4. Over 180 to 360 square inches

**SURGEON GENERAL'S WARNING: Cigarette
Smoke Contains Carbon Monoxide.**

Exhibit 3 Category 3. Over 110 to 180 square inches

**SURGEON GENERAL'S WARNING: Cigarette
Smoke Contains Carbon Monoxide.**

Exhibit 2 Category 2. Over 65 to 110 square inches

**SURGEON GENERAL'S WARNING: Cigarette
Smoke Contains Carbon Monoxide.**

Exhibit 1 Category 1. 0 to 65 square inches



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

March 13,2002

Ms. Katherine K. Yeager
Vice President
Quintin International, Ltd.
205 Pearl St.
Atlanta, GA 30316

Dear Ms. Yeager:

The Federal Trade Commission ("the Commission") has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). On March 1,2002, the Commission approved Quintin International, Ltd.'s February 28,2002 plan for the quarterly rotation of the four health warnings on packaging and in Internet advertising of certain varieties of the Stars brand of cigarettes.' On March 8,2002, Quintin International, Ltd. filed a supplement to expand its advertising plan to include point of purchase displays.

Your plan for the rotation of the warnings in advertising on point of purchase displays has been approved. Approval of the plan assumes that the plan is implemented in good faith.

Very truly yours,

A handwritten signature in cursive script that reads "Mary K. Engle".

Associate Director
Mary K. Engle

¹ As stated in previous approvals of your plans for the rotation of the warnings in Internet advertising, the approvals are not approvals of advertising cigarettes on the Internet. With respect to the question of whether it is legal to advertise cigarettes on the Internet, Section 1335 of the Cigarette Act prohibits advertising cigarettes on any medium of electronic communication subject to the jurisdiction of the Federal Communications Commission. The enforcement of that provision is the responsibility of the Department of Justice.

CanStar (U.S.A.), Inc.

1629NW 82 Avenue, Miami, Florida 33126

305-666-3131 Fax: 305-666-1677

Email: canstar@bellsouth.net

March 8, 2002

Ms. Mary K. Engle
Division of Advertising Practices
Federal Trade Commission
601 Pennsylvania Avenue, NW.
Room 4004
Washington DC. 20580

Re: Renewal of 2001 Cigarette Health Warning Rotation Plan Submitted by

Dear Ms. Engle:

On behalf of our company, CanStar (U.S.A.), Inc., ("CanStar") we request that the Cigarette Health Warning Rotation plan approved by the Federal Trade Commission on January 24, 2001, be renewed. This approved plan and samples were submitted by CanStar on January 16, 2001. There are no changes to the packages and all warnings will remain as delineated in said letter. Attached, please find a copy of the January 24, 2001, FTC approval letter.

CanStar submits this renewal request of the Surgeon General Rotation plan as required under the Federal Cigarette Labeling and Advertising Act of 1984 (15 USC. 51331 (1997), *et. seq.*), as amended. The cigarettes covered by the proposed Plan are cigarettes that will be manufactured outside the United States and are produced to our specifications and are complete with the health warnings that comply with the Surgeon General warning language set forth in the statute.

The cigarettes covered by this plan are: "MAXXIM" BRAND - Maxxim full flavor 100mm soft; Maxxim lights 100mm soft; Maxxim ultra-light 100mm soft; Maxxim menthol 100 soft; Maxxim light menthol 100mm soft. We anticipate that the volume of cigarettes imported in 2002 will not exceed [REDACTED] cartons (containing 200 cigarettes each) for any single brand style. During the past two years CanStar has not manufactured cigarettes in the United States.

We respectfully submit that the cigarettes imported by CanStar qualify for the requested rotation plan insofar as all requirements set forth in Section 1333 have been met. More specifically, the one fourth of one percent requirement, meaning that the number of cigarettes of each brand style sold in the fiscal year of the manufacturer or importer preceding the submission of the application is less than one-fourth of one percent of all cigarettes sold in the United States, has been met as demonstrated by the quantity of

cartons imported for sale. As a result, all of the brand styles qualify since all brand sales are below the one fourth of one percent requirement as set forth above.

CanStar proposes a rotation plan of the US Surgeon's Health Warning for the Maxxim brand of cigarettes imported into and distributed in the United States. Under this plan, all four Surgeon General's health Warnings will be equalized for the packs and cartons of each brand style we import. CanStar will monitor the production and maintain a log to ensure that the health warnings will be produced in such a manner so as to result in equal rotation of the four health warnings within each production lot for the United States market. In addition, we will monitor production and importation to ensure that over the year covered by this plan, we will employ an equal number of the health warnings for each brand style.

The four health warnings will appear exactly as they do in the sample packs and cartons provided with the letter submitted on January 16, 2001. CanStar will ensure that the cigarettes are manufactured to meet all US packaging requirements including the location and display of the US Surgeon General's Health Warning.

The four health warnings to be used in equal rotation on the packs and cartons are:

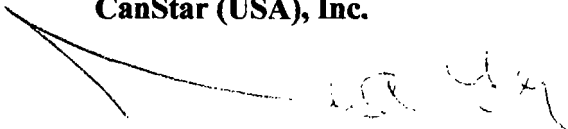
5. SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.
6. SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.
7. SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight.
8. SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

Since CanStar does not, and will not, advertise the product to consumers, there is no need to submit an advertising plan.

We submit that the foregoing complies with the requirements set forth in the Federal Cigarette Labeling and Advertising Act, as amended, and request expedited approval of this request. Should this request conform to your requirements, we request that the letter evidencing approval be faxed to the undersigned at the above fax number. Also, if you require any additional information with respect to the foregoing, please contact the undersigned at (305) 666-3131

Respectfully submitted,

CanStar (USA), Inc.



Paul A. Embury
President



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

March 13, 2002

Mr. Paul A. Embury
Director
CanStar (U.S.A.), Inc.
4960 SW 72 Avenue, Ste. 308,
Miami, FL 33155

Dear Mr. Embury:

The Federal Trade Commission ("the Commission") has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, *et seq.* ("the Cigarette Act"). Pursuant to that delegation, I have reviewed the revised proposed plan filed on behalf of CanStar (U.S.A.), Inc. ("Canstar") on March 8, 2002 calling for the simultaneous display of the four health warnings on the packaging of the full flavor 100mm soft, lights 100mm soft, ultra-light 100mm soft, menthol 100mm soft, and light menthol 100mm soft brand styles of the Maxxim brand of cigarettes.

CanStar's sales appear to qualify for the aforementioned alternative to quarterly rotation of the warnings on packaging. The warnings on the sample packs and cartons submitted with your January 16, 2001 letter appear to comply with the requirements of the Cigarette Act for size and conspicuousness. CanStar's plan for the full flavor 100mm soft, lights 100mm soft, ultra-light 100mm soft, menthol 100mm soft, and light menthol 100mm soft brand styles of the Maxxim brand is hereby approved. This approval is effective on the date of this letter and ends on March 12, 2003. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.¹ The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

If CanStar does decide to advertise in the future, it must submit a plan detailing how it will comply with the requirements of the Cigarette Act with respect to display of the health warning statements in advertisements.

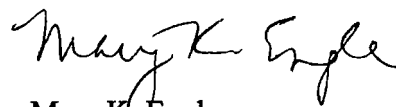
You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of the Department of Health and Human Services ("HHS"). Furthermore, the ~~Tariff~~ Act of

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Mr. Paul A. Embury
March 13, 2002
Page 2

1930, 19 **U.S.C.** § 1681a(c)(1), as amended by the Tariff Suspension and Trade Act of 2000, Pub. L. No. 106-476, 114 Stat. 2179, prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and will continue to submit the list of ingredients to **HHS**.

Very truly yours,

A handwritten signature in black ink that reads "Mary K. Engle". The signature is written in a cursive style with a large, looping initial "M".

Mary K. Engle
Associate Director

FLEITAS & BUJAN

ATTORNEYS AT LAW

ROBERTO F. FLEITAS
JESUS F. BUJAN

OCEAN BANK BUILDING, SUITE 530
782 N.W. LEJEUNE ROAD
MIAMI, FLORIDA 33126
TEL. (305) 442 - 1439
FAX (305) 442 - 9944

March 14, 2002

Ms. Mary K. Engle
Associate Director
Division of Advertising Practice
Federal Trade Commission
601 Pennsylvania Avenue, N.W.
Room 4002
Washington DC 20580

Re: FTC Approval of cigarette brand FREEMONT

Dear Ms. Engle:

NORTH CAROLINA DISTRIBUTION, LLC, (NORTH CAROLINA) is the importer of the cigarette brand FREEMONT. **NORTH CAROLINA'S** address is: 2911 Quinn-Sawmill Road, Deep Run, North Carolina, 28525. The manager member is Michael Dean Rouse.

In accordance the requirements of 15 USC 1333, **NORTH CAROLINA** requests approval of the following plan detailed herein:

On February 19, 2002 we provided you with four (4) revised packages and four (4) revised cartons displaying examples of each of the four (4) warning statements showing exactly how the warnings will be displayed on the packs and cartons of the following styles of the cigarette brand FREEMONT

FREEMONT	84 mm	Full Flavor	(soft packs)
FREEMONT	100 mm	Full Flavor	(soft packs)

The following is the schedule showing the warning that is assigned to each style of FREEMONT during each quarter of the year:

Label Statement Rotation of FREEMONT SCHEDULE FOR QUARTERLY ROTATION

1st Quarter (Jan-Mar.)	A
2nd Quarter (Apr.-June)	B
3rd Quarter (July-Sept.)	C
4th Quarter (Oct. -Dec.)	D

periods commencing January 1, April 1, July 1, and October 1 of each year. Rotation proceeds to the first calendar quarter at the conclusion of the fourth calendar quarter.

The warnings are as follows:

- A. SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.
- B. SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.
- C. SURGEON GENERAL'S WARNING: Smoking by Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight.
- D. SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

The warnings will appear on all packages and cartons exactly as shown on the revised packages and revised cartons submitted to the FTC on February 19, 2002.

Packages for the cigarette brand FREEMONT shall bear the label referenced A through D above for the quarter in which such cigarettes are manufactured or packaged, regardless of the dates on which such cigarettes are sold or distributed in the United States.

NORTH CAROLINA will maintain records of the label statement rotation of FREEMONT in compliance with the Plan.

ADVERTISING:

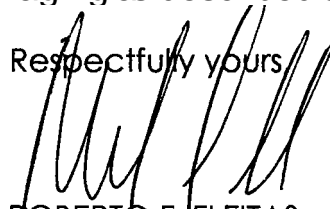
For advertising **NORTH CAROLINA** will use the warnings formats submitted with the 1985 Plans of the five (5) leading cigarette manufacturers and place the warnings as specified in these plans.

NORTH CAROLINA will use the formats represented by acetates submitted with my letter of November 12,2001 that meet the statutory requirements as follows.

	IEC FOR WARNINGS IN ADVERTISEMENTS	
	Size of Advertisements	Warning Statement
	ENGLISH WARNING STATEMENT	
Category 1	0-65 square inches	Exhibit 1 or 1(a)
Category 2	Over 65 to 110 square inches	Exhibit 2 or 2(a)
Category 3	Over 110 to 180 square inches	Exhibit 3
Category 4	Over 180 to 360 square inches	Exhibit 4
Category 5	Over 360 to 470 square inches	Exhibit 5
Category 6	Over 470 to 720 square inches	Exhibit 6
Category 7	Over 5 to 10 square feet	Exhibit 7
Category 8	Over 10 to 20 square feet	Exhibit 8

NORTH CAROLINA will rotate the warnings quarterly in advertising using the same rotation schedule as the one for packaging as described above.

Respectfully yours



ROBERTO F. FLEITAS

RFF/ncs

Selected packaging samples from those
submitted with the plan.

UNDERAGE
SALE
PROHIBITED



GLASS CIGARETTES
20



FREEMONT

FREEMONT
FILTERS

FREEMONT

Kings Filter

Premium American Blend

Made by
Caribbean American
Tobacco Corp.
in the Dominican Republic

Kings Filter

Premium American Blend

SURGEON GENERAL'S WARNING:
Cigarette Smoke
Contains Carbon Monoxide.

FREEMONT
Kings Filter

9

Class A Cigarettes

Full Flavor 100's



Full Flavor 100's



Class A Cigarettes

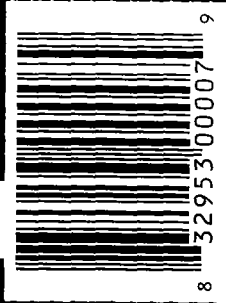
FREEMONT

Premium American Blend



SURGEON GENERAL'S WARNING:
Smoking By Pregnant Women May
Result in Fetal Injury, Premature
Birth, And Low Birth Weight.

FREEMONT



Premium American Blend

FREEMONT



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

March 15, 2002

Roberto F. Fleitas, Esq.
Fleitas & Bujan
Ocean Bank Building, Suite 530
782 N.W. Lejeune Road
Miami, FL 33126

Dear Mr. Fleitas:

The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). Pursuant to that delegation, I have reviewed the revised proposed plan filed on behalf of North Carolina Distribution, LLC on March 14, 2002, calling for quarterly rotation of the health warnings in advertising and on packaging of certain varieties of the Freemont brand of cigarettes.

Your plan for the rotation of the warnings in advertising of the Freemont brand of cigarettes has been approved. Approval of the plan assumes that the plan is implemented in good faith.

The health warnings on the revised sample packs and cartons submitted on February 19, 2002 appear to comply with the requirements of the Cigarette Act for size and conspicuousness. North Carolina's plan for packaging of the Freemont brand is approved for the Full Flavor Kings and Full Flavor 100's soft pack varieties. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.¹ The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of the Department of Health and Human Services ("HHS"). Furthermore, the Tariff Act of 1930, 19 U.S.C. § 1681a(c)(1), as amended by the Tariff Suspension and Trade Act of 2000, Pub. L.

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Roberto F. Fleitas, Esq.

March 15, 2002

Page 2

No. 106-476, 114 Stat. 2179, prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and will continue to submit the list of ingredients to HHS.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mary K. Engle". The signature is fluid and cursive, with the first name "Mary" and last name "Engle" clearly distinguishable.

Mary K. Engle
Associate Director

FLEITAS & BUJAN
ATTORNEYS AT LAW

ROBERTO F. FLEITAS
JESUS F. BUJAN

OCEAN BANK BUILDING, SUITE 530
782 N.W. LEJEUNE ROAD
MIAMI, FLORIDA 33126
TEL. (305) 442-1439
FAX (305) 442-9944

March 14, 2002

Ms. Mary K. Engle
Associate Director
Division of Advertising Practice
Federal Trade Commission
601 Pennsylvania Avenue, N.W.
Room 4002
Washington DC 20580

Re: FTC Approval of cigarette brand VL

Dear Ms. Engle:

HABA-DOM CIGARS CORP. (HABA-DOM) is the importer of the cigarette brand VL. HABA-DOM's address is Miami Free Zone, 2315 N.W. 107 Avenue, Warehouses B12 and B13, Miami, Florida 33172. The manager member is Jose Maria Cortes.

In accordance the requirements of 15 USC 1333, HABA-DOM requests approval of the following plan detailed herein:

On February 25, 2002 HABA-DOM submitted packages and revised cartons displaying examples of each of the four (4) warning statements showing exactly how the warnings will be displayed on the packs and cartons of the following styles of the cigarette brand VL:

VL	84 mm	Full Flavor	(soft packs)
VL	84 mm	Menthol	(soft packs)
VL	84 mm	Light	(soft packs)
VL	100 mm	Full Flavor	(soft packs)
VL	100 mm	Menthol	(soft packs)
VL	100 mm	Light	(soft packs)

The warnings are as follows:

- A. SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.
- B. SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.
- C. SURGEON GENERAL'S WARNING: Smoking by Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight.
- D. SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

The warnings will appear on all packages and cartons exactly as shown on the revised packages and revised cartons submitted on February 25,2002.

The four (4) label statements specified in paragraph (1), of subsection (a) of section 1333 will be displayed an equal number of times on the packs and cartons of each brand style within the twelve-month period beginning on the date of the approval by the Federal Trade Commission of this application.

HABA-DOM has not previously imported any cigarettes to the United States. For the year 2002, HABA-DOM anticipates sales will not exceed [REDACTED] cigarettes for any one brand style.

HABA-DOM will maintain records of the label statement rotation of VL in compliance with the Plan.

ADVERTISING:

For advertising HABA-DOM will use the warnings formats submitted with the 1985 Plans of the five (5) leading cigarette manufacturers and place the warnings as specified in these plans.

HABA-DOM will use the formats represented by acetates submitted with my letter of February 25,2002 that meet the statutory requirements as follows:

SCHEDULE FOR WARNINGS IN ADVERTISEMENTS

	Size of Advertisements	Warning Statement
	ENGLISH WARNING STATEMENT	
Category 1	0-65 square inches	Exhibit 1 or 1(a)
Category 2	Over 65 to 110 square inches	Exhibit 2 or 2(a)
Category 3	Over 110 to 180 square inches	Exhibit 3
Category 4	Over 180 to 360 square inches	Exhibit 4
Category 5	Over 360 to 470 square inches	Exhibit 5
Category 6	Over 470 to 720 square inches	Exhibit 6
Category 7	Over 5 to 10 square feet	Exhibit 7
Category 8	Over 10 to 20 square feet	Exhibit 8

HABA-DOM will rotate the warnings in advertising quarterly according to the following schedule:

Advertisement Label Statement Rotation of V I
SCHEDULE FOR QUARTERLY ROTATION

1st Quarter (Jan-Mar.)	SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy
2nd Quarter (Apr.-June)	SURGEON GENERAL'S WARNING: Now Greatly Reduces Serious Risks to Your Health
3rd Quarter (July-Sept.)	SURGEON GENERAL'S WARNING: Smoking by Pregnant Women May Result in Fetal Injury, Premature Birth, And low Birth Weight
4th Quarter (Oct. -Dec.)	SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

Respectfully submitted,



ROBERTO F. FLEITAS

RFF/sma

FLEITAS & BUJAN
ATTORNEYS AT LAW

ROBERTO F. FLEITAS
JESUS F. BUJAN

OCEAN BANK BUILDING, SUITE 530
782 N.W. LEJEUNE ROAD
MIAMI, FLORIDA 33126
TEL. (305) 442-1439
FAX (305) 442-9944

March 14, 2002

Ms. Mary K. Engle
Associate Director
Division of Advertising Practice
Federal Trade Commission
601 Pennsylvania Avenue, N.W.
Room 4002
Washington DC 20580

Re: FTC Approval of cigarette brand VL

Dear Ms. Engle:

HABA-DOM CIGARS CORP. (HABA-DOM) is the importer of the cigarette brand VL. HABA-DOM's address is Miami Free Zone, 2315 N.W. 107 Avenue, Warehouses B12 and B13, Miami, Florida 33172. The manager member is **Jose María cortes**.

In accordance the requirements of 15 USC 1333, HABA-DOM requests approval of the following plan detailed herein:

On February 11, 2002 we provided you with four (4) packages and four (4) cartons displaying one example of each of the four (4) warning statements showing exactly how the warnings will be displayed on the packs and cartons of the following styles of the cigarette brand VL:

VL	84 mm	Non-Filter	(soft)
VL	84 mm	Full Flavor Box	
VL	84mm	Menthol tights	(soft)
VL	84 mm	Ultra Light	(soft)
VL	100 mm	Menthol Light	(soft)
VL	100mm	Ultra Light	(soft)

The warnings are as follows:

- A. SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.
- B. SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.
- C. SURGEON GENERAL'S WARNING: Smoking by Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight.
- D. SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

The warnings will appear on all packages and cartons exactly as shown on the packages and cartons submitted with my letter of February 11, 2002.

The four (4) label statements specified in paragraph (1), of subsection (a) of section 1333 will be displayed on the packs and cartons of each brand style an equal number of times within the twelve-month period beginning on the date of the approval by the Federal Trade Commission of this application.

HABA-DOM has not previously imported any cigarettes to the United States. For the year 2002, HABA-DOM anticipates sales will not exceed [REDACTED] cigarettes for any one brand style.

HABA-DOM will maintain records of the label statement rotation of VL in compliance with the Plan.

ADVERTISING:

For advertising HABA-DOM will use the warnings formats submitted with the 1985 Plans of the five (5) leading cigarette manufacturers and place the warnings as specified in these plans.

HABA-DOM will use the formats represented by acetates submitted with my letter of February 25, 2002 that meet the statutory requirements as follows:

SCHEDULE FOR WARNINGS IN ADVERTISEMENTS

	Size of Advertisements	Warning Statement
	ENGLISH WARNING STATEMENT	
Category 1	0-65 square inches	Exhibit 1 or 1(a)
Category 2	Over 65 to 110 square inches	Exhibit 2 or 2(a)
Category 3	Over 110 to 180 square Inches	Exhibit 3
Category 4	Over 180 to 360 square inches	Exhibit 4
Category 5	Over 360 to 470 square inches	Exhibit 5
Category 6	Over 470 to 720 square inches	Exhibit 6
Category 7	Over 5 to 10 square feet	Exhibit 7
Category 8	Over 10 to 20 square feet	Exhibit 8

HABA-DOM will rotate the warnings in advertising quarterly according to the following schedule:

**Advertisement Label Statement Rotation of VL
SCHEDULE FOR QUARTERLY ROTATION**

1 st Quarter (Jan-Mar.)	SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy
2 nd Quarter (Apr. -June)	SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health
3 rd Quarter (July-Sept.)	SURGEON GENERAL'S WARNING: Smoking by Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight
4 th Quarter (Oct. -Dec.)	SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

References to quarters are to three month calendar periods commencing January 1, April 1, July 1, and October 1 of each year. Rotation proceeds to the first calendar quarter at the conclusion of the fourth calendar quarter.

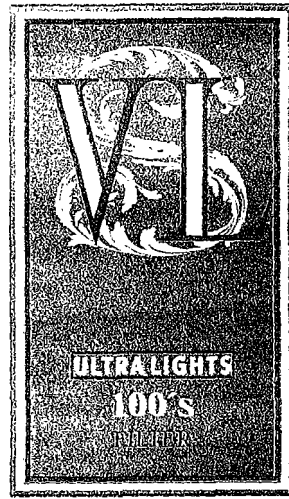
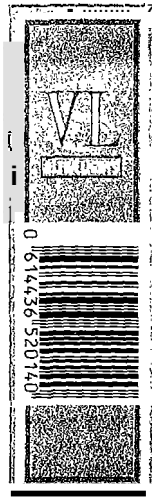
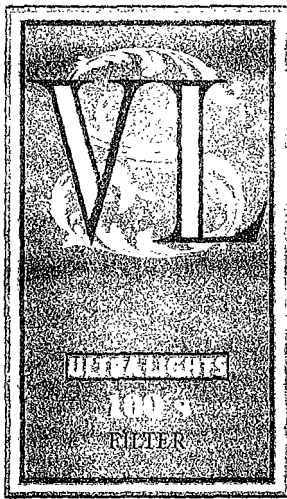
Respectfully submitted,



ROBERTO F. FLEITAS

RFF/sma

Selected packaging samples from those
submitted with the plan.



UNDERAGE
SALE
PROHIBITED

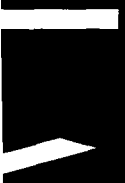
A

SURGEON GENERAL'S WARNING:
Smoking Causes Lung Cancer,
Heart Disease, Emphysema,
And May Complicate Pregnancy.

PLS 6813
R/C 22508



NON-FILTER



**UNDERAGE
SALE
PROHIBITED**



NON-FILTER

**SURGEON GENERAL'S WARNING:
Cigarette Smoke Contains Carbon
Monoxide.**

NON-FILTER



NON-FILTER

**200 CIGARETTES
FILTER**

**MADE IN SPAIN
BY CITA**

5 1



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

March 15, 2002

Roberto F. Fleitas, Esq.
Fleitas & Bujan
Ocean Bank Building, Suite 530
782 N.W. Lejeune Road
Miami, FL 33126

Dear Mr. Fleitas:

The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). Pursuant to that delegation, I have reviewed two March 14, 2002 letters, which constitute a plan, filed on behalf of HABA-DOM Cigars Corp., calling for quarterly rotation of the four health warnings in advertising and for the simultaneous display of the four health warnings on the packaging of certain varieties of the VL brand of cigarettes.

Your plan for the rotation of the warnings in advertising of the VL brand of cigarettes has been approved. Approval of the plan assumes that the plan is implemented in good faith.

HABA-DOM's sales appear to qualify for the aforementioned alternative to quarterly rotation of the warnings on packaging. The warnings on the sample packs and cartons of the VL varieties submitted on February 11, 2002, and on the revised sample packs and cartons submitted on February 25, 2002, appear to meet the requirements of the Cigarette Act for size and conspicuousness. HABA-DOM's plan for the simultaneous display of the four health warnings on packaging is hereby approved for the following styles of the VL brand: Nonfilter King Soft, Full Flavor King Box, Full Flavor King Soft, Lights King Soft, Ultra Lights King Soft, Menthol King Soft, Menthol Lights King Soft, Full Flavor 100s Soft, Lights 100's Soft, Ultra Lights 100s Soft, Menthol 100s Soft, and Menthol Lights 100s Soft. This approval is effective on the date of this letter and ends on March 14, 2003. Approval of the plan is contingent on its good faith implementation. **We** may ask for information demonstrating proper implementation of the plan.¹ The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

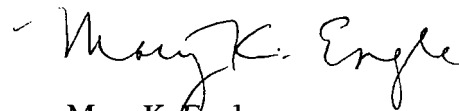
You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Roberto F. Fleitas, Esq.
March 15, 2002
Page 2

of the Department of Health and Human Services ("HHS"). Furthermore, the Tariff Act of 1930, 19 U.S.C. § 1681a(c)(1), as amended by the Tariff Suspension and Trade Act of 2000, Pub. L. No. 106-476, 114 Stat. 2179, prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and will continue to submit the list of ingredients to HHS.

Very truly yours,

A handwritten signature in black ink that reads "Mary K. Engle". The signature is written in a cursive style with a small horizontal mark to the left of the first letter.

Mary K. Engle
Associate Director

HALL, ESTILL, HARDWICK, GABLE, GOLDEN & NELSON

JOHN B. RUDOLPH
JOSEPH R. MEMBRINO*
DONALD R. DINAN*
JOHN J. McDERMOTT*
JAMES B.
CRAIG A. KOENIGS*
JOHN J. CALLAHAN*
SANDEEP KATHURIA*

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JAMES D. SATROM
RICHARD A. GROENENDYKE, JR.
GRAYDON D. LUTHEY, JR.
DELL. GUSTAFSON

OF COUNSEL
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DANIEL J. GLOVER
KENT A. GILLILAND
JON A. EPSTEIN
ELAINE R. TURNER
SUSANNA G. VOEGELI
J. TODD WOOLERY
*ADMITTED M.D.C.

WALTER B. HALL (1923-1986)
FRED S. NELSON (1928-1987)

March 13, 2002

Craig A. Koenigs
(202) 973-1208
ckoenigs@hallestill.com

Ms. Mary K. Engle
Associate Director
Division of Advertising Practices
Federal Trade Commission
601 Pennsylvania Avenue, N.W.
Room 4002
Washington, D.C. 20580

Dear Ms. Engle:

On behalf of European Cigarette Imports, Inc. ("ECI"), 149 Center Grove Road, Randolph, New Jersey 07869, whose President is George E. Petrides, we hereby submit this label statement rotation plan (the "Plan") for approval by the Federal Trade Commission ("FTC") for one (1) brand style of cigarettes, Rodeo 100's, Full Flavor to be imported by ECI.

I. Background

Pursuant to the Federal Cigarette Labeling and Advertising Act (the "Act"), importers of cigarettes are required to submit a label statement rotation plan to the FTC for approval. 15 U.S.C. § 1333(c). Section 1333(a) sets forth the wording of the warning labels required for all packaging and advertising of cigarettes sold, distributed, or advertised in the United States. Section 1333(b)(1) provides the placement and size requirements for the warning labels on cigarette packaging. Section 1333(b)(2) sets forth the requirements for warnings in advertisements, except for outdoor billboards, which are covered in Section 1333(b)(3).

ECI intends to import the Rodeo brand of cigarettes into the United States, with one (1) corresponding brand style, Rodeo 100's, Full Flavor. This Plan sets forth the manner in which ECI will comply with the warning label requirements of the Act.

11. Packaging

A. Beginning on the Effective Date,¹ the following label statements required by 15 U.S.C. § 1333(a)(1), shall be displayed on the packaging of the Rodeo 100's, Full Flavor brand style to be imported by ECI:

SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.

SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.

SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight.

SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

B. ECI intends to utilize the label statement rotation option provided by 15 U.S.C. § 1333(c)(2), to display the four warnings an equal number of times on the packaging of the Rodeo 100's, Full Flavor brand style it imports for the one year period beginning on the Effective Date. The anticipated annual sales volume for the Rodeo 100's, Full Flavor brand style is [REDACTED] sticks. ECI has not previously imported the Rodeo 100's, Full Flavor brand style into the United States. For the previous year, ECI's sales of any one brand style of cigarettes it imported did not exceed [REDACTED] sticks. Further, ECI does not anticipate that the sales volume for any one brand style of cigarettes it imports for the one year period beginning on the Effective Date shall exceed _____sticks.

The label statements required by 15 U.S.C. § 1333(a)(1), shall be printed on the packaging in the country of origin prior to ECI's importation of the cigarettes into the United States. The warning labels will appear on the packages and cartons exactly as they appear on the specimens submitted with this Plan.

ECI will ensure equal use of the warning label statements by requiring that each page of labels printed is equally divided using the four (4) different labels. Therefore, ECI will simultaneously print and distribute packages and cartons using all four (4) warning labels. Accordingly, ECI shall maintain records accounting for the number of packages and cartons using each warning label for every production run.

III. Advertising

ECI does not intend to advertise the Rodeo 100's, Full Flavor brand style of cigarettes.

¹ The Effective Date of the Plan for the Rodeo 100's, Full Flavor brand style shall be the date the Plan is approved by the FTC.

Ms. Mary K. Engle

March 13, 2002

Page 3

IV. Miscellaneous

A. ECI shall be deemed to have satisfied its responsibilities under this Plan if it has taken reasonable steps (1) to provide, by written contract or the giving of clear instructions or otherwise, for rotation of the label statements required by the Act in accordance with the pertinent provisions of this Plan, (2) when appropriate, to furnish materials for the production of cigarette packages bearing the label statement(s) required by the pertinent provisions of this Plan, and (3) to prevent the recurrence of any mistakes, errors or omissions that have come to its attention.

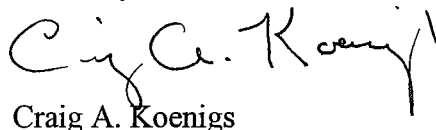
B. Nothing herein shall be construed to require the manufacture, packaging, distribution or importation of any cigarettes during any period of time.

C. No provision of this Plan constitutes or shall be construed as an admission by ECI (1) that the Government of the United States has the authority to require the inclusion on any cigarette package of a statement or statements concerning any alleged relationship between smoking or health or (2) that the label statements required by the Act are necessary or correct.

D. No provision of the Plan and no action taken pursuant hereto or statement made in connection herewith constitutes or shall be construed as an admission in any judicial or administrative proceeding, in any private litigation, or in any official action, report or statement by the United States Government or any instrumentality thereof.

If you have any further questions regarding the Plan, please do not hesitate to contact me. Your prompt attention to this matter is greatly appreciated

Sincerely,



Craig A. Koenigs

CAK:kmt
Enclosures

39973.1:999914:00014
3/13/02



Selected packaging samples from those
submitted with the plan.

MADE IN GREECE
Under Authority of
ITW Manufacturing Ltd
Nicosia - CYPRUS

RODEO
100's



+



P/USA

P7

+

CLASSIC
20
CIGARETTES



RODEO
100's

FULL FLAVOR

RODEO
100's

EXCLUSIVE
PREMIUM BLEND

FULL FLAVOR

RODEO
100's



RODEO
100's

CLASSIC SMOKES

**SURGEON GENERAL'S WARNING: Smoking
By Pregnant Women May Result in Fetal
Injury, Premature Birth, And Low Birth Weight.**

+

+

UNDERAGE
SALE
PROHIBITED

© 1998 B&W T Co. All rights reserved. B&W is a registered trademark of B&W T Co.

**UNDERAGE
SALE
PROHIBITED**

RODEO
100's
FULL FLAVOR

SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.



RODEO

CLASSIC

100's

SMOKES

FULL FLAVOR

10 PACKS OF 20 CIG

FULL FLAVOR

MADE IN GREECE

100's
RODEO

BOX



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

March 18, 2002

Craig A. Koenigs, Esq.
Hall, Estill, Hardwick, Gable, Golden & Nelson
Street, NW
Suite 700, North Building
Washington, D.C. 20036-3406

Dear Mr. Koenigs:


The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). Pursuant to that delegation, I have reviewed the proposed plan filed on behalf of European Cigarette Imports, Inc. ("ECI") on March 13, 2002, calling for the simultaneous display of the four health warnings on the packaging of the **full** flavor 100's hard pack variety of Rodeo cigarettes.

The warnings on the sample packs and cartons submitted with your March 13, 2002 letter appear to meet the requirements of the Cigarette Act for size and conspicuousness. ECI's plan for the **full** flavor 100's hard pack variety of Rodeo cigarettes is hereby approved. This approval is effective on the date of this letter and ends on March 17, 2003. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.¹ The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

If ECI should decide to advertise the Rodeo brand, it must incorporate the Rodeo brand in its plan for advertising its cigarettes.

You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of the Department of Health and **Human** Services ("HHS"). Furthermore, the Tariff Act of 1930, 19 U.S.C. § 1681a(c)(1), as amended by the Tariff Suspension and Trade Act of 2000, Pub. L. No. 106-476, 114 Stat. 2179, prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and **will** continue to submit the list of ingredients to HHS.

Very truly yours,


Mary K. Engle
Associate Director

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

FLEITAS & BUJAN

ATTORNEYS AT LAW

ROBERTO F. FLEITAS
JESUS F. BUJAN

OCEAN BANK BUILDING, SUITE 530
782 N.W. LEJEUNE ROAD
MIAMI, FLORIDA 33126
TEL. (305) 442 - 1439
FAX (305) 442-9944

March 14, 2002

Ms. Mary K. Engle
Associate Director
Division of Advertising Practice
Federal Trade Commission
601 Pennsylvania Avenue, N.W.
Room 4002
Washington DC 20580

Re: FTC Approval of cigarette brand VL

Dear Ms. Engle:

HABA-DOM CIGARS CORP. (HABA-DOM) is the importer of the cigarette brand VL. HABA-DOM's address is Miami Free Zone, 2315 N.W. 107 Avenue, Warehouses B12 and B13, Miami, Florida 33172. The manager member is Jose Maria cortes.

In accordance the requirements of 15 USC 1333, HABA-DOM requests approval of the following plan detailed herein:

Enclosed please find one (1) package and one (1) carton displaying one example of each of the four (4) warning statements showing exactly how the warnings will be displayed on the packs and cartons of the following styles of the cigarette brand VL:

VL	84 mm	Menthol Box
VL	84 mm	Light Box

The warnings are as follows:

- A. SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.
- B. SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.
- C. SURGEON GENERAL'S WARNING: Smoking by Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight.
- D. SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

The warnings will appear on all packages and cartons exactly as shown on the packages and cartons submitted herein.

The four (4) label statements specified in paragraph (1), of subsection (a) of section 1333 will be displayed on the packs and cartons of each brand style an equal number of times within the twelve-month period beginning on the date of the approval by the Federal Trade Commission of this application.

HABA-DOM has not previously imported any cigarettes to the United States. For the year 2002, HABA-DOM anticipates sales will not exceed [REDACTED] cigarettes for any brand style.

HABA-DOM will maintain records of the label statement rotation of VL in compliance with the Plan.

ADVERTISING:

For advertising HABA-DOM will use the warnings formats submitted with the 1985 Plans of the five (5) leading cigarette manufacturers and place the warnings as specified in these plans.

HABA-DOM will use the formats represented by acetates submitted with my letter of February 25, 2002 that meet the statutory requirements as follows:

SCHEDULE FOR WARNINGS IN ADVERTISEMENTS

	Size of Advertisements	Warning Statement
	ENGLISH WARNING STATEMENT	
Category 1	0-65 square inches	Exhibit 1 or 1(a)
Category 2	Over 65 to 110 square inches	Exhibit 2 or 2(a)
Category 3	Over 110 to 180 square inches	Exhibit 3
Category 4	Over 180 to 360 square inches	Exhibit 4
Category 5	Over 360 to 470 square inches	Exhibit 5
Category 6	Over 470 to 720 square inches	Exhibit 6
Category 7	Over 5 to 10 square feet	Exhibit 7
Category 8	Over 10 to 20 square feet	Exhibit 8

HABA-DOM will rotate the warnings in advertising quarterly according to the following schedule:

Advertisement Label Statement Rotation of VL
SCHEDULE FOR QUARTERLY ROTATION

1st Quarter (Jan-Mar.)	SURGEON GENERAL'S WARNING: Smoking Causes lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy
2nd Quarter (Apr. -June)	SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health
3rd Quarter (July-Sept.)	SURGEON GENERAL'S WARNING: Smoking by Pregnant Women May Result in Fetal injury, Premature Birth, And low Birth Weight
4th Quarter (Oct. -Dec.)	SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

Respectfully submitted,



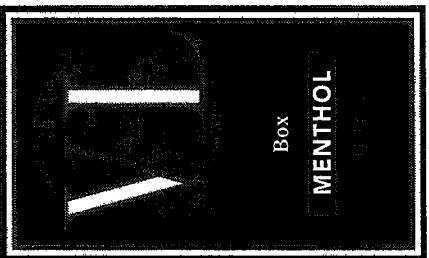
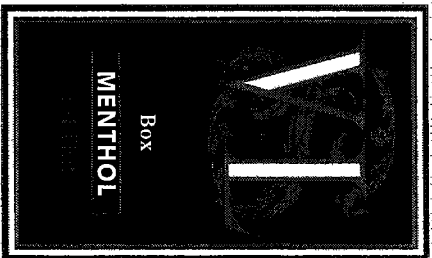
ROBERTO F. FLEITAS

RFF/sma

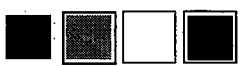
Selected packaging samples from those
submitted with the plan.

SURGEON GENERAL'S WARNING:
Quitting Smoking Now Greatly
Reduces Serious Risks to Your
Health.

C.I.T.A.
MADE IN SPAIN
BY CITA



B

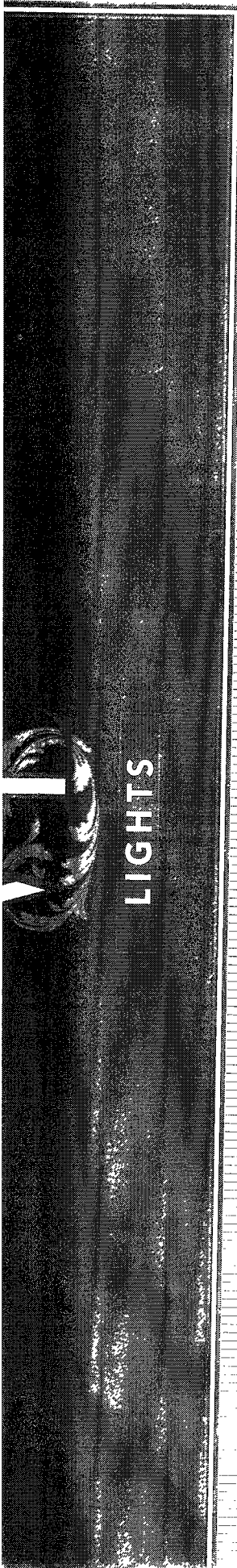


R/S 6637
R/C 22510

4

CLASS 4
20
CIGARETTES

UNDERAGE
SALE
PROHIBITED



LIGHTS

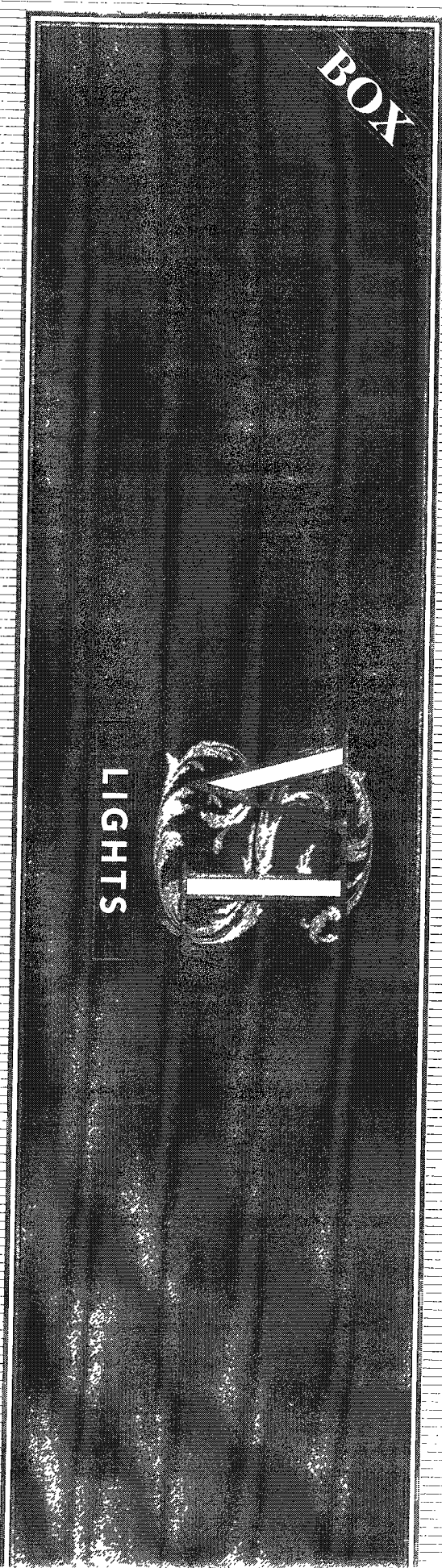
UNDERAGE
SALE
PROHIBITED

LIGHTS

SURGEON GENERAL'S WARNING:
Smoking Causes Lung Cancer,
Heart Disease, Emphysema,
And May Complicate Pregnancy.



0 614436 520256



LIGHTS

BOX

200 CIGARETTES

FILTER

LIGHTS

MADE IN SPAIN
BY G&A

MADE IN SPAIN
BY G&A

LIGHTS



FILTER

200 CIGARETTES



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

March 18, 2002

Roberto F. Fleitas, Esq.
Fleitas & Bujan
Ocean Bank Building, Suite 530
782 N.W. Lejeune Road
Miami, FL 33126

Dear Mr. Fleitas:

The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). Pursuant to that delegation, your March 14, 2002 plan filed on behalf of HABA-DOM Cigars Corp., calling for the simultaneous display of the four health warnings on the packaging of certain varieties of the VL brand, was approved on March 15, 2002. You now propose in a letter dated March 14, 2002 to expand your plan to include the Menthol King Box and Lights King Box varieties of the VL brand.

HABA-DOM's sales appear to qualify for the alternative to quarterly rotation of the warnings on packaging. The warnings on the sample packs and cartons submitted with your March 14, 2002 letter appear to meet the requirements of the Cigarette Act for size and conspicuousness. HABA-DOM's expansion of its plan for the VL brand is hereby approved for the Menthol King Box and Lights King Box varieties. This approval is effective on the date of this letter and ends on March 17, 2003. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.¹ The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of the Department of Health and Human Services ("HHS"). Furthermore, the Tariff Act of 1930, 19 U.S.C. § 1681a(c)(1), as amended by the Tariff Suspension and Trade Act of 2000, Pub. L. No. 106-476, 114 Stat. 2179, prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and will continue to submit the list of ingredients to HHS.

Very truly yours,

Mary K. Engle
Associate Director

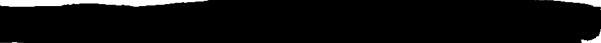
¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

AFFIDAVIT OF JAPAN TOBACCO INTERNATIONAL U.S.A., INC.
PURSUANT TO SECTION 4(c)(2)(A) OF THE
FEDERAL CIGARETTE LABELING AND ADVERTISING ACT
[15 U.S.C. §1333(c)(2)(A)]

STATE OF NEW JERSEY)
) **ss.:**
COUNTY OF BERGEN)

Thomas Hirshfield, being duly sworn, deposes and says:

1. I am the President of Japan Tobacco International U.S.A., Inc. (collectively, with its ultimate parent company, Japan Tobacco Inc. and **all** of Japan Tobacco Inc.'s direct and indirect subsidiaries, "Japan Tobacco") and make this affidavit on behalf of Japan Tobacco pursuant to Section 4(c)(2)(A) of the Federal Cigarette Labeling and Advertising Act, as amended (the "Act"), in support of the application of Japan Tobacco for Federal Trade Commission approval to display the warning labels specified in Section 4(a)(1) of the Act on packages of cigarettes manufactured by Japan Tobacco for the one-year period beginning on the date of approval, as provided in paragraph 2(b) of the Label Statement Rotation Plan of Japan Tobacco submitted to the Federal Trade Commission on August 28, 1985, and approved on October 11, 1985, and amended as of January 1, 1993, January 1, 1994, January 1, 1995, January 1, 1996, **January** 1, 1997, January 1, 1998, January 1, 1999, January 1, 2000, January 19, 2001 and April 17, 2001, which approval was most recently renewed effective January 19, 2001 and April 17, 2001 for the one year period thereafter.

2. The total number of cigarettes of any brand style sold by Japan Tobacco in the United States in its fiscal year ended December **31**, 2001, was less than  and therefore (i) each brand style of cigarettes which Japan Tobacco manufactures accounted for less than one-

fourth of one percent of all cigarettes sold in the United States during Japan Tobacco's most recent completed fiscal year and (ii) more than one-half of the cigarettes manufactured by Japan Tobacco for sale in the United States are packaged into brand styles which meet the requirements of clause (i).

IN WITNESS WHEREOF, I have hereunto' signed my name this 5th day of February, 2002.


Thomas Hirshfield, President

Sworn to before me this
5th day of February, 2002


Notary Public

NEAL N. BEATON
Notary Public, State of New York
No. 02BE4700760
NYC1 #44355
Qualified in New York County
Commission Expires Feb. 27, 2002

Selected packaging samples from those
submitted with the plan.

SURGEON GENERAL'S WARNING:
Cigarette Smoke Contains Carbon Monoxide.

W

Full Flavor
20 FILTER CIGARETTES

WAVE
Full Flavor

Full Flavor
20 FILTER CIGARETTES

W

⊕
CEB 1 0026

KING SIZE
WAVE

Full Flavor
WAVE

WAVE
KING SIZE

WAVE *Full Flavor*
MADE IN JAPAN. A TRADEMARK OF
JT JAPAN TOBACCO INC.



A PRODUCT OF
JT INTERNATIONAL



Lights
WAVE

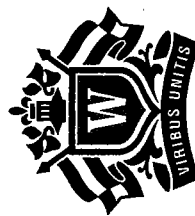
π

A PRODUCT OF JT INTERNATIONAL, A TRADEMARK OF
JAPAN TOBACCO INC.

Lights
WAVE

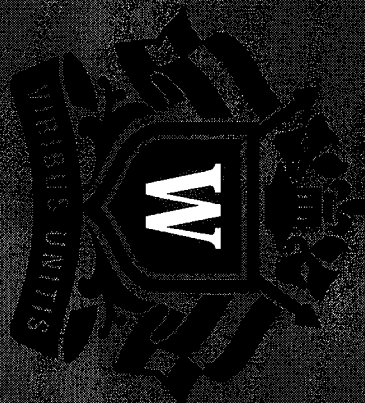
MADE IN JAPAN

WAVE
Lights



200 FILTER CIGARETTES

200 FILTER CIGARETTES



SURGEON GENERAL'S WARNING:
Quitting Smoking Now
Greatly Reduces
Serious Risks to Your Health.

Seven Stars 20(KH) USA LOCAL CEA10155 C

GOLD

2. SILVER

3. BLACK

Seven Stars

Charcoal Filter

SURGEON GENERAL'S WARNING:
Smoking By Pregnant Women May
Result in Fetal Injury, Premature Birth,
And Low Birth Weight.

Seven Stars



MADE IN JAPAN A TRADEMARK OF

Seven Stars

Charcoal Filter

CEP 10155 C

SEVEN STARS

Seven Stars

PRODUCTION INTERNATIONAL

TO

20



Seven Stars

Seven Stars

Seven Stars

SURGEON GENERAL'S WARNING:
Smoking By Pregnant Women May
Result in Fetal Injury, Premature
Birth, And Low Birth Weight.



BOX

*Charcoal Filter
Cigarettes*

7
SEVEN STARS
CIGARETTES



division of Advertising Practices

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

March 21, 2002

Neal N. Beaton, Esq.
Holland & Knight, LLP
195 Broadway
New York, **NY** 10007-3189

Dear Mr. Beaton:

The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). Pursuant to that delegation, your February 15, 2002 plan filed on behalf of Japan Tobacco, Inc., calling for the simultaneous display of the four health warnings on certain varieties of the Wave, Mild Seven, Cabin Mild, Caster Mild, and Export A brands of cigarettes was approved on February 20, 2002. In a letter dated March 15, 2002, you submitted redesigned packaging for the Wave brand. You also propose to expand your plan to include the King **Box** variety of the Seven Stars brand.

It appears that the warnings on the redesigned packs and cartons of the Wave brand submitted with your March 15th letter continue to meet the size and conspicuousness requirements of the Cigarette Act.

Japan Tobacco's sales also appear to continue to qualify for the alternative to quarterly rotation of the warnings on packaging. The warnings on the sample cartons of the Seven Stars King Box brand style submitted with your February 15, 2002 letter and on the revised sample packs submitted with your March 15, 2002 letter appear to meet the requirements of the Cigarette Act for size and conspicuousness. Japan Tobacco's expansion of its plan to include the King Box variety of the Seven Stars brand is hereby approved. This approval is effective on the date of this letter and ends on March 19, 2003. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.¹ The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

Very truly yours,

Mary K. Engle
Associate Director

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Native Wholesale Supply

PO Box 214
Gowanda NY 14070

Physical: 11037 Old Logan Road
Perrysburg NY 14129

Phone: 716-532-6136
Fax: 716-532-6137

March 21, 2002

Federal Trade Commission
Administrative Services
601 Pennsylvania Avenue Northwest
Washington, D.C. 20580
Mailstop 4002

Attention: Mrs. Mary K. Engle

Dear Mrs. Engle:

GRAND RIVER ENTERPRISES SIX NATIONS LTD. requests permission to use the alternative option for Warning Label Rotation as provided by Section 1333C(2) beginning in April 2002 for the Seneca brand of cigarettes. We are currently rotating on a quarterly basis. This is a list of previous plans submitted and the dates of there approval:

Date of submittal of plan
07/26/01

Date approved
08/29/01

We have carefully read the Act and feel our products will still be in full compliance with the "Cigarette Act" Warning Label Display Requirements. Our sales for 2001 were [REDACTED] sticks and we estimate our sales will be [REDACTED] sticks for 2002.

Our proposed plan for compliance with the "Warning Act" is to have our supplier, White House Graphics, run the four warning labels simultaneously with each other. The four warnings will be displayed on the packs and cartons of each brand style equally during the one year period following the approval of this plan by the Federal Trade Commission and is as shown on samples enclosed with our letter dated 07/26/01 and a package received by the Federal Trade Commission on 08/28/01. Please note that our Seneca brand cigarettes packaging has not changed since the previous submittals.

Each of the following labels will be rotated and displayed on all packs and cartons produced and imported continuously:

SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.

SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.

SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight.

SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

All warning labels will be in the same place as previously submitted and will be the same size and type style.

At present, we still do not intend to advertise. In the event we do intend to advertise, we will submit a proposed plan to comply with the "Cigarette Act" Warning Label Display Requirement for Advertising.

Please advise **as** quickly as possible of the approval of this plan. Thank you for your kind and prompt attention to this matter.

Yours truly,

A handwritten signature in black ink, appearing to read 'Arthur Montour', written in a cursive style.

Arthur Montour
Vice President



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

March 22, 2002

Mr. *At* Montour
Vice President
Native Wholesale Supply
11037 Old Logan Rd.
Perrysburg, ~~NY~~ 14129

Dear Mr. Montour:

The Federal Trade Commission ("the Commission") has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). On August 29, 2001, the Commission approved Native Wholesale Supply's August 28, 2001 plan for the quarterly rotation of the four health warnings on packaging of certain varieties of the Seneca brand of cigarettes. On March 21, 2002, Native Wholesale Supply filed a plan that calls for the simultaneous display of the four health warnings on the packaging of the Seneca brand of cigarettes.

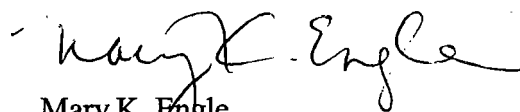
Native Wholesale Supply's sales appear to qualify for the aforementioned alternative to quarterly rotation of the warnings on packaging. The warnings on the sample packs and cartons of the Seneca brand submitted with your letter of July 26, 2001 and with a package received on August 28, 2001 appear to comply with the requirements of the Cigarette Act for size and conspicuousness. Native Wholesale's March 21, 2002 plan has been approved for the following varieties of the Seneca brands of cigarettes: Full Flavor King 20's, Light **King** 20's, Menthol Light King 20's, Ultra Light King 20's, Menthol King 20's, Full Flavor 100's, Light 100's, Menthol Light 100's, Ultra Light 100's, Menthol 100's, and Menthol Ultra Light 100's. This approval is effective on the date of this letter and ends on March 21, 2003. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.¹ The Cigarette Act provides that any person who violates its provisions is **guilty of** a misdemeanor.

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Mr. Art Montour
March 22, 2002
Page 2

If Native Wholesale Supply does decide to advertise in the future, it must submit a plan detailing how it will comply with the requirements of the Cigarette Act with respect to display of the health warning statements in advertisements.

Very truly yours,

A handwritten signature in black ink that reads "Mary K. Engle". The signature is written in a cursive style with a large, stylized initial "M".

Mary K. Engle
Associate Director

**LAW OFFICES OF
BARRY M. BOREN**

**Dadeland Towers
9200 South Dadeland Boulevard
Suite 412
Miami, Florida 33156**

**Telephone
(305) 670-2200
Facsimile
(305) 670-9672**

March 21, 2002

Ms. Mary K. Engle, Associate Director
Division of Advertising Practices
Federal Trade Commission
601 Pennsylvania Avenue, N.W. Room 4213
Washington, D.C. 20580

Attention: Ms. Sallie Schools

Amended Surgeon General's Warning Rotation Plan
for GT One, Bronco and Cowboy Cigarettes
For Vimisa, Inc.

Dear Ms. Engle:

Please be advised that we are the attorneys for an importer of tobacco products, Vimisa, Inc. ("Vimisa"), a Florida corporation, with offices located at 2980 N.W. 108th Ave., Miami, Florida 33172. Vimisa wishes to amend its existing Surgeon General's Health Warning Rotation Plan for GT One brand cigarettes and amend their proposed Surgeon General's Warning Rotation Plans for cigarettes they wish to import into the United States under the brand names "Bronco" and "Cowboy."¹ These plans are being submitted pursuant to the Federal Cigarette Labeling and Advertising Act of 1964, as amended, ("Act") (15 U.S.C. §1331 *et seq.*). The contact person for the company will be its President, Miguel Sanchez, 2980 N.W. 108th Ave., Miami, Florida 33172.

On March 20, 2000, the FTC approved a Vimisa rotation plan for GT One cigarettes. A copy of the approval letter is attached hereto as Exhibit "E." During the year 2001, Vimisa imported no GT One cigarettes. The GT One cigarettes that year were produced and imported by Sun Tobacco which had its own rotation plan approved by the FTC. At this time, Vimisa wishes to resume importing GT One cigarettes, but wishes to revise its rotation schedule to correspond to the schedule currently being used by the manufacturer. Since Vimisa imported no GT Ones during the last year, changing the schedule should not create any problems or lapses in the rotation schedule.

¹ The original GT One plan was approved by the FTC on March 20, 2000. Attached hereto as Exhibit "D" is a plan showing how the label rotation for each brand to be imported by Vimisa will look after the approval of these plans.

"A." For the brand GT One, Vimisa intends to import the brand styles listed on Exhibit "A." Actual samples of the packs and cartons with each of the four Surgeon General's Health Warnings were previously filed with Vimisa's submission of March 13, 2002. For the brand Bronco, Vimisa intends to import the brand styles listed on Exhibit "B." Actual samples of the packs and cartons with each of the four Surgeon General's Health Warnings were previously filed with Vimisa's submission of March 13, 2002. For the brand Cowboys, Vimisa intends to import the brand styles listed on Exhibit "C." Actual samples of the packs and cartons with each of the four Surgeon General's Health Warnings were previously filed with Vimisa's submission of February 6, 2002. Each of the previously submitted samples of the packs and cartons of each brand style listed on Exhibits "A," "B" and "C" show exactly where and how the four (4) Surgeon General's health warnings will appear on individual packs and cartons Vimisa will be importing.

Even though Vimisa qualifies as a small importer/manufacturer as defined by the Act, Vimisa wishes to submit to the FTC a plan to rotate the warning statements as required by 15 U.S.C. §1333(c)(1). The plan we wish to submit requires that Vimisa rotate the four warning statements which will appear on the packages and cartons of the GT One, Bronco and Cowboys brand cigarettes quarterly, in an alternating sequence, based on the date the cigarettes are actually packaged, regardless of the date(s) on which such cigarettes are imported, sold, or distributed in the U.S. However, in order to allow for an orderly transition from one warning statement to the next, Vimisa may, with respect to any brand style of cigarettes, begin using packages bearing the subsequent quarter's label statement up to fifteen (15) production days prior to the commencement of such quarter and continue using packages bearing the prior quarter's label statement up to fifteen (15) production days after the end of such quarter (transition period). Cigarettes, packs and cartons produced in accordance with the provisions of this plan may be removed from storage or inventory in any manner that is consistent with customary business practices or with business considerations unrelated to the rotation obligation imposed herein.

In no event shall Vimisa employ procedures which are deliberately designed to result in the early or prolonged use of a particular package label statement during the transition period referred to above.

Any repackaging of cigarettes which may occur shall be done with packages bearing the label statement for the quarter in which such repackaging occurs although, in such event, no usable packaging need be replaced or removed.

Nothing herein shall be construed to require the manufacture, packaging, distribution or importation of any cigarette during any period of time. Vimisa shall be deemed to have satisfied its responsibilities under the plan if it has taken reasonable steps to: (1) provide by written contract or the giving of clear instructions, or otherwise, for the rotation of the warning statements required by the Act in accordance with the pertinent provisions of this plan; and (2) prevent the recurrence of any mistakes, errors, or omissions that have come to its attention.

The rotations Vimisa will be using for the three brands of cigarettes are as follows:

1. GT ONE:

Vimisa will begin with the warning "SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy." and will use this label on all cigarettes packaged during the first quarter (January 1st to March 31st). It will alternate labels on all cigarettes packaged on the first of each calendar quarter thereafter (i.e., April 1st, July 1st and October 1st).

From January 1 to March 31st Vimisa will use the warning:

SURGEON GENERAL'S WARNING:
Smoking Causes Lung Cancer, Heart Disease,
Emphysema, And May Complicate Pregnancy.

From April 1st to June 30th Vimisa will use the warning:

SURGEON GENERAL'S WARNING:
Quitting Smoking Now Greatly Reduces Serious
Risks to Your Health.

From July 1st to September 30th Vimisa will use the warning:

SURGEON GENERAL'S WARNING:
Smoking By Pregnant Women May Result in
Fetal Injury, Premature Birth, And Low Birth
Weight.

From Oct. 1st to Vimisa will use the warning:

SURGEON GENERAL'S WARNING:
Cigarette Smoke Contains Carbon Monoxide.

2. BRONCO:

Vimisa will begin with the warning "SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight." and will use this label on all cigarettes packaged during the first quarter (January 1st to March 31st). It will alternate labels on all cigarettes packaged on the first of each calendar quarter thereafter (i.e., April 1st, July 1st and October 1st).

From January 1 to March 31st Vimisa will use the warning:

SURGEON GENERAL'S WARNING:
Smoking By Pregnant Women May Result in
Fetal Injury, Premature Birth, And Low Birth
Weight.

From April 1st to June 30th Vimisa will use the warning:

SURGEON GENERAL'S WARNING:
Cigarette Smoke Contains Carbon Monoxide.

From July 1st to September 30th Vimisa will use the warning:

SURGEON GENERAL'S WARNING:
Smoking Causes Lung Cancer, Heart Disease,
Emphysema, And May Complicate Pregnancy.

From Oct. 1st to Vimisa will use the warning:

SURGEON GENERAL'S WARNING:
Quitting Smoking Now Greatly Reduces Serious
Risks to Your Health.

3. COWBOYS:

Vimisa will begin with the warning "SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health." and will use this label on all cigarettes packaged during the first quarter (January 1st to March 31st). It will alternate labels on all cigarettes packaged on the first of each calendar quarter thereafter (i.e., April 1st, July 1st and October 1st).

From January 1 to March 31st Vimisa will use the warning:

SURGEON GENERAL'S WARNING:
Quitting Smoking Now Greatly Reduces Serious
Risks to Your Health.

From April 1st to June 30th Vimisa will use the warning:

SURGEON GENERAL'S WARNING:
Smoking By Pregnant Women May Result in
Fetal Injury, Premature Birth, And Low Birth
Weight.

From July 1st to September 30th Vimisa will use the warning:

SURGEON GENERAL'S WARNING:
Cigarette Smoke Contains Carbon Monoxide.

From Oct. 1st to Vimisa will use the warning:

SURGEON GENERAL'S WARNING:
Smoking Causes Lung Cancer, Heart Disease,
Emphysema, And May Complicate Pregnancy.

Vimisa expects to begin importing cigarettes during the first quarter of 2002. The samples of the GT One cigarettes sent with its submission of March 13, 2002, the samples of the Cowboys cigarettes sent with its submission of February 6, 2002 and the samples of the Bronco cigarettes sent with its submission of March 13, 2002 show exactly where and how the Surgeon General's health warnings will appear on the individual packs and cartons Vimisa will be importing. These warning labels will be printed directly on the packs and cartons by the manufacturers under any cellophane that might be placed on the packs and cartons, in the place and in the manner indicated.

Vimisa understands that the FTC is charged with ensuring that Vimisa's Surgeon General's Health Warning Label Plan is complied with and, therefore, it agrees to maintain records to demonstrate that they are in compliance with, and are properly implementing their plan.

No provision of this plan and no action taken pursuant hereto or statement made in connection herewith constitutes or shall be construed as an admission in any judicial or administrative proceeding, in any private litigation, or in any official action, report or statement by the United States Government, or any instrumentality thereof.

Please be advised that, at this time, Vimisa does not advertise and, therefore, will not need to comply with the Act's requirements requiring the rotation of warning labels on advertising. If this should change, we will notify the FTC and modify our plan accordingly.

We believe this plan complies in all respects with the Federal Cigarette Labeling and Advertising Act, as amended, (15 U.S.C. §1331 *et seq.*) including any modifications made by the Public Health Cigarette Smoking Act of 1969, the Comprehensive Smoking Education Act of 1984, the Nurses' Education Amendments of 1985 and the Imported Cigarette Compliance Act of 2000. For this reason, we hereby request that you approve this plan as soon as possible.

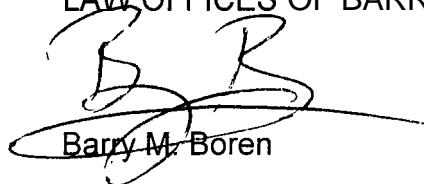
Ms. Mary K. Engle, Acting Associate Director
Federal Trade Commission

Page 6
March 20, 2002

Should you have any further questions regarding this matter, please do not hesitate to contact us.

Sincerely yours,

LAW OFFICES OF BARRY M. BOREN



Barry M. Boren

BMB:mw
encs.
Vimisa-FTC-RotationPlan

EXHIBIT 'A' LIST OF CIGARETTES
VIMISA, INC.

GT One

GT One Full Flavor King Box

GT One Lights King Box

GT One Ultra Lights King Box

GT One Menthol King Box

GT One Menthol Lights King Box

GT One Medium King Box

GT One Non-Filter King Box

3

GT One-Exhibit-List

EXHIBIT 'B' LIST OF CIGARETTES
VIMISA, INC.

BRONCO

Ultra Lights King Box

Menthol Lights King Box

Full Flavor King Box

Lights King Box

Menthol King Box

Bronco-Exhibit-Lis

3

EXHIBIT 'C' LIST OF CIGARETTES
VIMISA, INC.

COWBOYS

Cowboys Full Flavor King Box

Cowboys Light King Box

Cowboys Menthol King Box

GT One-Exhibit-List

EXHIBIT "D"
VIMISA, INC.

QUARTER ONE:

<u>Brand</u>	<u>Warning</u>
Bronco	Pregnant Women
Cowboys	Quitting Smoking
GT One	Lung Cancer

QUARTER TWO:

Bronco	Carbon Monoxide
Cowboys	Pregnant Women
GT One	Quitting Smoking

QUARTER THREE:

Bronco	Lung Cancer
Cowboys	Carbon Monoxide
GT One	Pregnant Women

QUARTER FOUR:

Bronco	Quitting Smoking
Cowboys	Lung Cancer
GT One	Carbon Monoxide



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

March 20, 2000

Barry M. Boren, Esq.
Dadeland Towers
9200 South Dadeland Boulevard
Suite 412
Miami, FL 33156

Dear Mr. Boren:

The Federal Trade Commission ("the Commission") has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). Pursuant to that delegation, I have reviewed the revised proposed plan filed on behalf of Vimisa, Inc. ("Vimisa") on March 17, 2000 calling for of health warnings oil packaging of the GT of cigarettes.

The health warnings on the artwork and sample packaging for the GT One brand submitted with your January 10, 31, February 10, and March 13, 2000 letters appear to meet the requirements of the Cigarette Act for size and conspicuousness. Your plan calls for applying warning label stickers as an interim step to correct a punctuation error in the warnings on all the packs for the first quarter of 2000. As actual packs are developed and the punctuation error is corrected, Vimisa should submit samples to the Commission. Your plan for the GT One brand of cigarettes has been approved. Approval of the plan is contingent its good faith implementation. We may ask for information demonstrating proper implementation of the plan.¹ The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

If Vimisa does decide to advertise in the future, it must submit a plan detailing how it will comply with the requirements of the Cigarette Act with respect to display of the health warning statements in advertisements.

You should also be aware that Section 1335a of the Cigarette Act requires that cigarette manufacturers and importers annually file with the Secretary of the Department of Health and Human Services a list of the ingredients added to tobacco in the manufacture of their cigarettes.

Sincerely,

C. Lee Peeier
Associate Director

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Selected packaging samples from those
submitted with the plan.

CLASS A
20
CIGARETTES

FILTER CIGARETTES

UNDERAGE
SALE
PROHIBITED

GT ONE
FLAVOR
KING



FILTER CIGARETTES



GT ONE
FULL FLAVOR

1-1-8680 N 774 1990-0064 000

20 CLASS A CIGARETTES

GT ONE
FULL FLAVOR
KING

20 CLASS A CIGARETTES

GT ONE
FULL FLAVOR

SURGEON GENERAL'S WARNING:
Smoking Causes Lung Cancer,
Heart Disease, Emphysema, And
May Complicate Pregnancy.



GT ONE
FULL FLAVOR
KING



Finest American blend
Distributed by
General Tobacco,
Miami, FL, USA
Made in Colombia

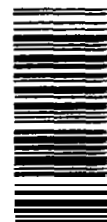
GT ONE
FULL FLAVOR
KING



- Kings -

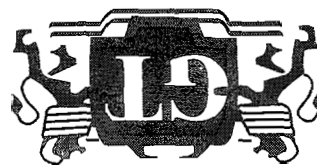


FINEST AMERICAN BLEND
DISTRIBUTED BY GENERAL TOBACCO.
MIAMI FL. USA MADE IN COLOMBIA



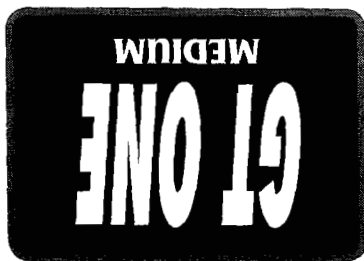
200 CLASS A FILTER CIGARETT

- Kings -



Finest American Blend

SURGEON GENERAL'S WARNING:
Smoking By Pregnant Women May
Result in Fetal Injury, Premature Birth,
And Low Birth Weight.



- Kings -



UNDERAGE
SALE
PROHIBITED

Finest American Blend



full flavor
BRONCO

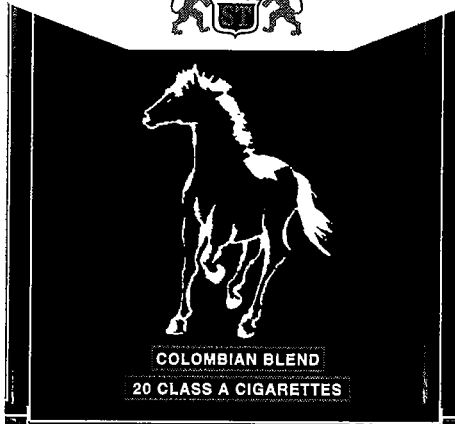
PRODUCT OF COLOMBIA

UNDERAGE
SALE
PROHIBITED

BRONCO
full flavor



BRONCO
full flavor



COO. PROD. 30008

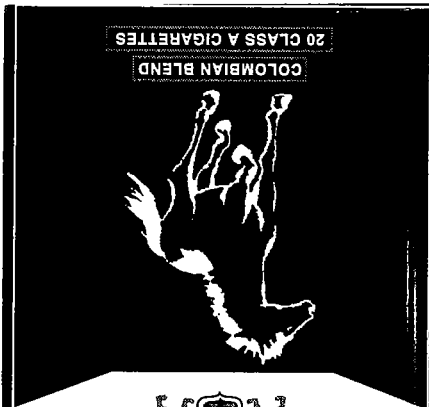
P.L.A. N. 0998-1-1

full flavor
BRONCO



20 CLASS A CIGARETTES
COLOMBIAN BLEND
FINE10811330

full flavor
BRONCO



SURGEON GENERAL'S WARNING:
Smoking Causes Lung Cancer,
Heart Disease, Emphysema, And
May Complicate Pregnancy.

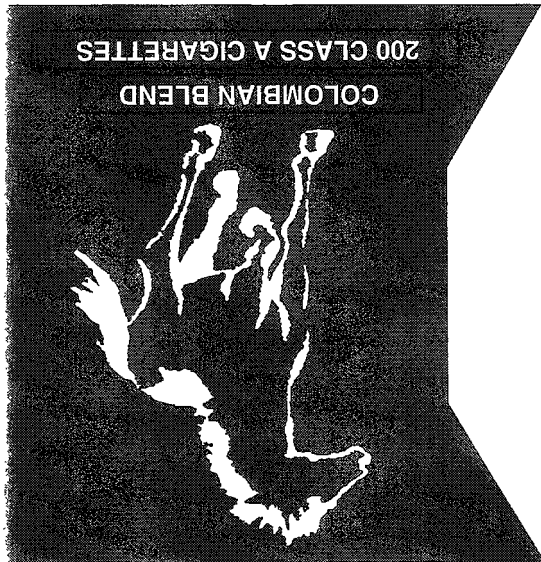
BRONCO

ultra lights



SURGEON GENERAL'S WARNING:
Smoking By Pregnant Women May
Result in Fetal Injury, Premature Birth,
And Low Birth Weight.

VERAGE
ALE
HIBITED



ultra lights

BRONCO

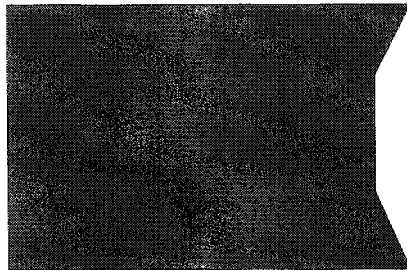
KING SIZE



ultra lights

BRONCO

PRODUCT OF COLOMBIA
MADE UNDER THE AUTHORITY OF SUN TOBACCO LTD.
MIAMI FLORIDA 33125



KING SIZE



20 CLASS A
CIGARETTES

COWBOYS

UNDERAGE
SALE
PROHIBITED

**COWBOYS
MENTHOL**



COWBOYS

COWBOYS



COD PROD: 119005 P.A. N. 0898-1-1

MENTHOL

**COWBOYS
MENTHOL**

MENTHOL

COWBOYS



MADE UNDER
AUTHORITY OF
SUN TOBACCO INC.

PRODUCT OF COLOMBIA

SURGEON GENERAL'S WARNING:
Cigarette Smoke
Contains
Carbon Monoxide.

COWBOYS

10

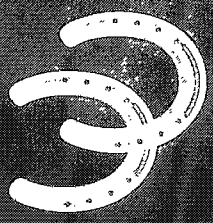
KING BOX

COWBOYS
FULL FLAVOR

PRODUCT OF COLOMBIA
MADE UNDER THE AUTHORITY OF SUN TOBACCO INC.
MIAMI FLORIDA 33125



KING BOX



COWBOYS
FULL FLAVOR



COWBOYS
FULL FLAVOR

SURGEON GENERAL'S WARNING:
Quitting Smoking Now Greatly
Reduces Serious Risks to Your
Health.



UNDERAGE
SALE
PROHIBITED



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

March 25, 2002

Barry M. Boren, Esq.
Dadeland Towers
9200 South Dadeland Boulevard, Suite 412
Miami, FL 33156

Dear Mr. Boren:

The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). Pursuant to that delegation, your March 17, 2000 plan filed on behalf of Vimisa, Inc., calling for quarterly rotation of the four health warnings on packaging of certain varieties of the GT One brand of cigarettes was approved on March 20, 2000. In a letter dated March 21, 2002, you propose to revise your plan for the GT One brand, and to expand your plan to include certain varieties of the Bronco and Cowboys brands of cigarettes.

The health warnings on the sample packs and cartons submitted with your February 6, 2002, March 13, 2002, and March 20, 2002 letters appear to comply with the requirements of the Cigarette Act for size and conspicuousness. Vimisa's revisions to its plan for the GT One brand is approved for the following King Box varieties: Full Flavor, Lights, Ultra Lights, Menthol, Menthol Lights, Medium, and Non Filter. Vimisa's plan for the Bronco brand is approved for the following King Box varieties: Full Flavor, Lights, Menthol, Ultra Lights and Menthol Lights; and the Cowboys brand is approved for the Full Flavor King Box, Lights King Box, and Menthol **King** Box varieties.¹ Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.² The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

If Vimisa does decide to advertise in the future, it must submit a plan detailing how it will

¹ This approval of Vimisa's cigarette health warning display plan is an approval of its plan for displaying the four health warnings mandated by the Cigarette Act. Approval of the plan is not in any way an approval of Vimisa's packaging, other than the display of the mandated health warnings. This approval expresses no opinion on whether or not Vimisa's packaging complies with relevant trademark law or with other applicable laws.

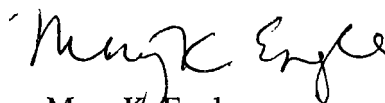
² Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Barry M. Boren, Esq.
March 25, 2002
Page 2

comply with the requirements of the Cigarette Act with respect to display of the health warning statements in advertisements.

You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of the Department of Health and Human Services ("HHS"). Furthermore, the Tariff Act of 1930, 19 U.S.C. § 1681a(c)(1), as amended by the Tariff Suspension and Trade Act of 2000, Pub. L. No. 106-476, 114 Stat. 2179, prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and will continue to submit the list of ingredients to HHS.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mary K. Engle". The signature is fluid and cursive, with the first name "Mary" and last name "Engle" clearly distinguishable.

Mary K. Engle
Associate Director

LAW OFFICES OF
FINGER, PARKER, AVRAM, MARTIN & ROEMER, L.L.P.
204 NORTHGATE PARK DRIVE
WINSTON-SALEM, NORTH CAROLINA 27106

M. NEIL FINGER
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JONESVILLE, N. C. 28642

Writer's
(336) 759-0955

March 20, 2002

via Fax (202-326-3259) 3 pages and mail

Mr. Michael Ostheimer
and/or Ms. Sallie Schools
Federal Trade Commission
601 Pennsylvania Avenue NW
4th Floor, Room 4002
Washington, DC 20580

**Re: Request for Approval of the Warning Statement Rotation Plan for CIGARONNE
cigarettes - Revised**

Dear Mr. Ostheimer and Ms. Schools:

I am writing this letter on behalf of G.A. Andron & Co., This letter is intended to
supercede the previous request for approval of a warning rotation plan contained in our letters dated
February 27, 2002 and March 13, 2002.

It is our desire to obtain approval on behalf of Andron of the Warning Rotation Schedule (the "Plan")
attached hereto as Exhibit A for CIGARONNE cigarettes imported by Andron. Andron's address is 89
North Industry Court, Deer Park, NY 11729. The company officer responsible for overseeing this
matter is Joanne Diggett, Vice President.

Exhibit A shows that the four Warning Statements will be rotated quarterly based on the quarter in
which the products are manufactured. Moreover, the Warning Statement will appear on the final, or
finished products exactly as shown on the actual pack and carton sample (for the second quarter) and
packaging proofs (for the other quarters) submitted on February 27, 2002 and July 26, 2001. Verbal
packaging approval for both cartons and packs (i.e. size and conspicuousness, etc.) has already been
granted by the FTC for this product.

So as to prevent future mistakes, Andron agrees to inspect each incoming shipment that it receives so
as to make sure that the supplier has placed the correct Warning Statements on the products, that such
statements are ones called for under the Plan, and to maintain records to demonstrate compliance of
such inspections and actions taken in the event that Statements are received.

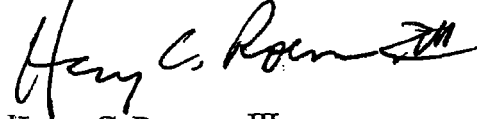
Andron conducts no consumer advertising for the brands that it imports, and if it decides to conduct
such advertising, it will submit to you a rotation plan pursuant to the requirements of the Federal
Cigarette Labeling and Advertising Act.

Mi. Michael Ostheimer
and/or Ms. Sallie Schools
March 20, 2002
Page 2

With the foregoing **in mind**, we hope that you can grant Andron approval of the Plan being submitted **with** this letter. It is hoped that you can grant this approval **as soon as possible**. If you could **fax** us the news, it would be most appreciated.

Thank you for your courtesy and cooperation.

Sincerely,

A handwritten signature in black ink that reads "Henry C. Roemer, III". The signature is written in a cursive style with a prominent initial "H" and a flourish at the end.

Henry C. Roemer, III

HCR/alg

Enclosures

EXHIBIT A

G. A. Andron & Co., Inc.
Warning Rotation Schedule
, Proposed Permanent Plan

- 1- SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.
- 2- SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to *Your* Health.
- 3- SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal **Injury**, Premature **Birth**, And Low Birth Weight.
- 4- SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

BRAND: Cigaronne

PERIOD MANUFACTURED

	<u>1st Quarter</u> (Jan-Feb-Mar)	<u>2nd Quarter</u> (Apr-May-Jun)	<u>3rd Quarter</u> (Jul-Aug-Sep)	<u>4th Quarter</u> (Oct-Nov-Dec)
CIGARONNE (Lights)	Warning #1	Warning #2	Warning #3	Warning #4
CIGARONNE (Regular)	Warning #2	Warning #3	Warning #4	Warning #1

Selected packaging samples from those
submitted with the plan.

Cigaronne
FILTER HOLDER

CIGARONNE OPENS A NEW
ERA IN SMOKING.
A REVOLUTIONARY
CIGARETTE DESIGN
INCORPORATING A FILTER
HOLDER WITH THE
FINEST TOBACCOS,
COMBINES TRADITIONAL
FEATURES WITH TREND
TOWARDS LIGHTER
SMOKING.

AMERICAN BLEND

USA/A
R
02

FILTER HOLDER
Cigaronne

FILTER HOLDER
CIGARETTES

LIGHTS
Cigaronne

CLASS A
CIGARETTES
20

SURGEON GENERAL'S WARNING:
Quitting Smoking Now Greatly Reduces
Serious Risks to Your Health.



MANUFACTURED BY
S.P.S. CIGARONNE COMPANY LIMITED
24, JIBWANSSEAN STR. YEREVAN, ARMENIA
UNDER THE AUTHORITY OF TOBACCO
CORPORATION LIMITED, LONDON, UK

10/2008
CLASS A CIGARETTES

SURGEON GENERAL'S WARNING:
Quitting Smoking Now Greatly Reduces
Serious Risks to Your Health.

Cigaronne

FILTER HOLDER CIGARETTES

UNDERAGE
SALE
PROHIBITED



SE

Cigaronne

LIGHTS

FILTER HOLDER CIGARETTES

AMERICAN BLEND

EXCLUSIVE



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

March 27, 2002

Henry C. Roemer, III, Esq.
Finger, Parker, Avram, Martin & Roemer, LLP
204 Northgate Park Drive
Winston-Salem, NC 27106

Dear Mr. Roemer:

The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). Pursuant to that delegation, I have reviewed the revised proposed plan filed on behalf of G.A. Andron & Co., Inc. ("Andron") on March 20, 2002 calling for quarterly rotation of the four health warnings on the packaging of the regular and lights varieties of the Cigaronne brand of cigarettes.

The warnings on the sample packs and cartons submitted with your February 27, 2002 letter, and the artwork submitted on July 26, 2001 appear to comply with the size and conspicuousness requirements of the Cigarette Act. Andron's plan for the regular and lights varieties of the Cigaronne brand is hereby approved. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.¹ When actual packaging is developed for the _____ and 4th quarters, Andron should submit samples to the Commission. The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

If Andron does decide to advertise in the future, it must submit a plan detailing how it will comply with the requirements of the Cigarette Act with respect to display of the health warning statements in advertisements.

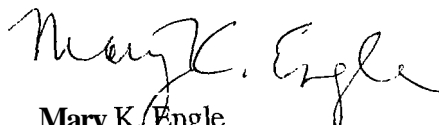
You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of the Department of Health and Human Services ("HHS"). Furthermore, Section 802 of the

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Henry C. Roemer, III, Esq.
March 27, 2002
Page 2

Tariff Suspension and Trade Act of 2000 prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and **will** continue to submit the list of ingredients to HHS.

Very truly yours,

A handwritten signature in cursive script that reads "Mary K. Engle". The signature is written in black ink and is positioned above the printed name and title.

Mary K. Engle
Associate Director

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(336) 835-4000
Writer's Direct Dial:
(336) 759-0955

March 20, 2002

Via Fax (202-326-3259) 3 pages and mail

Mr. Michael Ostheimer
and/or Ms. Sallie Schools
Federal Trade Commission
601 Pennsylvania Avenue NW
4th Floor, Room 4002
Washington, DC 20580

Re: Request for Approval of the Warning Statement Rotation Plan for DIMITRINO SHEPHEARD'S HOTEL cigarettes - Revised

Dear Mr. Ostheimer and Ms. Schools:

I am writing this letter on behalf of G.A. Andron & Co., Inc. ("Andron"). This letter is intended to supercede the previous request for approval of a warning rotation plan contained in our letters dated February 27, 2002 and March 13, 2002.

It is our desire to obtain approval on behalf of Andron of the Warning Rotation Schedule (the "Plan") attached hereto as Exhibit A for DIMITRINO SHEPHEARD'S HOTEL cigarettes imported by Andron. Andron's address is 89 North Industry Court, Deer Park, NY 11729. The company officer responsible for overseeing this matter is Joanne Diggett, Vice President.

Exhibit A shows that the four Warning Statements will be rotated quarterly based on the quarter in which the products are manufactured. Moreover, the Warning Statement will appear on the final, or finished products exactly as shown on the pack and carton samples that were previously submitted to you with our letter dated February 27, 2002. Verbal packaging approval for both cartons and packs (i.e. size and conspicuousness, etc.) has already been granted by the FTC for this product.

So as to prevent future mistakes, Andron agrees to inspect each incoming shipment that it receives so as to make sure that the supplier has placed the correct Warning Statements on the products, that such statements are ones called for under the Plan, and to maintain records to demonstrate compliance of such inspections and actions taken in the event that incorrect Warning Statements are received.

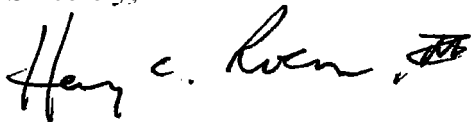
Mr. Michael Ostheimer
and/or Ms. Sallie Schools
March 20,2002
Page 2

Andron conducts no consumer advertising for the brands that it imports, and if it decides to conduct such advertising, it will submit to you a rotation plan pursuant to the requirements of the Federal Cigarette Labeling and Advertising Act.

With the foregoing in mind, we hope that you can grant Andron approval of the Plan being submitted with this letter. It is hoped that you can grant this approval as **soon** as **possible**. If you could fax us the news, it would be most appreciated.

Thank you for your courtesy and cooperation.

Sincerely,

A handwritten signature in black ink that reads "Henry C. Roemer, III". The signature is written in a cursive style with a small flourish at the end.

Henry C. Roemer, III

HCRIII/alg

Enclosures

EXHIBIT A

**G. A. Andron & Co., Inc.
Warning Rotation Schedule
Proposed Permanent Plan**

- 1- SURGEON GENERAL'S WARNING: Smolung Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.
- 2- SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.
- 3- SURGEON GENERAL'S WARNING: Smolung By Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight.
- 4- SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

BRAND: Dimitrino Shepheard's Hotel

PERIOD MANUFACTURED

<u>1st Quarter</u>	<u>2nd Quarter</u>	<u>3rd Quarter</u>	<u>4th Quarter</u>
(Jan-Feb-Mar)	(Apr-May-Jun)	(Jul-Aug-Sep)	(Oct-Nov-Dec)

DIMITRINO				
SHEPHEARD'S HOTEL	Warning #4	Warning #1	Warning #2	Warning #3

Selected packaging samples from those
submitted with the plan.

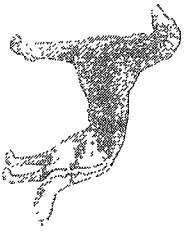


SHEPHERD'S HOTEL

PREVENT METALS WARNING
Cancer, Heart Disease,
Pregnancy

Made in Germany

Dimityny Co.



SHEPHERD'S HOTEL

10 / 20

200 Cigaretten



**SURGEON GENERAL'S WARNING:
Cigarette Smoke Contains Carbon
Monoxide.**





UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

March 27, 2002

Henry C. Roemer, III, Esq.
Finger, Parker, Avram, Martin & Roemer, U P
204 Northgate Park Drive
Winston-Salem, NC 27106

Dear **Mr.** Roemer:

The Federal Trade Commission ~~has~~ delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). Pursuant to that delegation, I have reviewed the revised proposed plan filed on behalf of G.A. Andron & Co., Inc. ("Andron") on March 20, 2002 calling for quarterly rotation of the four health warnings on the packaging of the Shepheard's Hotel brand of cigarettes.

The warnings on the sample packs and cartons submitted with your February 27, 2002 letter appear to comply with the size and conspicuousness requirements of the Cigarette Act. Andron's plan for the Shepheard's Hotel brand is hereby approved. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan. The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

If Andron does decide to advertise in the future, it must submit a plan detailing how it will comply with the requirements of the Cigarette Act with respect to display of the health warning statements in advertisements.

You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of the Department of Health and Human Services ("HHS"). Furthermore, Section 802 of the Tariff Suspension and Trade Act of 2000 prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and will continue to submit the list of ingredients to HHS.

Very truly yours,

A handwritten signature in cursive script that reads "Mary K. Engle".

Mary K. Engle
Associate Director

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

LAW OFFICES OF
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Writer's Direct Dial:
(336) 759-0955

March 20, 2002

Via Fax (202-326-3259) 3 pages and mail

Mr. Michael Ostheimer
and/or Ms. Sallie Schools
Federal Trade Commission
601 Pennsylvania Avenue NW
4th Floor, Room 4002
Washington, DC 20580

**Re: Request for Approval of the Warning Statement Rotation Plan for DIMITRINO
BOTSCHAFTER (vanilla) cigarettes - Revised**

Dear Mr. Ostheimer and Ms. Schools:

I am writing this letter on behalf of G.A. Andron & Co., Inc. ("hdron"). This letter is intended to supercede the previous request for approval of a warning rotation plan contained in our letters dated February 27, 2002 and March 13, 2002.

It is our desire to obtain approval on behalf of Andron of the Warning Rotation Schedule (the "Plan") attached hereto as Exhibit A for DIMITRINO BOTSCHAFTER (Vanilla) cigarettes imported by Andron. Andron's address is 89 North Industry Court, Deer Park, NY 11729. The company officer responsible for overseeing this matter is Joanne Diggett, Vice President.

Exhibit A shows that the four Warning Statements will be rotated quarterly based on the quarter in which the products are manufactured. Moreover, the Warning Statement will appear on the final, or finished products exactly as shown on the pack and carton samples that were previously submitted to you with our letter dated February 27, 2002. Verbal packaging approval for both cartons and packs (i.e. size and conspicuousness, etc.) has already been granted by the FTC for this product.

So as to prevent future mistakes, Andron agrees to inspect each incoming shipment that it receives so as to make sure that the supplier has placed the correct Warning Statements on the products, that such statements are ones called for under the Plan, and to maintain records to demonstrate compliance of such inspections and actions taken in the event that incorrect Warning Statements are received.

Mr. Michael Osheimer
and/or Ms. Sallie Schools
March 20, 2002
Page 2

Andron conducts no consumer advertising for the brands that it imports, and if it decides to conduct such advertising, it will submit to you a rotation plan pursuant to the requirements of the Federal Cigarette Labeling and Advertising Act.

With the foregoing in mind, we hope that you can grant Andron approval of the Plan being submitted with **this** letter. It is hoped that you can grant this approval **as soon as possible**. If you could fax us the news, it would be most appreciated.

Thank you for your courtesy and cooperation.

Sincerely,

A handwritten signature in black ink that reads "Henry C. Roemer, III". The signature is written in a cursive style with a prominent initial "H" and a flourish at the end.

Henry C. Roemer, III

HCR/III/alg

Enclosures

EXHIBIT A

**G. A. Andron & Co., Inc.
Warning Rotation Schedule
Proposed Permanent Plan**

- 1- SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.
- 2- SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces **Serious** Risks to Your Health.
- 3- SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight.
- 4- SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

BRAND: Dimitrino Botschafter

PERIOD MANUFACTURED

	<u>1st Quarter</u>	<u>2nd Quarter</u>	<u>3rd Quarter</u>	<u>4th Quarter</u>
	(Jan-Feb-Mar)	(Apr-May-Jun)	(Jul-Aug-Sep)	(Oct-Nov-Dec)
DIMITRINO				
BOTSCHAFTER (Vanilla)	Warning #3	Warning #4	Warning #1	Warning #2



G.A. ANDRON & CO., INC.

IMPORTERS OF FINE QUALITY TOBACCO PRODUCTS
89 NORTH INDUSTRY COURT • DEER PARK, NY 11729
• 631-243-4200 • Fax : 631-243-4235 • 1-800-221-1634
• Website: www.gaandron.com • Email: gaandron@aol.com

March 21,2002

Michael Ostheimer, Esq.
And/or Sallie Schools, Esq.
Federal Trade Commission
601 Pennsylvania Avenue NW
Washington, DC 20580

RE: Request for approval of the Warning Statement Rotation Plan (“the Plan”) of Botschafter Brand Cigarettes Imported by G.A. Andron & Co.

Dear Mr. Ostheimer and Ms. Schools,

It is our desire to obtain approval of the following Plan for Botschafter cigarettes imported by Andron. We are located at 89 North Industry Court, **Deer Park, New York 11729**.

Exhibit A shows that the four Warning Statements ~~will~~ be rotated quarterly based on the quarter in which the products are manufactured. Moreover, the Warning Statement will appear on the final, or finished products exactly **as** shown on the pack and carton samples that have been submitted to you with this letter.

So **as** to prevent future mistakes, we agree to inspect each incoming shipment that we receive so **as** to make sure that the supplier, Tabak-Haus Dingelstadt, has placed correct warning statements on the products, that such statements are ones called for under the Plan, and to maintain records to demonstrate compliance of such inspections and actions taken in the event that incorrect Warning Statements are received.

We conduct no consumer advertising for the brands that we import, and if we decide to conduct such advertising we will submit to you a rotation plan pursuant to the requirements of the Federal Cigarette Labeling and Advertising Act.

Page 2
Mr. Ostheimer
Ms. Schools
Federal Trade Commission

With the foregoing in mind, we hope that you can't grant approval of the Plan being submitted with this letter. It is hoped that you can grant this approval **as** soon as possible. If you can **fax** us the news, it would be greatly appreciated.

Thank you for your courtesy and cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Joanne Diggett", written in a cursive style.

Joanne Diggett
Vice President

EXHIBIT A

G. A. Andron & Co., Inc. Warning Rotation Schedule Proposed Permanent Plan

- 1- SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.
- 2- SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.
- 3- SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight.
- 4- SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

BRAND: Dimitrino Botschafter (Brown and Vanilla)

PERIOD MANUFACTURED

1 st Quarter (Jan-Feb-Mar)	2 nd Quarter (Apr-May-Jun)	3 rd Quarter (Jul-Aug-Sep)	4 th Quarter (Oct-Nov-Dec)
--	--	--	--

DIMITRINO
BOTSCHAFTER
(Brown and Vanilla)

Warning #3	Warning #4	Warning #1	Warning #2
------------	------------	------------	------------

Selected packaging samples from those
submitted with the plan.

Made in Germany

„BOTSCHAFTER“

3Filter

Vanilla



4 012922 104724

10 / 20

200 cigarettes

Vanilla



Dimitroff & Co.
Filter

Grande Fabrique
De Cigarettes



Fourmies Breuils
de S.A.S.
Le Pine Henri de France



Die EG-Gesundheitsminister
haben gefordert
die Gesundheitspolitik

SURGEON GENERAL'S WARNING:
Quitting Smoking Now Greatly
Reduces Serious Risks to Your
Health.

"BOTSCHAFTER"

Filter



10 / 20

200 cigarettes
class A

**SURGEON GENERAL'S WARNING: Quitting Smoking
Now Greatly Reduces Serious Risks to Your Health.**



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

March 27, 2002

Henry C. Roemer, III, Esq.
Finger, Parker, Avram, Martin & Roemer, LLP
204 Northgate Park Drive
Winston-Salem, NC 27106

Dear Mr. Roemer:

The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). Pursuant to that delegation, I have reviewed two letters, which constitute a plan, filed on behalf of G.A. Andron & Co., on March 20, 2002, and March 21, 2002 calling for quarterly rotation of the four health warnings on the packaging of the regular and vanilla varieties of the Botschafter brand of cigarettes.

The warnings on the sample packs and cartons submitted with your February 27, 2002 letter, and with Andron's letter of March 21, 2002 appear to comply with the size and conspicuousness requirements of the Cigarette Act. Andron's plan for the regular and vanilla varieties of the Botschafter brand is hereby approved. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.¹ The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

If Andron does decide to advertise in the future, it must submit a plan detailing how it will comply with the requirements of the Cigarette Act with respect to display of the health warning statements in advertisements.

You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of the Department of Health and Human Services ("HHS"). Furthermore, Section 802 of the

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

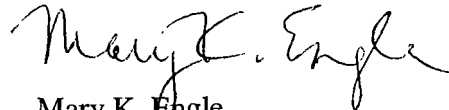
Henry C. Roemer, III, Esq.

March 27, 2002

Page 2

Tariff Suspension and Trade Act of 2000 prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and will continue to submit the list of ingredients to HHS.

Very truly yours,

A handwritten signature in black ink that reads "Mary K. Engle". The signature is written in a cursive style with a large, looped initial "M".

Mary K. Engle
Associate Director



G.A. ANDRON & CO., INC.

IMPORTERS OF FINE *QUALITY* TOBACCO PRODUCTS
89 NORTH INDUSTRY COURT • DEER PARK, NY 11729
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• Website: www.gaandron.com • E-mail: gaandron@aol.com

March 21, 2002

Michael Ostheimer, Esq.
And/or Sallie Schools, Esq.
Federal Trade Commission
601 Pennsylvania Avenue NW
Washington, DC 20580

RE: Request for approval of the Warning Statement Rotation Plan (“the Plan”) of Charles Fairmorn Straight Virginia Brand Cigarettes Imported by G.A. Andron & Co. Inc. (“Andron”)

Dear Mr. Ostheimer and Ms. Schools,

It is our desire to obtain approval of the following Plan for Charles Fairmorn Straight Virginia cigarettes imported by Andron. We are located at 89 North Industry Court, Deer Park, New York 11729.

Exhibit A shows that the four Warning Statements will be rotated quarterly based on the quarter in which the products are manufactured. Moreover, the Warning Statement will appear on the **final**, or **finished** products exactly **as** shown on the pack and carton samples that have been submitted to you with this letter.

So as to prevent future mistakes, we agree to inspect each incoming shipment that we receive so **as** to make sure that the supplier, Tabak-Haus Dingelstadt, has placed correct warning statements on the products, that such statements are ones called for under the Plan, and to maintain records to demonstrate compliance of such inspections and actions taken in the event that incorrect Warning Statements are received.

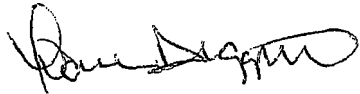
We conduct no consumer advertising for the brands that we import, and if we decide to conduct such advertising we will submit to you a rotation plan pursuant to the requirements of the Federal Cigarette Labeling and Advertising Act.

Page 2
Mr. Ostheimer
Ms. Schools
Federal Trade Commission

With the foregoing in **mind**, we hope that you can grant us approval of the Plan being submitted with this letter. It is hoped that you can grant this approval **as** soon **as** possible. If you can fax us the news, it would be greatly appreciated.

Thank you for your courtesy and cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Joanne Diggett". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Joanne Diggett
Vice President

EXHIBIT A

G. A. Andron & Co., Inc.
Warning Rotation Schedule
Proposed Permanent Plan

- 1- SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.
- 2- SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.
- 3- SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight.
- 4- SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

BRAND: Charles Fairmorn Straight Virginia

PERIOD MANUFACTURED

1 st Quarter (Jan-Feb-Mar)	2 nd Quarter (Apr-May-Jun)	3 rd Quarter (Jul-Aug-Sep)	4 th Quarter (Oct-Nov-Dec)
--	--	--	--

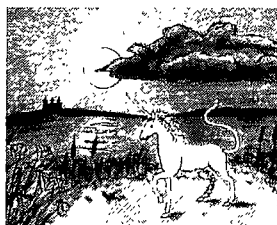
CHARLES FAIRMORN
STRAIGHT VIRGINIA

Warning #2	Warning #3	Warning #4	Warning #1
------------	------------	------------	------------

Selected packaging samples from those
submitted with the plan.

Charles Fairmorn

STRAIGHT VIRGINIA



F I L T E R S

SURGEON GENERAL'S WARNING:
Smoking By Pregnant Women May Result in Fetal
Injury, Premature Birth, And Low Birth Weight.

Charles Fairmorn

**STRAIGHT
VIRGINIA**



10 / 20

200 ~~cigarettes~~ *cigarettes*

**SURGEON GENERAL'S WARNING: Smoking By Pregnant Women
May Result in Fetal Injury, Premature Birth, And Low Birth Weight.**



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

March 27, 2002

Henry C. Roemer, III, Esq.
Finger, Parker, Avram, Martin & Roemer, LLP
204 Northgate Park Drive
Winston-Salem, NC 27106

Dear Mr. Roemer:

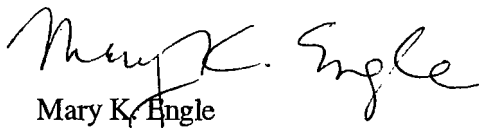
The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). Pursuant to that delegation, I have reviewed the proposed plan filed on behalf of G.A. Andron & Co., on March 21, 2002 calling for quarterly rotation of the four health warnings on the packaging of the Charles Fairmorn Straight Virginia brand of cigarettes.

The warnings on the sample packs and cartons submitted Andron's March 21, 2002 letter appear to comply with the size and conspicuousness requirements of the Cigarette Act. Andron's plan for the Charles Fairmorn Straight Virginia brand is hereby approved. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan. The Cigarette Act provides that any person who violates its provisions is **guilty of** a misdemeanor.

If Andron does decide to advertise in the future, it must submit a plan detailing how it will comply with the requirements of the Cigarette Act with respect to display of the health warning statements in advertisements.

You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of the Department of Health and Human Services ("HHS"). Furthermore, Section 802 of the Tariff Suspension and Trade Act of 2000 prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and will continue to submit the list of ingredients to HHS.

Very truly yours,


Mary K. Engle
Associate Director

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

**LAW OFFICES OF
BARRY M. BOREN**

**Dadeland Towers
9200 South Dadeland Boulevard
Suite 412
Miami, Florida 33156**

**Telephone
(305) 670-2200
Facsimile
(305) 670-9672**

March 27, 2002

Ms. Mary K. Engle, Associate Director
Division of Advertising Practices
Federal Trade Commission
601 Pennsylvania Avenue, N.W. Room 4213
Washington, D.C. 20580

Attention: Ms. Diana Winterson

Surgeon General's Warning Rotation Plan for
Leader Tobacco Co., Inc.
For Infinity Cigarettes

Dear Ms. Engle:

Please be advised that we are the attorneys for an importer of tobacco products, Leader Tobacco Co., Inc. ("Leader"), a Florida corporation, with offices located at 4100 No. Powerline Rd., #J4 & J5, Pompano Beach, Florida 33073. Leader wishes to file a Surgeon General's Health Warning Rotation Plan as required by the Federal Cigarette Labeling and Advertising Act of 1964, as amended, ("Act") (15 U.S.C. §1331 *et seq.*) for cigarettes they wish to import into the United States under the brand name "Infinity." The contact person for the company will be its President, Andre Maman, 4100 No. Powerline Rd., #J4 & J5, Pompano Beach, Florida 33073. Leader has already submitted a rotation plan for private label cigarettes being imported under the name Fame.¹ A plan showing the label rotations for each brand imported or to be imported by Leader is attached hereto as Exhibit "B."

The brand styles of Infinity cigarettes Leader intends to import are listed on Exhibit "A." Enclosed with our submission of March 20, 2002 was artwork and actual production packs and cartons (listed on Exhibit "A") for the various brand styles showing exactly where and how the four (4) Surgeon General's health warnings will appear on individual packs and cartons Leader will be importing. We will send actual production samples to the Federal Trade Commission ("FTC") of the packs and cartons for which artwork is being submitted when they are produced.

¹ The current Fame plan was submitted on February 20, 2001 and was approved by the FTC on March 2, 2001. Attached hereto as Exhibit "B" is a plan showing the label rotation for each brand to be imported by Leader.

Even though Leader qualifies as a small importer/manufacturee as defined by the Act, Leader wishes to submit to the FTC a plan to rotate the warning statements as required by 15 U.S.C. The plan we wish to submit requires that Leader rotate the four warning statements which will appear on the packages and cartons of the Infinity brand cigarettes quarterly, in an alternating sequence, based on the date the cigarettes are actually packaged, regardless of the date(s) on which such cigarettes are imported, sold, or distributed in the U.S. However, in order to allow for an orderly transition from one warning statement to the next, Leader may, with respect to any brand style of cigarettes, begin using packages bearing the subsequent quarter's label statement up to fifteen (15) production days prior to the commencement of such quarter and continue using packages bearing the prior quarter's label statement up to fifteen (15) production days after the end of such quarter (transition period). Cigarettes, packs and cartons produced in accordance with the provisions of this plan may be removed from storage or inventory in any manner that is consistent with customary business practices or with business considerations unrelated to the rotation obligation imposed herein.

In no event shall Leader employ procedures which are deliberately designed to result in the early or prolonged use of a particular package label statement during the transition period referred to above.

Any repackaging of cigarettes which may occur shall be done with packages bearing the label statement for the quarter in which such repackaging occurs although, in such event, no usable packaging need be replaced or removed.

Nothing herein shall be construed to require the manufacture, packaging, distribution or importation of any cigarette during any period of time. Leader shall be deemed to have satisfied its responsibilities under the plan if it has taken reasonable steps to: (1) provide by written contract or the giving of clear instructions, or otherwise, for the rotation of the warning statements required by the Act in accordance with the pertinent provisions of this plan; and (2) prevent the recurrence of any mistakes, errors, or omissions that have come to its attention.

Leader will begin with the warning 'SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.' and will use this label on all cigarettes packaged during the first quarter (January 1st to March 31st). It will alternate labels on all cigarettes packaged on the first of each calendar quarter thereafter (i.e., April 1st, July 1st and October 1st).

From January 1 to March 31st Leader will use the warning:

**SURGEON GENERAL'S WARNING:
Quitting Smoking Now Greatly Reduces Serious
Risks to Your Health.**

From April 1st to June 30th Leader will use the warning:

SURGEON GENERAL'S WARNING:
Smoking Causes Lung Cancer, Heart Disease,
Emphysema, And May Complicate Pregnancy.

From July 1st to September 30th Leader will use the warning:

SURGEON GENERAL'S WARNING:
Cigarette Smoke Contains Carbon Monoxide.

From Oct. 1st to Dec. 31st Leader will use the warning:

SURGEON GENERAL'S WARNING:
Smoking By Pregnant Women May Result in
Fetal Injury, Premature Birth, And Low Birth
Weight.

Leader expects to begin importing cigarettes during the first quarter of 2002. The enclosed samples and artwork of the Infinity cigarettes show exactly where and how the Surgeon General's health warnings will appear on the individual packs and cartons Leader will be importing and/or repackaging. These warning labels will be printed directly on the packs and cartons by the manufacturers under any cellophane that might be placed on the packs and cartons, in the place and in the manner indicated.

Leader understands that the FTC is charged with ensuring that Leader's Surgeon General's Health Warning Label Plan is complied with and, therefore, it agrees to maintain records to demonstrate that they are in compliance with, and are properly implementing their plan.

No provision of this plan and no action taken pursuant hereto or statement made in connection herewith constitutes or shall be construed as an admission in any judicial or administrative proceeding, in any private litigation, or in any official action, report or statement by the United States Government, or any instrumentality thereof.

Please be advised that, at this time, Leader does not advertise and, therefore, will not need to comply with the Act's requirements requiring the rotation of warning labels on advertising. If this should change, we will notify the FTC and modify our plan accordingly.

Ms. Mary K. Engle, Acting Associate Director
Federal Trade Commission

Page 4
March 27, 2002

We believe this plan complies in all respects with the Federal Cigarette Labeling and Advertising Act, as amended, (15 U.S.C. §1331 *et seq.*) including any modifications made by the Public Health Cigarette Smoking Act of 1969, the Comprehensive Smoking Education Act of 1984, the Nurses' Education Amendments of 1985 and the Imported Cigarette Compliance Act of 2000. For this reason, we hereby request that you approve this plan as soon as possible.

Should you have any further questions regarding this matter, please do not hesitate to contact us.

Sincerely yours,

LAW OFFICES OF BARRY M. BOREN

A handwritten signature in black ink, consisting of stylized initials 'B B' followed by a horizontal line extending to the right.

Barry M. Boren

BMB:mw
encs.
Infinity-FTC-rotation plan

LEADER TOBACCO CO., INC. - INFINITY CIGARETTES
EXHIBIT 'A'

Brand Style

Full Flavor 100's Soft Pack

Lights 100's *Soft* Pack

Ultra Lights 100's Soft Pack

Full Flavor *Soft* Pack

Lights *Soft* Pack

Full Flavor King Box

Lights King Box

EXHIBIT "B"
LEADER TOBACCO CO., INC.

QUARTER ONE:

<u>Brand</u>	<u>Warning</u>
Fame	Lung Cancer
Infinity	Quitting Smoking

QUARTER TWO:

Fame	Quitting Smoking
Infinity	Lung Cancer

QUARTER THREE:

Fame	Pregnant Women
Infinity	Carbon Monoxide

QUARTER FOUR:

Fame	Carbon Monoxide
Infinity	Pregnant Women

Selected packaging samples from those
submitted with the plan.

Infinity
FULL FLAVOR

Infinity
FULL FLAVOR



Infinity

FULL FLAVOR
FINEST QUALITY TOBACCOS

SURGEON GENERAL'S WARNING:
Quitting Smoking Now Greatly
Reduces Serious Risks to Your Health.

20 CLASS A FILTER CIGARETTES

02 2002
M16-0043

MADE IN MALAYSIA
FULL FLAVOR
Infinity

96

20 CLASS A FILTER CIGARETTES

FINEST QUALITY TOBACCOS

Infinity

FULL FLAVOR

PREMIUM BLEND



Infinity
FULL FLAVOR

UNDERAGE SALE
PROHIBITED



CLASS A
20
CIGARETTES

**BOX
KING SIZE**

**SURGEON GENERAL'S WARNING:
Smoking Causes Lung Cancer,
Heart Disease, Emphysema, And
May Complicate Pregnancy.**

Infinity

FULL FLAVOR

200 CLASS A FILTER CIGARETTES

**UNDERAGE
SALE
PROHIBITED**

MADE IN MACEDONIA



Infinity

FULL FLAVOR

200 CLASS A FILTER CIGARETTES

FULL FLAVOR

200 CLASS A FILTER CIGARETTES

Infinity

FULL FLAVOR

200 CLASS A FILTER CIGARETTES

**BOX
KING SIZE**

**BOX
KING SIZE**



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

March 27, 2002

Barry M. Boren, Esq.
Dadeland Towers
9200 South Dadeland Boulevard
Suite 412
Miami, FL 33156

Dear Mr. Boren:

The Federal Trade Commission (“the Commission”) has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. (“the Cigarette Act”). Pursuant to that delegation, I have reviewed the proposed plan filed on behalf of Leader Tobacco Co., Inc. (“Leader Tobacco”) on March 20, 2002 plan calling for quarterly rotation of the four health warnings on packaging of certain varieties of the Infinity brand of cigarettes.

The warnings on the artwork and sample packs and cartons submitted with your letter of March 20, 2002 appear to comply with the requirements of the Cigarette Act for size and conspicuousness. Leader Tobacco’s March 27, 2002 plan has been approved for the following varieties of the Infinity brand of cigarettes: full flavor 100’s soft pack, lights 100’s soft pack, ultra lights 100’s soft pack, full flavor soft pack, lights soft pack, full flavor king box, and lights king box. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.¹ When actual packaging is developed for the 2nd, 3rd and 4th quarters, Leader Tobacco should submit samples to the Commission. The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

If Leader Tobacco does decide to advertise in the future, it must submit a plan detailing how it will comply with the requirements of the Cigarette Act with respect to display of the health warning statements in advertisements.

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

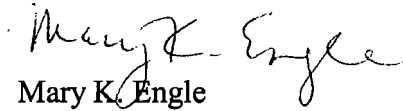
Barry M. Boren, Esq.

March 27, 2002

Page 2

You should be aware that Section 1335a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of the Department of Health and Human Services ("HHS"). Furthermore, the Tariff Act of 1930, 19 U.S.C. § 1681a(c)(1), as amended by the Tariff Suspension and Trade Act of 2000, Pub. L. No. 106-476, 114 Stat. 2179, prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and will continue to submit the list of ingredients to HHS.

Very truly yours,

A handwritten signature in cursive script that reads "Mary K. Engle".

Mary K. Engle

Associate Director

**LAW OFFICES OF
BARRY M. BOREN**

Dadeland Towers
9200 South Dadeland Boulevard
Suite 412
Miami, Florida 33156

Telephone
(305) 670-2200
Facsimile
(305) 670-9672

March 6, 2002

Mr. Mary K. Engle, Acting Associate Director
Division of Advertising Practices
Federal Trade Commission
601 Pennsylvania Avenue, N.W. Room 4213
Washington, D.C. 20580

Attention: Ms. Sallie Schools

Amended
Surgeon General's Warning Rotation Plan for
Jash International, Inc.
For Double Diamond Cigarettes

Dear Ms. Engle:

Please be advised that we are the attorneys for an importer of tobacco products, Jash, Inc. ("Jash"), an Illinois corporation, with offices located at 2205 Pleasant Rd., DeKalb, Illinois 60115. Jash wishes to amend its existing Surgeon General's Health Warning Rotation Plan as required by the Federal Cigarette Labeling and Advertising Act of 1964, as amended, ("Act") (15 U.S.C. §1331 *et seq.*) for cigarettes they are importing into the United States under the brand name "Double Diamond." The contact person for the company will be its President, Deepti Shah, at 2205 Pleasant Rd., DeKalb, Illinois 60115. Jash has already submitted a rotation plan for private label cigarettes being imported under the name Double Diamond that has been approved by the FTC. We wish to modify that plan at this time.¹ A plan showing the label rotations for each brand imported or to be imported by Jash is attached hereto as Exhibit "B."

The brand styles of Double Diamond cigarettes Jash intends to import are listed on Exhibit "A." Enclosed with this submission are actual production packs and cartons (listed on Exhibit "A") for the various brand styles showing exactly where and how the four (4) Surgeon General's health warnings will appear on individual packs and cartons Jash will

¹ The current Double Diamond plan was submitted on July 8, 1999 and was approved by the FTC. A new, modified plan is being filed for the Double Diamond brand at this time. We are also submitting at this time a separate rotation plan for a new brand style of cigarettes called "Miss Diamond." Attached hereto as Exhibit "B" is a plan showing the label rotation for each brand to be imported by Jash.

be importing.

Even though Jash qualifies as a small importer/manufacturer as defined by the Act, Jash wishes to submit to the FTC a plan to rotate the warning statements as required by 15 U.S.C. §1333(c)(1). The plan we wish to submit requires that Jash rotate the four warning statements which will appear on the packages and cartons of the Double Diamond brand cigarettes quarterly, in an alternating sequence, based on the date the cigarettes are actually packaged, regardless of the date(s) on which such cigarettes are imported, sold, or distributed in the U.S. However, in order to allow for an orderly transition from one warning statement to the next, Jash may, with respect to any brand style of cigarettes, begin using packages bearing the subsequent quarter's label statement up to fifteen (15) production days prior to the commencement of such quarter and continue using packages bearing the prior quarter's label statement up to fifteen (15) production days after the end of such quarter (transition period). Cigarettes, packs and cartons produced in accordance with the provisions of this plan may be removed from storage or inventory in any manner that is consistent with customary business practices or with business considerations unrelated to the rotation obligation imposed herein.

In no event shall Jash employ procedures which are deliberately designed to result in the early or prolonged use of a particular package label statement during the transition period referred to above.

Any repackaging of cigarettes which may occur shall be done with packages bearing the label statement for the quarter in which such repackaging occurs although, in such event, no usable packaging need be replaced or removed.

Nothing herein shall be construed to require the manufacture, packaging, distribution or importation of any cigarette during any period of time. Jash shall be deemed to have satisfied its responsibilities under the plan if it has taken reasonable steps to: (1) provide by written contract or the giving of clear instructions, or otherwise, for the rotation of the warning statements required by the Act in accordance with the pertinent provisions of this plan; and (2) prevent the recurrence of any mistakes, errors, or omissions that have come to its attention.

Jash will begin with the warning "SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy." and will use this label on all cigarettes packaged during the first quarter (January 1st to March 31st). It will alternate labels on all cigarettes packaged on the first of each calendar quarter thereafter (i.e., April 1st, July 1st and October 1st).

From January 1 to March 31st Jash will use the warning:

SURGEON GENERAL'S WARNING:
Smoking Causes Lung Cancer, Heart Disease,
Emphysema, And May Complicate Pregnancy.

From April 1st to June 30th Jash will use the warning:

SURGEON GENERAL'S WARNING:
Quitting Smoking Now Greatly Reduces Serious
Risks to Your Health.

From July 1st to September 30th Jash will use the warning:

SURGEON GENERAL'S WARNING:
Smoking By Pregnant Women May Result in
Fetal Injury, Premature Birth, And Low Birth
Weight.

From Oct. 1st to Dec. 31st Jash will use the warning:

SURGEON GENERAL'S WARNING:
Cigarette Smoke Contains Carbon Monoxide.

Jash expects to begin importing cigarettes during the first quarter of 2002. The enclosed samples of the Double Diamond cigarettes show exactly where and how the Surgeon General's health warnings will appear on the individual packs and cartons Jash will be importing. These warning labels will be printed directly on the packs and cartons by the manufacturers under any cellophane that might be placed on the packs and cartons, in the place and in the manner indicated.

Jash understands that the FTC is charged with ensuring that Jash's Surgeon General's Health Warning Label Plan is complied with and, therefore, it agrees to maintain records to demonstrate that they are in compliance with, and are properly implementing their plan.

No provision of this plan and no action taken pursuant hereto or statement made in connection herewith constitutes or shall be construed as an admission in any judicial or administrative proceeding, in any private litigation, or in any official action, report or statement by the United States Government, or any instrumentality thereof.

Ms. Mary K. Engle, Acting Associate Director
Federal Trade Commission

Page 4
March 6, 2002

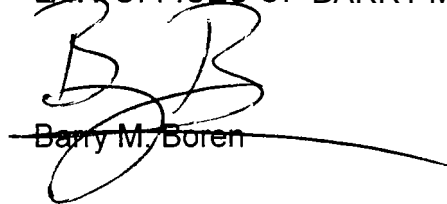
Please be advised that, at this time, Jash does not advertise and, therefore, will not need to comply with the Act's requirements requiring the rotation of warning labels on advertising. If this should change, we will notify the FTC and modify our plan accordingly.

We believe this plan complies in all respects with the Federal Cigarette Labeling and Advertising Act, as amended, (15 U.S.C. §1331 *et seq.*) including any modifications made by the Public Health Cigarette Smoking Act of 1969, the Comprehensive Smoking Education Act of 1984, the Nurses' Education Amendments of 1985 and the Imported Cigarette Compliance Act of 2000. For this reason, we hereby request that you approve this plan as soon as possible.

Should you have any further questions regarding this matter, please do not hesitate to contact us.

Sincerely yours,

LAW OFFICES OF BARRY M. BOREN



Barry M. Boren

BMB:mw
encs.
Double Diamond-FTC-Rotationplan

EXHIBIT 'A' LIST OF CIGARETTES
JASH INTERNATIONAL, INC.

Double Diamond

Full Flavor King Size Soft Pack
Lights King Size Soft Pack
Non-Filter King Size Soft Pack
Extra Menthol King Size Soft Pack
Ultra Lights King Size Soft Pack
Menthol Lights King Size Soft Pack
Menthol King Size Soft Pack

Lights King Size Box
Full Flavor King Size Box
Menthol King Size Box
Extra Menthol King Size Box
Menthol Lights King Size Box
Ultra Lights King Size Box

100's Full Flavor Soft Pack
100's Menthol Soft Pack
100's Menthol Lights Soft Pack
100's Lights Soft Pack
100's Ultra Lights Soft Pack
100's Extra Menthol Soft Pack

*

EXHIBIT "B"

QUARTER ONE:

Brand

Miss Diamond

Double Diamond

Warning

Pregnant Women

Lung Cancer

QUARTER TWO:

Miss Diamond

Double Diamond

Carbon Monoxide

Quitting Smoking

QUARTER THREE:

Miss Diamond

Double Diamond

Lung Cancer

Pregnant Women

*** QUARTER FOUR:**

Miss Diamond

Double Diamond

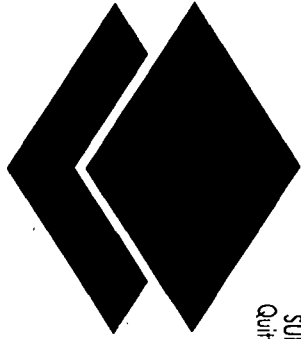
Quitting Smoking

Carbon Monoxide

Selected packaging samples from those
submitted with the plan.



FULL FLAVOR
100'S



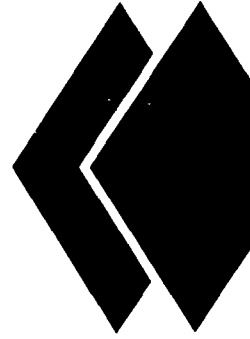
PREMIUM BLEND

**DOUBLE
DIAMOND**

20 CLASS A CIGARETTES



FULL FLAVOR
100'S



PREMIUM BLEND

**DOUBLE
DIAMOND**

20 CLASS A CIGARETTES

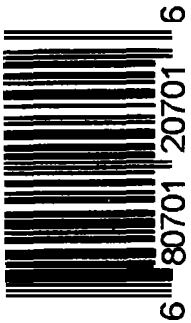
MADE IN INDIA
DOUBLE DIAMOND
H.T.D. DISTRIBUTORS, ILLINOIS U.S.A.

SURGE IN GENERAL'S WARNING.
Quitting smoking Now Greatly Reduces
Serious Risks to Your Health.



**DOUBLE
DIAMOND**

DOUBLE DIAMOND




NON-FILTER



P R E M I U M B L E N D

SURGEON GENERAL'S WARNING :
Smoking Causes Lung Cancer, Heart Disease,
Emphysema, And May Complicate Pregnancy.

DOUBLE DIAMOND



NON-FILTER



P R E M I U M B L E N D

Non-Filter Cigarettes

DOUBLE DIAMOND

DOUBLE DIAMOND

200 CLASS A CIGARETTES

P R E M I U M B L E N D

NON-FILTER



MADE IN INDIA
DOUBLE DIAMOND
H.T.D. DISTRIBUTORS, ILLINOIS U.S.A.



UNITED STATES OF AMERICA
FEDERAL **TRADE** COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

March 29, 2002

Barry M. Boren, Esq.
Dadeland Towers
9200 South Dadeland Boulevard, Suite 412
Miami, FL 33156

Dear Mr. Boren:

The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). Pursuant to that delegation, a July 8, 1999 plan filed on behalf of Jash International, Inc., calling for quarterly rotation of the four health warnings on packaging of certain varieties of the Double Diamond brand of cigarettes was approved on July 22, 1999. In a letter dated March 6, 2002, you propose to modify Jash's plan for the Double Diamond brand.

The health warnings on the sample packs and cartons submitted with your March 6, 2002 letter appear to comply with the requirements of the Cigarette Act for size and conspicuousness. Jash's modified plan for the Double Diamond brand is approved for the 19 varieties listed in its modified plan. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.¹ The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

If Jash does decide to advertise in the future, it must submit a plan detailing how it will comply with the requirements of the Cigarette Act with respect to display of the health warning statements in advertisements.

You should be aware that Section 135a of the Cigarette Act requires that a list of the ingredients added to tobacco in the manufacture of cigarettes be annually filed with the Secretary of the Department of Health and Human Services ("HHS"). Furthermore, the Tariff Act of 1930, 19 U.S.C. § 1681a(c)(1), as amended by the Tariff Suspension and Trade Act of 2000, Pub. L.

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Barry M. Boren, Esq.
March 29, 2002
Page 2

No. 106-476, 114 Stat. 2179, prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and **will** continue to submit the list of ingredients to HHS.

Very truly yours,

A handwritten signature in cursive script that reads "Mary K. Engle". The signature is written in black ink and is positioned above the printed name and title.

Mary K. Engle
Associate Director

LAW OFFICES OF
BARRY M. BOREN

Dadeland Towers
9200 South Dadeland Boulevard
Suite 412
Miami, Florida 33156

Telephone
(305) 670-2200
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(305) 670-9672

March 6, 2002

Mr. Mary K. Engle, Acting Associate Director
Division of Advertising Practices
Federal Trade Commission
601 Pennsylvania Avenue, N.W. Room 4213
Washington, D.C. 20580

Attention: Ms. Sallie Schools

Surgeon General's Warning Rotation Plan for
Jash International, Inc.
For Miss Diamond Cigarettes

Dear Ms. Engle:

Please be advised that we are the attorneys for an importer of tobacco products, Jash, Inc. ("Jash"), an Illinois corporation, with offices located at 2205 Pleasant Rd., DeKalb, Illinois 60115. Jash wishes to file a Surgeon General's Health Warning Rotation Plan as required by the Federal Cigarette Labeling and Advertising Act of 1964, as amended, ("Act") (15 U.S.C. §1331 *et seq.*) for cigarettes they wish to import into the United States under the brand name "Miss Diamond." The contact person for the company will be its President, Deepti Shah, at 2205 Pleasant Rd., DeKalb, Illinois 60115. Jash has already submitted a rotation plan for private label cigarettes being imported under the name Double Diamond.¹ A plan showing the label rotations for each brand imported or to be imported by Jash is attached hereto as Exhibit "B."

The brand styles of Miss Diamond cigarettes Jash intends to import are listed on Exhibit "A." Enclosed with this submission are actual production packs and cartons (listed on Exhibit "A") for the various brand styles showing exactly where and how the four (4) Surgeon General's health warnings will appear on individual packs and cartons Jash will be importing.

Even though Jash qualifies as a small importer/manufacturer as defined by the Act,

¹ The current Double Diamond plan was submitted on July 8, 1999 and was approved by the FTC. A new, modified plan is being filed for the Double Diamond brand at this time. Attached hereto as Exhibit "B" is a plan showing the label rotation for each brand to be imported by Jash.

Jash wishes to submit to the FTC a plan to rotate the warning statements as required by 15 U.S.C. §1333(c)(1). The plan we wish to submit requires that Jash rotate the four warning statements which will appear on the packages and cartons of the Miss Diamond brand cigarettes quarterly, in an alternating sequence, based on the date the cigarettes are actually packaged, regardless of the date(s) on which such cigarettes are imported, sold, or distributed in the U.S. However, in order to allow for an orderly transition from one warning statement to the next, Jash may, with respect to any brand style of cigarettes, begin using packages bearing the subsequent quarter's label statement up to fifteen (15) production days prior to the commencement of such quarter and continue using packages bearing the prior quarter's label statement up to fifteen (15) production days after the end of such quarter (transition period). Cigarettes, packs and cartons produced in accordance with the provisions of this plan may be removed from storage or inventory in any manner that is consistent with customary business practices or with business considerations unrelated to the rotation obligation imposed herein.

In no event shall Jash employ procedures which are deliberately designed to result in the early or prolonged use of a particular package label statement during the transition period referred to above.

Any repackaging of cigarettes which may occur shall be done with packages bearing the label statement for the quarter in which such repackaging occurs although, in such event, no usable packaging need be replaced or removed.

Nothing herein shall be construed to require the manufacture, packaging, distribution or importation of any cigarette during any period of time. Jash shall be deemed to have satisfied its responsibilities under the plan if it has taken reasonable steps to: (1) provide by written contract or the giving of clear instructions, or otherwise, for the rotation of the warning statements required by the Act in accordance with the pertinent provisions of this plan; and (2) prevent the recurrence of any mistakes, errors, or omissions that have come to its attention.

Jash will begin with the warning "SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight." and will use this label on all cigarettes packaged during the first quarter (January 1st to March 31st) thereafter. Jash will use this label on all cigarettes packaged on the first of each calendar quarter thereafter (January 1st, July 1st and October 1st).

From January 1 to March 31st Jash will use the warning:

**SURGEON GENERAL'S WARNING:
Smoking By Pregnant Women May Result in
Fetal Injury, Premature Birth, And Low Birth
Weight.**

From April 1st to June 30th Jash will use the warning:

SURGEON GENERAL'S WARNING:
Cigarette Smoke Contains Carbon Monoxide.

From July 1st to September 30th Jash will use the warning:

SURGEON GENERAL'S WARNING:
Smoking Causes Lung Cancer, Heart Disease,
Emphysema, And May Complicate Pregnancy.

From Oct. 1st to Jash will use the warning:

SURGEON GENERAL'S WARNING:
Quitting Smoking Now Greatly Reduces Serious
Risks to Your Health.

Jash expects to begin importing cigarettes during the first quarter of 2002. The enclosed samples of the Miss Diamond cigarettes show exactly where and how the Surgeon General's health warnings will appear on the individual packs and cartons Jash will be importing. These warning labels will be printed directly on the packs and cartons by the manufacturers under any cellophanethat might be placed on the packs and cartons, in the place and in the manner indicated.

Jash understands that the FTC is charged with ensuring that Jash's Surgeon General's Health Warning Label Plan is complied with and, therefore, it agrees to maintain records to demonstrate that they are in compliance with, and are properly implementing their plan.

No provision of this plan and no action taken pursuant hereto or statement made in connection herewith constitutes or shall be construed as an admission in any judicial or administrative proceeding, in any private litigation, or in any official action, report or statement by the United States Government, or any instrumentality thereof.

Please be advised that, at this time, Jash does not advertise and, therefore, will not need to comply with the Act's requirements requiring the rotation of warning labels on advertising. If this should change, we will notify the FTC and modify our plan accordingly.

We believe this plan complies in all respects with the Federal Cigarette Labeling and Advertising Act, as amended, (15 U.S.C. §1331 *et seq.*) including any modifications made

Ms. Mary K. Engle', Acting Associate Director
Federal Trade Commission

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by the Public Health Cigarette Smoking Act of 1969, the Comprehensive Smoking Education Act of 1984, the Nurses' Education Amendments of 1985 and the Imported Cigarette Compliance Act of 2000. For this reason, we hereby request that you approve this plan as soon as possible.

Should you have any further questions regarding this matter, please do not hesitate to contact us.

Sincerely yours,

LAW OFFICES OF BARRY M. BOREN



Barry M. Boren

BMB:mw
encs.
MissDiamond-FTC-RotationPlan

EXHIBIT 'A' LIST OF CIGARETTES
JASH INTERNATIONAL, INC.

Miss Diamond

Lights 120's ~~soft~~ Packs

Ultra Lights 120's Soft Packs

Menthol Lights 120's Soft Packs

MissDiamond-Exhibit-List

EXHIBIT "B"

QUARTER ONE:

Brand

Warning

Miss Diamond

Pregnant Women

Double Diamond

Lung Cancer

QUARTER TWO:

Miss Diamond

Carbon Monoxide

Double Diamond

Quitting Smoking

QUARTER THREE:

Miss Diamond

Lung Cancer

Double Diamond

Pregnant Women

QUARTER FOUR:

Miss Diamond

Quitting Smoking

Double Diamond

Carbon Monoxide

Selected packaging samples from those
submitted with the plan.

ULTRA LIGHTS
MISS
Diamond
120's
Very Blend
15 A CIGARETTES

Underage
Sale
Prohibited

SURGEON GENERAL'S WARNING:
Cigarette Smoke Contains
Carbon Monoxide.

13
MISS
Diamond
120's
ULTRA LIGHTS
Very Blend
15 A CIGARETTES

MADE IN INDIA
Manufactured under the authority
of trademark owner,
Twinkle, Inc. U.S.A.

6 80701 13201 11

MISS
Diamond



MISS
Diamond
Luxury Blend

SURGEON GENERAL'S WARNING :
Quitting Smoking Now Greatly Reduces
Serious Risks to Your Health.

MISS
Diamond



120's

ULTRA LIGHTS

MISS
Diamond
Luxury Blend



200 CLASS A CIGARETTES

MADE IN INDIA
Manufactured under the authority
of trademark owner,
Twinkle, Inc. U.S.A.



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

March 29, 2002

Barry M. Boren, Esq.
Dadeland Towers
9200 South Dadeland Boulevard, Suite 412
Miami, FL 33156

Dear **Mr.** Boren:

The Federal Trade Commission has delegated to the Associate Director for Advertising Practices its authority to review cigarette health warning display plans submitted to the Commission pursuant to Section 1333(c) of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. ("the Cigarette Act"). Pursuant to that delegation, I have reviewed a proposed plan filed on behalf of Jash International, Inc., on March 6, 2002 calling for quarterly rotation of the four health warnings on packaging of certain varieties of the Miss Diamond brand of cigarettes.

The health warnings on the sample packs and cartons submitted with your March 6, 2002 letter appear to comply with the requirements of the Cigarette Act for size and conspicuousness. Jash's plan for the Miss Diamond brand is approved for the following soft pack varieties: Lights 120's, Ultra Lights 120's, and Menthol Lights 120s. Approval of the plan is contingent on its good faith implementation. We may ask for information demonstrating proper implementation of the plan.¹ The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

If Jash does decide to advertise in the future, it must submit a plan detailing how it will comply with the requirements of the Cigarette Act with respect to display of the health warning statements in advertisements.

You should be aware that Section .35a of the Cigarette Act requires that a **list** of the ingredients added to tobacco in the manufacture of cigarettes be **annually** filed with the Secretary of the Department of Health and Human Services ("HHS"). Furthermore, the Tariff Act of 1930, 19 U.S.C. § 1681a(c)(1), **as** amended by the Tariff Suspension and Trade Act of 2000, Pub. L.

¹ Knowingly and willfully making false statements to a federal government agency is a crime punishable by a fine and/or imprisonment. 18 U.S.C. § 1001.

Barry M. Boren, **Esq.**

March 29, 2002

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No. 106-476, 114 Stat. 2179, prohibits the importation of cigarettes unless at the time of entry the importer presents a sworn statement signed by the original cigarette manufacturer stating that the manufacturer has submitted and **will** continue to submit the list of ingredients to HHS.

Very truly yours,

A handwritten signature in black ink that reads "Mary K. Engle". The signature is written in a cursive style with a large, stylized initial "M".

Mary K. Engle
Associate Director