



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

Division of Advertising Practices

July 12, 2001



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. March **2,2001** letter from G.A. Avram, Esq. on behalf of G.A. Andron & Co. to Michael Ostheimer.
2. March **8,2001** letter from C. Lee Peeler to G.A. Avram, Esq. on behalf of G.A. Andron & co.
3. March **2,2001** letter from G.A. Avram, Esq. on behalf of Phillips and King to Michael Ostheimer.
4. March **8,2001** letter from C. Lee Peeler to G.A. Avram, Esq. on behalf of Phillips and King.
5. March **5,2001** letter from Richard Saffire, Windward Tobacco to Michael Ostheimer.
6. March **8,2001** letter from C. Lee Peeler to Richard Saffire, Windward Tobacco.
7. March **15,2001** letter from Robert Pless, Lane Limited to C. Lee Peeler.
8. March **15,2001** letter from C. Lee Peeler to Robert Pless, Lane Limited.
9. March **5,2001** letter from Sally Baldwin, Leonidas Trading Company to Sallie Schools.

Public Records

July 12,2001

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10. March 16,2001 letter from C. Lee Peeler to Sally Baldwin, Leonidas Trading Company.
11. March 8,2001 letter from G.A. Avram, Esq. on behalf of Kretek International to Michael Ostheimer.
12. March 16,2001 letter from C. Lee Peeler to G.A. Avram, Esq. on behalf of Kretek International.
13. March 16,2001 letter from John Wertheim, Single Stick to Michael Ostheimer.
14. March 16,2001 letter from C. Lee Peeler to John Wertheim, Single Stick.
15. February 10,2001 from Mohammed Babul, Bengal Tobacco to C. Lee Peeler.
16. March 21,2001 letter from C. Lee Peeler to Mohammed Babul, Bengal Tobacco.
17. March 19,2001 letter from Barry Boren, Esq. on behalf of Protabaco S.A. Corp. to C. Lee Peeler.
18. March 21,2001 letter from C. Lee Peeler to Barry Boren, Esq. on behalf of Protabaco *S.A. Corp.*
19. March 22,2001 letter from Mark Dunham, Premier Manufacturing to C. Lee Peeler.
20. March 27,2001 letter from C. Lee Peeler to Mark Dunham, Premier Manufacturing.
21. March 22,2001 letter from Paul Embury, Everglades Brands to C. Lee Peeler.
22. March 28,2001 letter from C. Lee Peeler to Paul Embury, Everglades Brands.
23. March 28,2001 letter from G.A. Avram, Esq. on behalf of G.A. Andron & Co. to Michael Ostheimer.
24. March 28,2001 letter from C. Lee Peeler to G.A. Avram, Esq. on behalf of G.A. Andron & co.
25. March 26,2001 letter from Gitano Bryant, Tobacco & Candy International to C. Lee Peeler.
26. March 29,2001 letter from C. Lee Peeler to Gitano Bryant, Tobacco & Candy

International.

27. April 2,2001 letter from Harry Idnani, Smokers Choice to Sallie Schools.
28. April 3,2001 letter from C. Lee Peeler to Harry Idnani, Smokers Choice.
29. April 3,2001 letter from Mark Dunham, Tradecorp International to C. Lee Peeler.
30. April 3,2001 letter from C. Lee Peeler to Mark Dunham, Tradecorp International.
31. April 11,2001 letter from Neal Beaton, **Esq.** on behalf of Japan Tobacco to C. Lee Peeler.
32. April 17,2001 letter from C. Lee Peeler to Neal Beaton, **Esq.** on behalf of Japan Tobacco.
33. April 19,2001 letter from Mark Dunham, Premier Manufacturing to C. Lee Peeler.
34. April 19,2001 letter from C. Lee Peeler to Mark Dunham, Premier Manufacturing.
35. April 5,2001 letter from Won Kwang, K Imports to C. Lee Peeler.
36. April 27,2001 letter from C. Lee Peeler to Won Kwang, K Imports.

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8066 NORTH POINT BOULEVARD
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105 SOUTH BRIDGE STREET
P. O. Box 8
JONESVILLE, N. C. 28642
(336) 835-4000

March 2, 2001

BY FAX (202) 326-3259 WITH CONFIRMATION BY FEDERAL EXPRESS

Michael Ostheimer, Esq.
and/or Sallie Schools, Esq.
Federal Trade Commission
601 Pennsylvania Ave., NW
Washington, DC 20580

Re: Request for Approval of the Warning Statement Rotation Plan (“the Plan”) of Certain PT Djarum Brand Cigarettes Imported by G. A. Andron & Co., Inc. (“Andron”)

Dear Mr. Ostheimer and Ms. Schools:

I am writing this letter on behalf of my client Andron, who imports some of the former's products. It is our desire to obtain approval on behalf of Andron of the Plan attached hereto as Exhibit A for DJARLJM Lights and DJARLJM Super imported by Andron. Andron's address is 89 North Industry Court, Deer Park, **NY** 11729. The company officer responsible for overseeing this issue 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 revised packaging that has been submitted to you with PT Djarum's letter dated February **23, 2001**.

We have previously submitted packaging of DJARUM Lights and DJARUM Super cigarettes, and you advised me on the phone on February 27, 2001 that the Warning Statements appear to be in accord with the requirements of the law. *So* as to prevent future mistakes, Andron agrees to inspect each incoming shipment that it receives so as to make sure that the supplier, PT Djarum, 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.

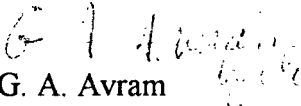
Andron conducts no consumer advertising for the brands that it imports, and if it decides to conduct such advertising, it will submit to you a rotation plan pursuant to the requirements of the Federal Cigarette Labeling and Advertising Act.

Page Two
Ostheimer/Schools
March 2, 2001

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, (or possibly give me a call to the same effect) it would be most appreciated. Upon receipt of such information PT Djarum, as well as Andron, could provide the necessary certification to the **US** Department of Customs pursuant to HR4868 in order to import some badly needed DJARUM products.

Thank you for your kind courtesy and cooperation.

Very truly yours,


G. A. Avram

Enclosures

cc: Ms. Joanne Diggett

EXHIBIT A

G. A. ANDRON & CO., INC.
WARNING ROTATION SCHEDULE
PROPOSED PERMANENT PLAN

SURGEON GENERAL'S WARNINGS

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
DJARUM Lights
DJARUM Super

Cigarettes
Manufactured
In

1 st Qtr. (Jan., Feb. & March)	Warning # 1
2 nd Qtr. April, May	" # 2
3 rd Qtr. (July, Aug. & Sept.)	" # 3
4 th Qtr. (Oct., Nov. & Dec.)	" # 4

Selected packaging samples from those
submitted with the plan.

DJARUM
Lights

20
CLOVE CIGARETTES

DJARUM

20
CLOVE CIGARETTES

Lights
DJARUM



UNDERAGE
SALE
PROHIBITED

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

CLASS A CIGARETTES
MADE BY PT DJARUM, INDONESIA
DISTRIBUTED EXCLUSIVELY BY:
G.A. ANDHON & CO. INC.
250 N. EXECUTIVE DRIVE
EDGEWOOD, N.Y. 11717, U.S.A.



CLASS A CIGARETTES
20
CLOVE CIGARETTES

Lights

DJARUM

DJARUM

Lights



DJARUM

Lights

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

CLASS A CIGARETTES
MADE BY PT DJARUM, INDONESIA

CLASS A

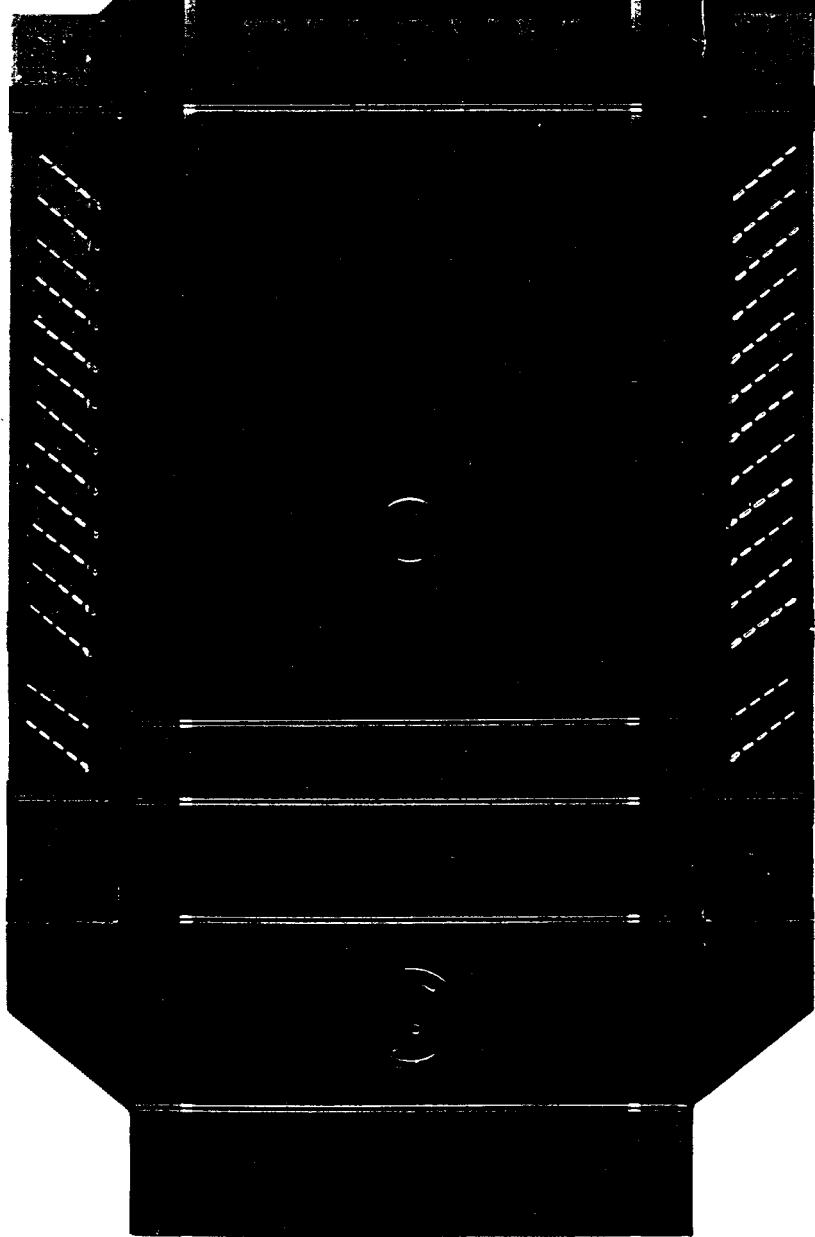
1

DIARUM

Super

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

CLASS A CIGARETTES
MADE BY PT DIARUM, INDONESIA
DISTRIBUTED EXCLUSIVELY BY:
G. A. ANDERSON & CO. INC.
250 N. EXCULCIVE DRIVE
LUDERWOOD, N.Y. 11717, U.S.A.



Super

DJARUM

DJARUM

Super

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



DJARUM

Super

CLASS A CIGARETTES
MADE BY PT DJARUM, INDONESIA



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

Division of Advertising Practices

March 8, 2001

G. A. Avram, Esq.
Finger, Parker, Avram, Martin & Roemer, L.L.P.
P.O. Box 11633
Winston-Salem, N.C. 27116-1633

Dear Mr. Avram:

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 G.A. Andron & Co., Inc. ("Andron") on March 2, 2001, calling for quarterly rotation of the four health warnings on the packs and cartons of the "International" varieties of Djarum Lights and Djarum Super cigarettes.

The warnings on the revised packs and cartons submitted with P.T. Djarum's letter of February 23, 2001 appear to comply with the size and conspicuousness requirements of the Cigarette Act. Andron's plan for the "International" varieties of Djarum Lights and Djarum Super cigarettes is hereby 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 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 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.

Finally, we want to reemphasize that it is your client's responsibility to ensure that all cigarettes that are imported under this plan fully comply with it.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Lee Peeler".

C. Lee Peeler
Associate Director

¹ **This approval only pertains to the redesigned packaging of the "International" varieties of Djarum Lights and Djarum Super cigarettes and not to prior versions of these products. The redesigned packaging has the health warnings in black print on a white background.**

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.

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March 2, 2001

BY FAX (202) 326-3259 WITH CONFIRMATION BY FEDERAL EXPRESS

Michael Ostheimer, Esq.
and/or Sallie Schools, Esq.
Federal Trade Commission
601 Pennsylvania Ave., NW
Washington, DC 20580

Re: Request for Approval of the Warning Statement Rotation Plan (“the Plan”) of Certain PT Djarum Brand Cigarettes Imported by Phillips and King International, Inc. (“P&K”)

Dear Mr. Ostheimer and Ms. Schools:

I am writing this letter on behalf of my client P&K, who imports one of the former’s products. It is our desire to obtain approval on behalf of P&K of the Plan attached hereto as Exhibit A for DJARUM King Size cigarettes. P&K’s address is 18021 Cortney Court, City of Industry, CA 91748. The company officer responsible for overseeing this issue is John Parker, Senior 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 revised packaging that has been submitted to you with PT Djarum’s letter dated February 23, 2001.

We have previously submitted packaging of DJARUM King Size cigarettes, and you advised me on the phone on February 27, 2001 that the Warning Statements appear to be in accord with the requirements of the law. So as to prevent future mistakes, Phillips & King agrees to inspect each incoming shipment that it receives so as to make sure that the supplier, PT Djarum, 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.

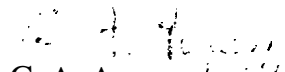
P&K conducts no consumer advertising for the brands that it imports, and if it decides to conduct such advertising, it will submit to you a rotation plan pursuant to the requirements of the Act.

Page Two
Ostheimer/Schools
March 2, 2001

With the foregoing in mind, we hope that you can grant P&K, approval of the Warning Statement Rotation 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, (or possibly give me a call to the same effect) it would be most appreciated. Upon receipt of such information PT Djarum, as **well as P&K**, could provide the necessary certifications to the **US** Department of Customs pursuant to HR4868 in order to import some badly needed DJARUM products.

Thank you for your kind courtesy and cooperation.

Very truly yours,


G. A. Avram

Enclosures

cc: Mr. John Parker

EXHIBIT A

PHILLIPS & KING INTERNATIONAL, INC.
WARNING ROTATION SCHEDULE
PROPOSED PERMANENT PLAN

SURGEON GENERAL'S WARNINGS

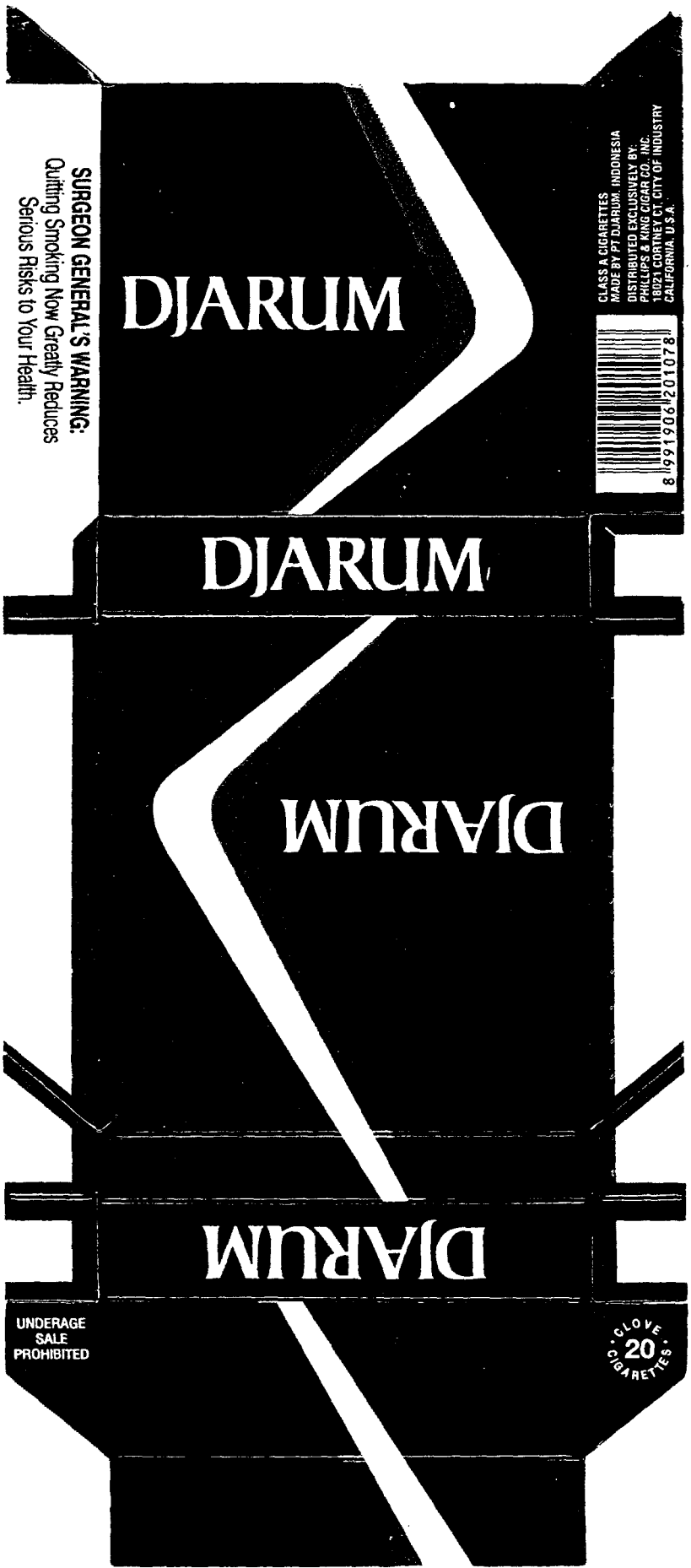
1. SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.
2. SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.
3. SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury, Premature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

BRAND
DJARUM King Size

Cigarettes
Manufactured
In

1 st Qtr. (Jan., Feb. & March)	Warning # 1
2 nd Qtr. April , May & June)	" # 2
3 rd Qtr. (July, Aug. & Sept.)	" # 3
4 th Qtr. (Oct., Nov. & Dec.)	" # 4

Selected packaging samples from those
submitted with the plan.



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

DJARUM

DJARUM

DJARUM

DJARUM

UNDERAGE
SALE
PROHIBITED

CLASS A CIGARETTES
MADE BY PT DJARUM, INDONESIA
DISTRIBUTED EXCLUSIVELY BY:
PHILLIPS & KING CIGAR CO., INC.
18021 CORTNEY CT CITY OF INDUSTRY
CALIFORNIA, U.S.A.



20
CIGARETTES

DJARUM

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

DJARUM

DISTRIBUTED EXCLUSIVELY BY:
PHILLIPS & KING CIGAR CO., INC.
18021 CORTNEY CT, CITY OF INDUSTRY
CALIFORNIA, U.S.A.

DJARUM



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

Division of Advertising Practices

March 8, 2001

G. A. Avram, Esq.
Finger, Parker, Avram, Martin & Roemer, L.L.P.
P.O. Box 11633
Winston-Salem, N.C. 27116-1633

Dear Mr. Avram:

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 Phillips and King International, Inc. ("P&K") on March 2, 2001, calling for quarterly rotation of the *four* health warnings on the packs and cartons of the "~~International~~" variety of Djarum King Size cigarettes.

The warnings on the revised packs and cartons submitted with P.T. Djarum's letter of February 23, 2001 appear to comply with the size and conspicuousness requirements of the Cigarette Act. P&K's plan for the "International" variety of Djarum King Size cigarettes is hereby approved.¹ 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 P&K 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.

Finally, we want to reemphasize that it is your client's responsibility to ensure that all cigarettes that are imported under this plan fully comply with it.

Sincerely,

C. Lee Peeler
Associate Director

¹ **This approval only pertains to the redesigned packaging of the "International" variety of Djarum King Size cigarettes and not to prior versions of this product. The redesigned packaging has the health warnings in black print on a white background.**

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.

Windward Tobacco, Inc.

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

March 5, 2001

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

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. **The original plan that was submitted on December 12, 2000 included artwork of the cigarette labels and cartons rather than actual packs and cartons. The first revision to this letter dated February 7, 2001 included only a sample of the actual packs and cartons. This second revised plan includes actual packs and cartons showing each of the four health warnings for each of the brand styles that are to be imported.**

Upon approval of this plan, the Importer intends to (for the calendar year 2001) import cigarettes into the United States that are manufactured outside the United States. The Importer intends to purchase American Diplomat brand cigarettes in a variety of styles in **king** and 100 size (i.e. premium filter, light and menthol in king and 100 size and menthol light and ultra light in 100 size only). 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.

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]; [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.

The Importer does not intend to purchase in the year 2001, a maximum of more than [REDACTED] containers of cigarette per month. Specifically, the total cigarettes imported will not exceed [REDACTED] per month or [REDACTED] per year. The Importer will advise 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 its 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 **during the one year period commencing upon FTC approval of this Plan.** The Packs and Outer Cartons will bear the original warnings placed on the packaging by the cigarette manufacturer. The warning statement on the packages 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 next year 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 the American Diplomat packs and cartons are enclosed for your review (some of these were also submitted with the previous letter dated February 7, 2001). The four health warnings will appear on packs and cartons of American Diplomat cigarettes exactly as the do on the enclosed samples.**

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 will be 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 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 E-Mailed if possible) 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

Selected packaging samples from those
submitted with the plan.

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

American
DIPLOMAT
Premium Filter

American Diplomat
 100% TOBACCO
 100% TOBACCO
 100% TOBACCO
 100% TOBACCO



American **DIPLOMAT**
Premium Filter

American
DIPLOMAT
Premium Filter



American
DIPLOMAT
Premium Filter

PF A 02-01



1

UNDERAGE
 SALE
 PROHIBITED

Select Tobaccos

200
Cigarettes
200
Premium Filter
DIPLOMAT
American



American

DIPLOMAT

Premium Filter

PACKAGE
SALE
RESTRICTED

American

DIPLOMAT

Premium Filter

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 8, 2001

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 5, 2001 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 varieties of the American Diplomat brand of cigarettes; premium filter, light and menthol in king and 100 size, and menthol light and ultra light in 100 size only. This approval is effective on the date of this letter and ends on March 7, 2002. 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.

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.



LANE LIMITED

Manufacturers of Luxury Tobaccos Since 1850

March 15, 2001

Ms. Diana Winterson
Division of Advertising Practices
Federal Trade Commission
601 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Dear Ms. Winterson:

Reference is made to my letter to Mr. Peeler dated February 1, 2001 transmitting a revised Affidavit in support of the application by Lane Limited to continue simultaneous rotation of the cigarette health warnings and to the February 7, 2001 approval letter from Mr. Peeler, which did not apply to GITANES Blondes and GITANES Blondes Lights.

You had requested packaging samples for GITANES Blondes and GITANES Blondes Lights. I have obtained the samples and they were enclosed with my March 9, 2001 letter. For each of the two GITANES varieties there are packs and cartons reflecting all four warning statements. We will distribute the four Surgeon General's warnings equally on packs and cartons of these brand styles during the one year period beginning on the date the plan was approved, and they will appear exactly as they do on the packs and cartons enclosed with my letter dated March 9, 2001.

If the packaging submitted with my March 9, 2001 letter is satisfactory, I would appreciate approval being granted for GITANES Blondes and GITANES Blondes Lights. If there are any questions, please call me at (800) 241-6579.

With kind regards, I am

Sincerely,

Robert S. Pless
Vice President &
General Counsel

RSP

Enclosures

Selected packaging samples from those
submitted with the plan.

LEGERES



LIGHTS

DAC	20.00	6351/001	SUP	CC BAT. 215
STC	E064.01		PAYS USA	
DIN	S05A.03E		IMP	TO



D'APRES M. PONTY

RAG

11

4 D

20 FILTER CIGARETTES

GITANES BLONDES LEGERES



20 CIGARETTES FILTRE

MADE IN FRANCE

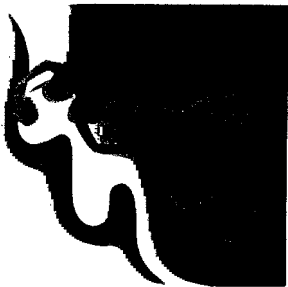
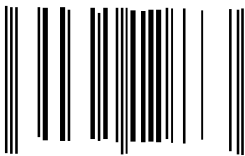
Scita



FABRIQUE EN FRANCE

Scita

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.

— L E G E R E S —

GILIANES

B L O N D E S





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

Division of Advertising Practices

March 15, 2001

Mr. Robert S. Pless, Vice President
Lane Limited
2280 Mountain Industrial Blvd.
Tucker, GA 30084

Dear Mr. Pless:

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, 2001, the Commission approved Lane Limited's ("Lane") February 1, 2001 plan for the simultaneous display of the four health warnings on packaging of certain varieties of the Dunhill International, Dunhill, Cartier, Craven, Gauloises, and Gitanes brands of cigarettes.

On March 15, 2001, Lane **filed** a supplement to expand its plan to include the Blondes and Blondes Lights brand styles of the Gitanes brand. The warnings on the packs and cartons submitted with your March 9, 2001 letter appear to meet the size and conspicuousness requirements **of** the Cigarette Act. Lane's supplement to its plan is hereby approved. This approval is effective on the date of this letter and ends on February 6, 2002. 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.

Sincerely,

A handwritten signature in cursive script 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.

LEONIDIAS TRADING COMPANY

4457 PARK ROAD

BENICIA, CA 94510

PHONE 707-745-6691 FAX 707-745-2953

March 5, 2001

REVISED LETTER OF FEBRUARY 2, 2001

Ms. Sallie Schools
Federal Trade Commission
601 Pennsylvania Ave., NW
Washington, DC 20580

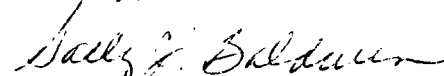
Dear Ms. Schools:

We previously sought and received approval for the rotation of the health warning labels on packaging and in advertising on certain styles of the following brands of cigarettes: Geronimo, Revenge, Bandito, Desperado, Money, Natural Harvest, and Noble.

We are no longer producing king size of Geronimo, Money, Natural Harvest, and Noble. We are no longer producing Bandito, Desperado, and Natural Harvest Light at all. We now seek to supplement our plan to include the following brand styles: Geronimo Ultra Light 100 and Money Light 100. In addition, we've changed manufacturers to House of Prince.

We have revised packaging on the following brand styles: Geronimo Light and Full Flavor 100, Money Full Flavor 100, Natural Harvest 100, and Noble Light and Full Flavor 100. We are adding Geronimo Ultra Light 100 and Money Light 100. We are submitting actual packaging for packs and cartons. We continue to follow the provision of our approved plans as set up in our letters of November 3, 1999, November 30, 1999, and December 1, 1999.

Sincerely,



Sally J. Baldwin
President

SJB:pc

Selected packaging samples from those
submitted with the plan.

Fine Tobacco

CIGARETTES CHEAPER!
P.O. BOX 2400
RENECIA, CA 94510
MADE IN LAOS



SHREVEPORT, LA
DISTRIBUTION
SOUTHERN
CALIFORNIA
SOUTHERN

ULTRA LIGHT
100'S

20 CIGARETTES

Geronimo
ULTRA LIGHT 100'S

20 CIGARETTES

100'S

ULTRA LIGHT

OP
USA
1503072
A.0004
11 SCA

Fine Tobacco

Geronimo

Geronimo
ULTRA LIGHT 100's



UNDERAGE
SALE PROHIBITED

me 06 mg
TAR: 8 mg

Geronimo

Geronimo

F i n e T o b a c c o

Ingredients: Virginia, burley and natural tobacco, water, glycerol, dextrose, sugar, licorice, ethanol, rum, natural and artificial flavors.

0.6 mg TAR: 8 mg

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

Geronimo

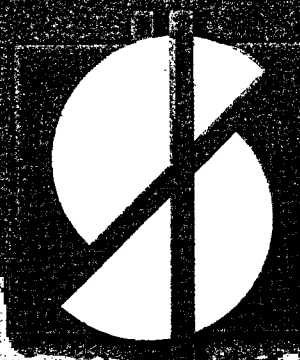
F i n e T o b a c c o



MONEY

MONEY
MENTHOL LIGHT 100's

MONEY



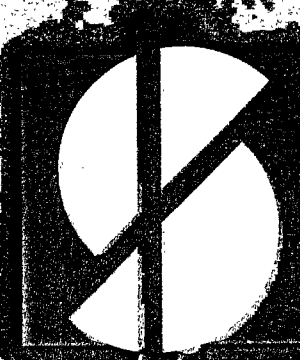
LIGHT
MENTHOL 100's

20 CLASS A FILTER CIGARETTES

MONEY
MENTHOL LIGHT 100's

20 CLASS A FILTER CIGARETTES

LIGHT
MENTHOL 100's



16
SCA
A.0004
1605072
OP
USA



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

MADE IN U.S.A.
© 1998 B&W T Co.
B&W T Co.
B&W T Co.

MENTHOL

MENTHOL LIGHT 100's

MENTHOL

MENTHOL

100 CLASS A FILTER CIGARETTES



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

Ingredients: Virginia, burley and oriental tobacco, water, glycerol, maple sugar, licorice, cocoa, pectin, ethyl alcohol, rum, menthol, natural and nature-identical flavors.

NIC: 0.8 mg TAR: 10 mg

CIGARETTES CHEAPER
P.O. BOX 2400
BENICIA, CA 94510



INDEX
& SALE PRO

Tobacco Cigarettes

Noble

Noble

20 CLASS A FILTER 100'S

Noble

Tobacco Cigarettes

100'S



20 CLASS A FILTER 100'S

Noble



100'S

TAR: 12mg
NIC: 1.1mg

UNDERAGE
SALE PROHIBITED

14	USA
A.0004	
1701072	
OP	USA

0 84244 50316 5

Ingredients: Virginia, burley and oriental tobacco; water, glycerol, methyl sugar, flavors, carbon, diacetyl, ethyl alcohol, gum, natural and nature identical flavors.

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

CHARRIERS CHEPTEL
PO BOX 2400
DENVER, CA 94510
MADE IN LATVIA

Noble

200 CLAS



Noble

Tobacco Cigarettes

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

Ingredients: Virginia, burley and oriental tobacco, water, glycerol,
maple sugar, licorice, cocoa, chocolate, ethyl alcohol, rum,
natural and nature identical flavors.

NIC: 1.1mg TAR: 12mg



Noble

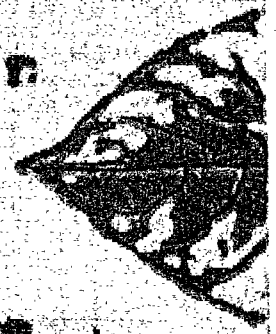
Tobacco Cigarettes

Natural Harvest

Natural Harvest Filter 100's

Natural Harvest

*Natural Harvest
Filter 100's*



CIGARETTES CHEAPER!
R.G. BOX 2400
BENICUM, CA 94510
MADE IN LATVIA

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

No additives in our
tobacco does **NOT** mean
a safer cigarette.



OF
USA
1801072
A.0004
04



QUICKS
TAR-12 mg

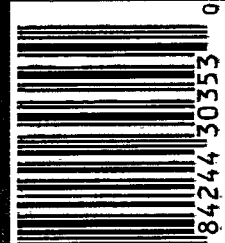
NO ADDED
SALT

CIGARETTES CHEAPER!
P.O. BOX 2400
BENICIA, CA 94510

Natural Harvest
Filter 100's

No additives in our
tobacco does NOT mean
a safer cigarette.

NIC: 0.5
TAR: 17



MADE IN LATVIA

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

UNDERAGE SALE PROHIBITED

Natural Harvest
Filter 100's

100's



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

Division of Advertising Practices

March 16, 2001

Ms. Sally Baldwin
Leonidas Trading Company
4457 Park Road
Benicia, CA 94510

Dear Ms. Baldwin:

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, on August 11, 1999, November 16, 1999, and December 10, 1999, I approved Leonidas Trading Company's ("Leonidas") rotation plans for certain styles of the Geronimo, Money, Natural Harvest, and Noble brands of cigarettes (collectively its "plan"). In a March 5, 2001 letter, you propose to expand your plan to include the Geronimo Ultra Light 100 and Money Light 100 brand styles. With your letter dated February 26, 2001, you submitted sample packaging for these brand styles, as well as revised packaging for certain previously approved brand styles.

The warnings on the sample packs and cartons submitted with your February 26th letter appear to meet the size and conspicuousness requirements of the Cigarette Act. Leonidas' expansion of its plan to include the Geronimo Ultra Light 100 and Money Light 100 brand styles is hereby approved, as are the revisions to the packaging of its previously approved brand styles of Geronimo, Money, Natural Harvest, and Noble cigarettes. Approval of your 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.

The approval of your cigarette health warning display plan is an approval only of your plan for displaying the four health warnings mandated by the Act. It is not in any way an approval of any statements or representations, other than the mandated health warnings, made on the packaging or in the advertising of your cigarettes.

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,

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.

LAW OFFICES OF
FINGER, PARKER, AVRAM, MARTIN & ROEMER L.L.P.

8066 NORTH POINT BOULEVARD

SUITE 204

WINSTON-SALEM, NORTH CAROLINA 27106

M. NEIL FINGER
RAYMOND A. PARKER, II
GABRIEL A. AVRAM
DENNIS G. MARTIN
HENRY C. ROEMER, III, P.C.

MAILING ADDRESS

POST OFFICE BOX 11633

WINSTON-SALEM, NORTH CAROLINA 27116-1633

TELEPHONE (336) 759-0964

TELEFAX (336) 759-0966

OTHER OFFICE:

105 SOUTH BRIDGE STREET

P. O. Box 8

JONESVILLE, N. C. 28642

(336) 835-4000

March 8, 2001

BY FAX (202) 326-3259 WITH CONFIRMING LETTER

Michael Ostheimer, **Esq.**
and/or Sallie Schools, **Esq.**
Federal Trade Commission
601 Pennsylvania Ave., NW
Washington, DC 20580

Re: Request for Approval of the Warning Statement Rotation Plan (“the Plan”) of Certain PT Djarum Brand Cigarettes Imported by Kretek International, Inc. (“Kretek”)

Dear Mr. Ostheimer and Ms. Schools:

I **am** writing this letter on behalf of Kretek, **an** importer of some of the former’s products. We are submitting to you for approval the Plan attached hereto as Exhibit A for the cigarettes listed below. Kretek’s address is 5069 **CA** 93021-1792, and the company officers responsible for overseeing this issue are Hugh Cassar, President and **Stan** Ching, Vice-president.

Exhibit A shows that the four Warning Statements will be rotated quarterly based on the quarter in which the products were manufactured.

The brands in question are:

DJARUM Special International Packs and Cartons
DJARUM BLACK International Packs and Cartons
DJARUM BALI HAI International Packs and Cartons
DJARUM SPLASH International Packs and Cartons

You received **packs** and cartons of each of the above listed DJARUM products with PT Djarum’s letters of February 23 and 27, 2001 and my letter of March 2, 2001 (“the Letters”). We previously submitted mock-ups showing the display of **all** 4 versions of the warning statement for each of these products with our letter to you of December 27, 2000, and you orally advised the undersigned by phone on January 5 that the mock-ups that we sent appeared to be in compliance with the requirements of the Federal Cigarette Labeling and Advertising Act (“the Act”).

Page Two
Ostheimer/Schools
March 8,2001

Kretek represents that the Warning Statements that will appear on the final, or finished, products will be exactly as shown on the revised packaging that has been submitted to you with the Letters. **So** as to prevent future mistakes, Kretek 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 the 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.

Kretek's consumer advertising is limited to occasional magazine publications, and in that regard it agrees to use the Warning Statement formats that were submitted to the **FTC** with the **1985** plans of the **5** major cigarette companies and place the warnings as specified in those plans. Moreover, Kretek agrees that its advertisements in such publications will not exceed 470 square inches. Per your request, acetates of the four Warning Statements were sent to you with PT Djarum's letter of March 1, **2001**. Kretek agrees to rotate the Warning Statements in its advertising to coincide with the rotation specified in the Plan (Exhibit **A**). It would be most appreciated if you would be able to return the acetates to Kretek.

In light of the revocation letter that you sent to Kretek, and its dwindling inventory, it is hoped that you can grant your approval of Kretek's Plan **as soon as possible**. It would also be great if you could fax us (or Kretek) such approval, (or possibly give me a call to the same effect). Upon receipt of such information PT Djarum, as well as Kretek, could order much needed inventory and provide the necessary certifications to the US Department of Customs pursuant to HR4868.

This Plan is being filed only for the product and packaging described in this letter, and Kretek will be responsible for obtaining the necessary Warning Statement Rotation Plans for other packaging styles or products.

As I expect to be out of the country until March **21**, feel free to contact Kretek directly if you have any questions or further requests. Kretek has received a copy of this letter and is obviously empowered to make whatever additional changes, if any, are requested.

Thank you for your kind courtesy and cooperation.

Very truly yours,



G. A. Avram

Enclosures

cc: Mr. Hugh Cassar
Mr. **Stan** Ching

EXHIBIT A

KRETEK INTERNATIONAL, INC.
WARNING ROTATION SCHEDULE
PROPOSED PERMANENT PLAN

SURGEON GENERAL'S WARNINGS

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 DJARUM Special BALI HAI	BRAND DJARUM Black	BRAND PREMIUM ONE (Previously Approved)	BRAND DJARUM SPLASH
Cigarettes Manufactured				
iii				
1st Qtr. (Jan., Feb. & March)	warning # 1	Warning # 2	Warning # 3	Warning # 4
2nd Qtr. April, May & June)	“ “ # 2	“ “ # 3	“ “ # 4	“ “ # 1
3rd Qtr. (July, Aug. & Sept.)	“ “ # 3	“ “ # 4	“ “ # 1	“ “ # 2
4th Qtr. (Oct., Nov. & Dec.)	“ “ # 4	“ “ # 1	“ “ # 2	“ “ # 3

Selected packaging samples from those
submitted with the plan.



DJARUM Special cigarettes are blended with perfectly aged tobaccos for a smooth, long lasting smoke. Their brown wrapping is uniquely created to suit your distinct personality.

DJARUM
SPECIAL



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

200 CLOVE CIGARETTES

DISTRIBUTED EXCLUSIVELY BY
KRETEK INTERNATIONAL
MOORPARK, CALIFORNIA, U.S.A.

CLOVE CIGARETTES

20



ORIGINAL
DJARUM

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

DJARUM
SPECIAL

DJARUM

DJ/RUM

BL CK

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



© 1994 B&W T Co. All rights reserved.
MADE IN THE U.S.A.

BL CK

BL CK

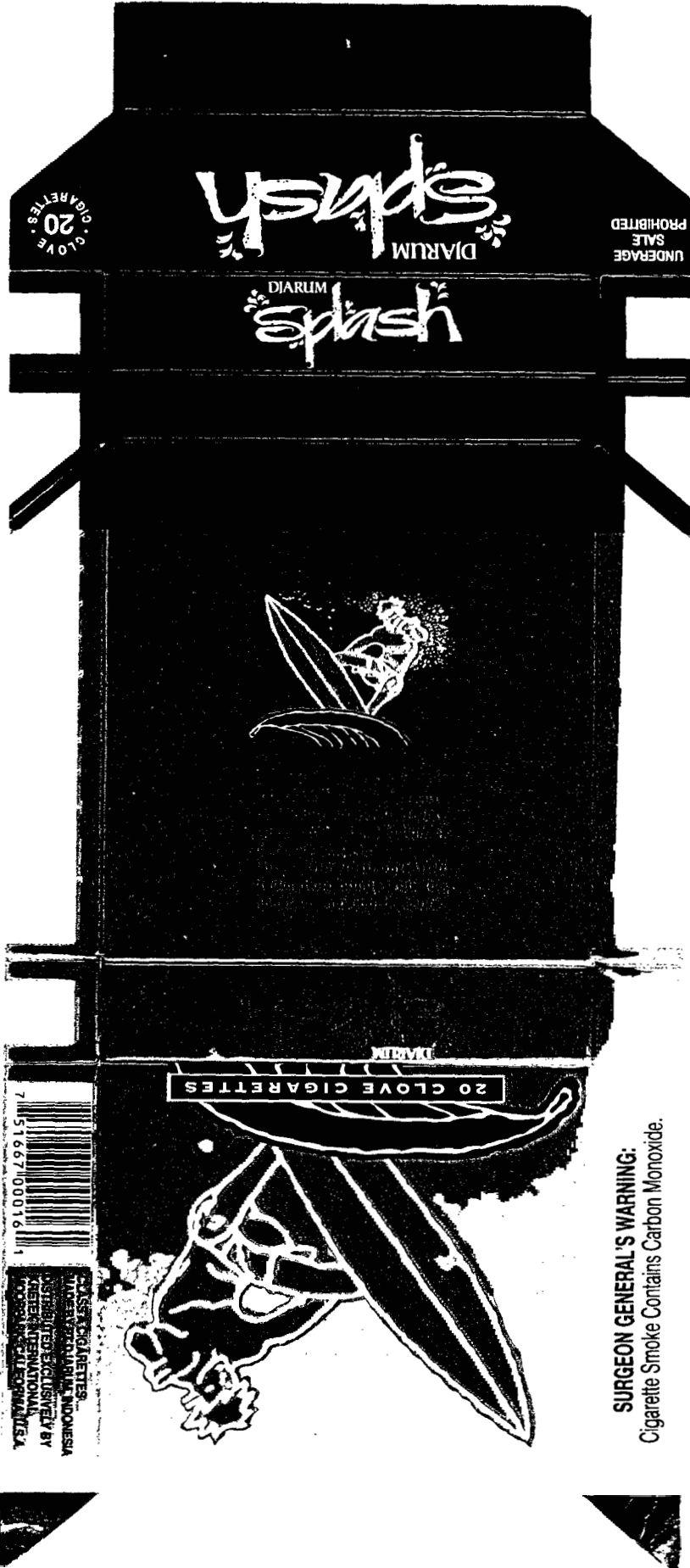
BL CK

BL CK

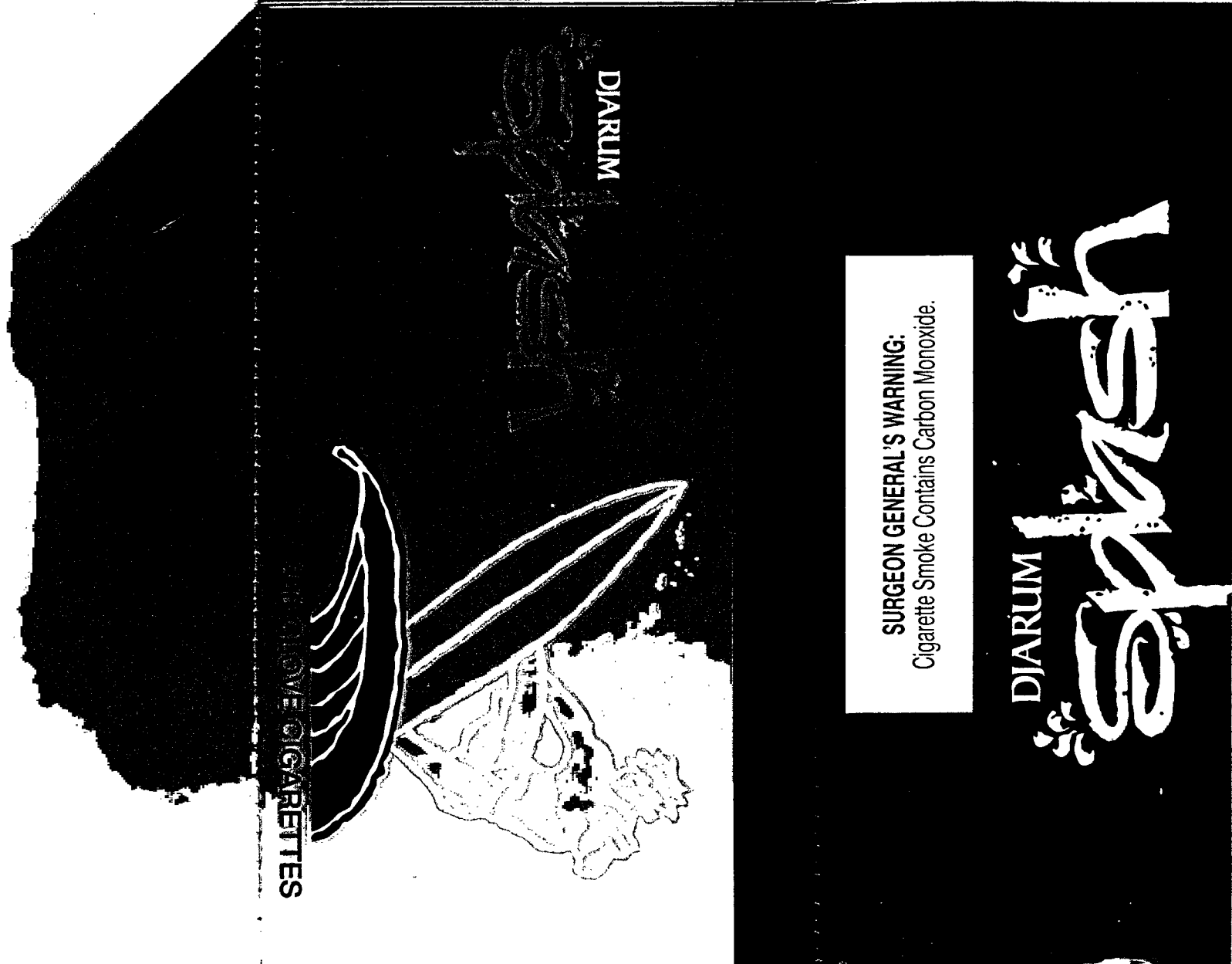
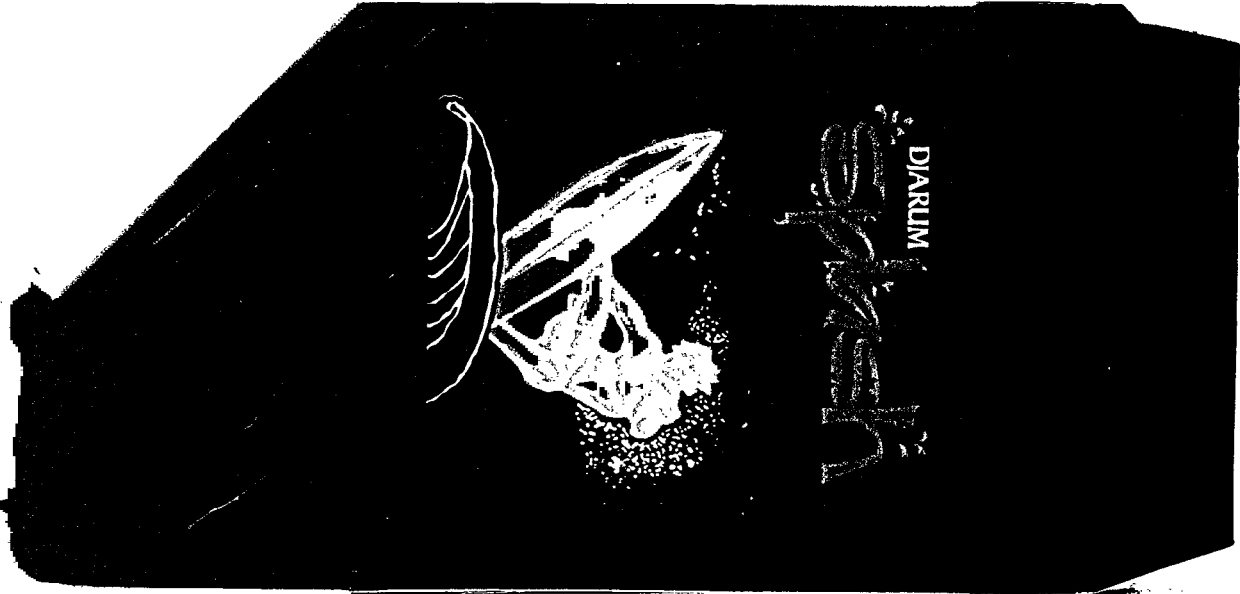
BL CK
CIGARETTES

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

DIARIN
BL CK



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



100% TOBACCO CIGARETTES

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

DJARUM
Super Soft

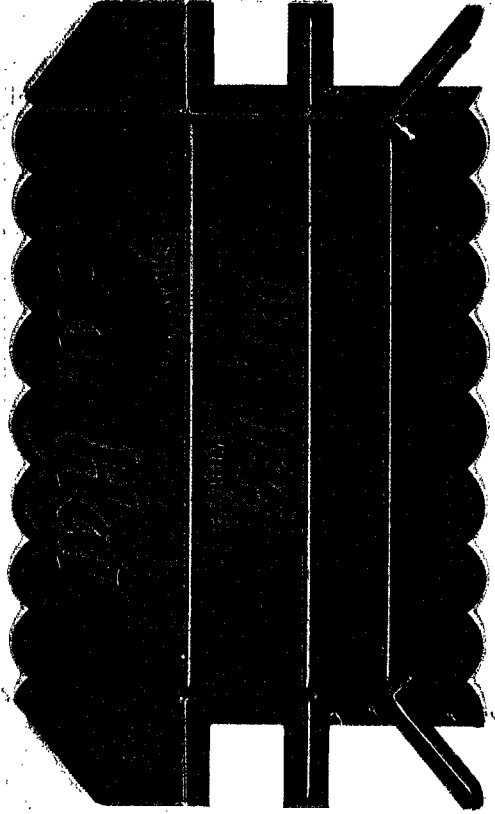
SURGEON GENERAL'S WARNING:
Quitting Smoking Now Greatly Reduces
Serious Risks to Your Health.

20 CLOVE CIGARETTES

DIARUM



DIARUM
Bali Hai



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

DISTRIBUTED EXCLUSIVELY BY
KRETEK INTERNATIONAL
MOORPARK, CALIFORNIA, U.S.A.

200
CLOVE CIGARETTES

200 CLOVE CIGARETTES

CLASS A



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

Division of Advertising Practices

March 16, 2001

G. A. Avram, Esq.
Finger, Parker, Avram, Martin & Roemer, L.L.P.
P.O. Box 11633
Winston-Salem, N.C. 27116-1633

Dear Mr. Avram:

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 Kretek International, Inc. ("Kretek") on March 8, 2001, calling for quarterly rotation of the four health warnings on packaging and in advertising of the "International" varieties of Djarum Special, Djarum Black, Djarum Bali Hai, and Djarum Splash cigarettes.

Kretek's 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 revised packs and cartons submitted with P.T. Djarum's letters of February 23, 2001, February 27, 2001, and on March 2, 2001, appear to comply with the size and conspicuousness requirements of the Cigarette Act. Kretek's plan for the "International" varieties of Djarum Special, Djarum Black, Djarum Bali Hai, and Djarum Splash cigarettes is hereby 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 The Cigarette Act provides that any person who violates its provisions is guilty of a misdemeanor.

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.

Finally, we want to reemphasize that it is your client's responsibility to ensure that all cigarettes that are imported under this plan fully comply with it.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Lee Peeler".

C. Lee Peeler
Associate Director

¹ This approval only pertains to the redesigned packaging of the "International" varieties of Djarum Special, Djarum Black, Djarum Bali Hai, and Djarum Splash cigarettes and not to prior versions of these products. The redesigned packaging has the health warnings in black print on a white background.

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.



Via Facsimile & Overnight Mail

March 76,2001

Michael Ostheimer
Division of Advertising Practices
Federal Trade Commission
601 Pennsylvania Avenue
Washington, DC 20580

RE: Compliance Plan – Ideal™ Brand Cigarettes (Revised 3/16/01)
Manufacturer: Changde Cigarette Factory
West Dongting Road
Changde, Hunan, China 41500
Importer: Single Stick, Inc.
Import License #AZ-TI-3

Dear Mr. Ostheimer:

This submission is made pursuant to the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331, et seq. **The** Ideal brand will be imported by Single Stick, Inc. under its import issued by the Bureau of Alcohol, Tobacco, and Firearms. Single Stick **is** importing these cigarettes from the manufacturer, Changde Cigarette Factory whose address is listed above. Single Stick, as importer, will assume responsibility for compliance matters on this brand with the Federal Trade Commission. Single **Stick** will import seven brand styles of Ideal product: Full Flavor (100's), Light (100's), Ultra Light (100's), Menthol (100's), Menthol Light (100's), Full Flavor (King), and Light (King). All brand styles will be marked with the same warning in each calendar quarter.

Calendar Quarter 1
(January – March)

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

Calendar Quarter 2

SURGEON GENERAL'S WARNING:

1606 North 81st. Street, Suite 1 • Scottsdale, Arizona 85260
(480) 367-8360 • Fax (480) 367-8361

(April – June)

Quitting Smoking Now Greatly Reduces
Serious Risks to Your Health.

Michael Ostheimer
March 16, 2001
Page 2

Calendar Quarter 3
(July – September)

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

Calendar Quarter 4
(October – December)

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

The labels will be rotated in the sequence from Calendar Quarter 1 to Calendar Quarter 4, with the rotation occurring each calendar quarter. For example, Warning 1 would be used January through March, Warning 2 would be used April through June, Warning 3 would be used July through September, and Warning 4 would be used October through December. The date of shipment from the factory would determine the quarterly warning which applies. The packaging submitted in Mr. Emery's meeting with Mr. Peeler and Mr. Ostheimer on March 15, 2001 will be used. The warnings will appear exactly as they do on that packaging.

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

cc. Charles R. Emery
James L. Emery

Selected packaging samples from those
submitted with the plan.

IDEALTM
Ultra Light Cigarettes
100's

UNDERAGE
SALE
PROHIBITED

*Selected Quality
Tobacco*

IDEAL

Selected Quality Tobacco

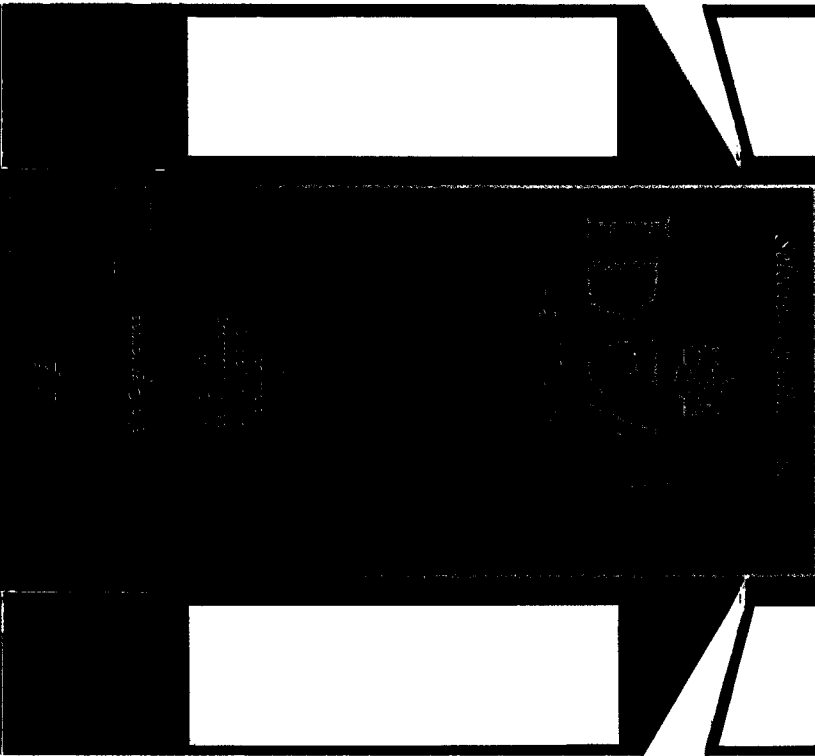
IDEAL

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

7 89502 51003 2



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



IDEAL
CIGARETTES

*Selected Quality
Tobaccos*

UNDERAGE
SALE
PROHIBITED



IDEAL,

Menthol Light Cigarettes

100's



IDEAL™

Menthol Light Cigarettes

100's

MADE IN CHINA

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

IDEAL™
Menthol Light Cigarettes
100's



UNDERAGE SALE PROHIBITED



7 89502 53005 4

100'S

MADE IN CHINA



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

Division of Advertising Practices

March 16, 2001

Mr. John T. Wertheim
Single Stick
16060 North 81st Street
Suite 1
Scottsdale, AZ 85260

Dear **Mr.** Wertheim:

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 by Single Stick on March 16, 2001 calling for the quarterly rotation of the four health warnings on the packaging of the Ideal brand of cigarettes.

The warnings on the sample packs and cartons submitted on March 15, 2001 appear to comply with the size and conspicuousness requirements of the Cigarette Act. Single Stick's plan for the Ideal brand is approved. This approval is effective on the date of this letter and ends on December 31, 2001. 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 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,

A handwritten signature in black ink, 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.

BENGAL TOBACCO CORPORATION

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

Phone 954-473-1168 .Cell : 305-613-5531 ,Fax : 305-891-0897 .Email : m_babul@yahoo.com

February 10th,2001

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

Dear Sir,

Thank you very much for your approval in connection with the health warning of PARK brand cigarette vide your letter of January 3rd, 2001.

We are pleased to inform you that Bengal Tobacco Corporation intend to import and add with their existing brand two more brand style, PARK Ultra Lite 100's and PARK Full Flavor Hard Box. We are enclosing herewith the samples of packages and cartons which displayed four health warning label.

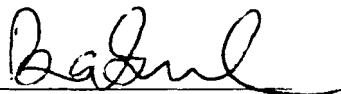
Regarding thehealth warning label we do hereby declare that on each and every brand style , package and carton we will equalize the four health warning label for the year 2001. Please be noted that none of the brand and style will be sold in the market more then [REDACTED] sticks a year.

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

Your goodself is requested to approve and oblige thereby.

Thanking and assuring you my best cooperation at all times.

Very Truly Yours,
For Bengal Tobacco Corporation



Mohammed Babul.
(President)

Selected packaging samples from those
submitted with the plan.

UNDER ARRANGEMENT WITH ELITE TOBACCO
CO. LTD., LONDON, MADE IN PAKISTAN
EXCLUSIVELY FOR BENGAL TOBACCO
CORPORATION. FLORIDA, U.S.A.



Park

Full Flavor

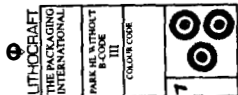
20 CLASS A FILTER CIGARETTES
American Blend

Park

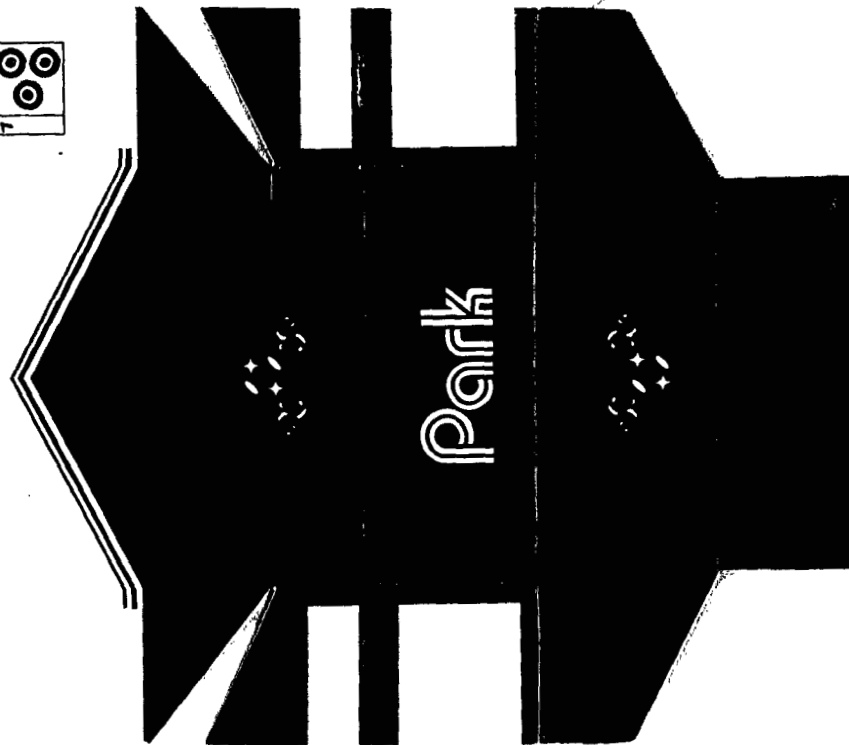
20 CLASS A FILTER CIGARETTES
American Blend

Full Flavor

Park



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



UNDER ARRANGEMENT WITH ELITE TOBACCO CO.LTD.,
LONDON, MADE IN PAKISTAN EXCLUSIVELY FOR
BENGAL TOBACCO CORPORATION, FLORIDA, U.S.A.



Park

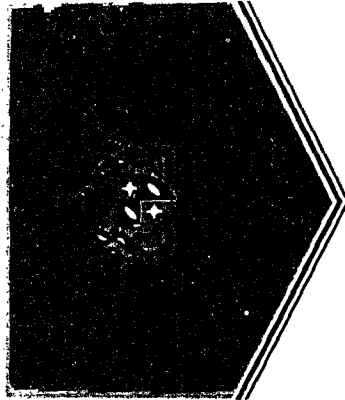
ULTRA
LIGHT

100'S
20 CLASS A FILTER CIGARETTES
American Blend

Park

UNDERAGE
SALE
PROHIBITED

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



Park

ULTRA
LIGHT

100'S
20 CLASS A FILTER CIGARETTES
American Blend

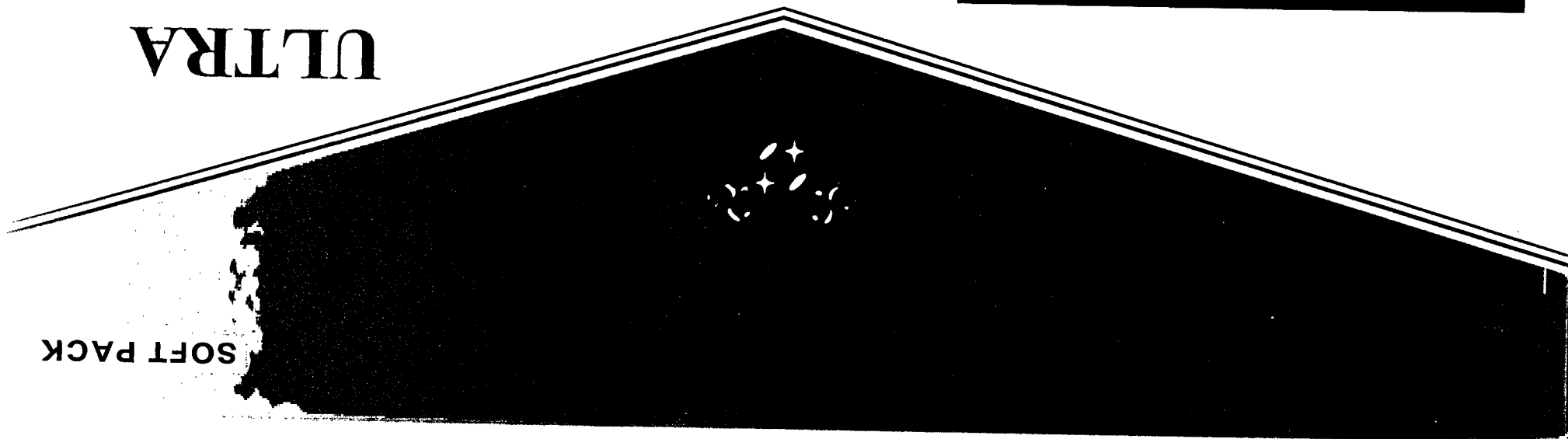
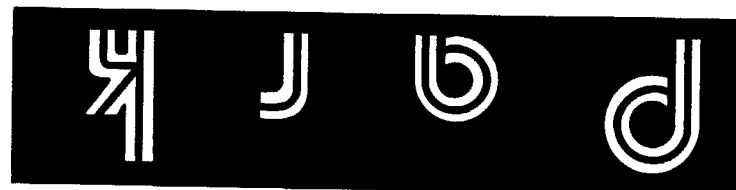
UNDERAGE SALE PROHIBITED

ULTRA
LIGHT



100'S / 200 CLASS A FILTER CIGARETTES
American Blend

ULTRA
LIGHT



SOFT PACK



UNDER ARRANGEMENT WITH ELITE TOBACCO CO.LTD.,
LONDON, MADE IN PAKISTAN EXCLUSIVELY FOR
BENGAL TOBACCO CORPORATION, FLORIDA, U.S.A.



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

SOFT PACK



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

Division of Advertising Practices

March 21, 2001

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

Dear Mr. Babul:

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, in a letter dated January 3, 2001, I approved through January 2, 2002 Bengal Tobacco Corporation's ("Bengal") plan for the simultaneous display of the four health warnings on packaging of the Park brand of cigarettes.

On February 10, 2001, Bengal filed a supplement to extend its plan to include the Full Flavor King Size Hard Pack and Ultra Light 100's **Soft** Pack brand styles of the Park brand of cigarettes. Bengal's sales appear to continue to qualify for the aforementioned alternative to quarterly rotation on packaging. The warnings on the sample packs and cartons submitted with your February 10th letter, and the revised sample packs submitted on March 21, 2001 appear to meet the size and conspicuousness requirements of the Cigarette Act.¹ Bengal's expansion of its plan is hereby approved. This approval is effective on the date of this letter and ends on January 2, 2002. 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.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Lee Peeler".

C. Lee Peeler
Associate Director

¹ Although some of the warnings submitted did not meet the size requirements of the Act, and one of the warnings contained a spelling error, corrected samples were submitted. This approval pertains only to 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.

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 19, 2001

Mr. C. Lee Peeler, 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
Protabaco S.A., Corp.
For First US Cigarettes

Dear Mr. Peeler:

Please be advised that we are the attorneys for an importer of tobacco products, Protabaco S.A., Corp. ("Protabaco"), a Florida corporation, with offices located at 6595 N.W. Miami, Florida 33166, which 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 a private label brand of cigarettes they wish to import into the United States. The contact person for the company will be its President, Eliyahu Ninio, 6595 N.W. Miami, Florida 33166. This application is for private label cigarettes being imported under the name "First US."

The brand styles of cigarettes Protabaco intends to import are listed on Exhibit "A." Production samples for all of the packs and cartons of each brand style (one with each warning) are enclosed herein.

Even though Protabaco qualifies as a small importer/manufacture as defined by the Act, Protabaco 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 Protabaco rotate quarterly, in an alternating sequence, based on the date the cigarettes are actually packaged, each of the four warning statements which will appear on the packages and cartons of the First US brand cigarettes. Protabaco 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, and July 1st and October 1st).

From January 1 to March 31st Protabaco 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 Protabaco will use the warning:

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

From July 1st to September 30th Protabaco 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 Protabaco will use the warning:

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

The production samples enclosed herein for the packs and cartons of the First US cigarettes show exactly where and how the Surgeon General's health warnings will appear on the individual packs and cartons Protabaco 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.

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

Each pack and carton imported by Protabaco will have a country of origin placed on the pack or carton as required by 19 U.S.C. § 1304. Protabaco will ensure that the country of origin will not obscure, or otherwise interfere with, the Surgeon General's

Mr. C. Lee Peeler, Associate Director
Federal Trade Commission

Page 3
March 19, 2001

Warning in any way.

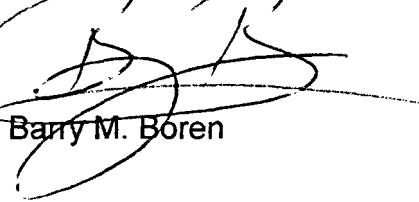
Please be advised that, at this time, Protabaco does not advertise, and therefore, will not need to comply with the Act's requirements requiring the rotation of warning labels on advertising. If this should change, we will notify the **FTC** and modify our plan accordingly.

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 Comprehensive Smoking Education Act of 1984 and the Nurses' Education Amendments of 1985. 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, appearing to read "Barry M. Boren", is written over the typed name. The signature is stylized and somewhat illegible.

Barry M. Boren

BMB:mw
encs.

PROTABACOS.A. CORP.
EXHIBIT 'A' LIST OF CIGARETTES

FIRST US

Full Flavor Box
Full Flavor Box 100's

Lights Box
Lights Box 100's

Menthol Box
Menthol Box 100's

Selected packaging samples from those
submitted with the plan.

UNITED NINIO



20

UNDERAGE
SALE
PROHIBITED



FULL FLAVOR



UNITEDNINIO

FULL FLAVOR

3



PREMIUM QUALITY

MADE IN BULGARIA

FULL FLAVOR



PREMIUM QUALITY

MADE IN BULGARIA



FULL FLAVOR

UNDER AUTHORITY OF
NINIO TOBACCO INC.
MIAMI, FLORIDA U.S.A.
MADE IN BULGARIA

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



US[®]

UNDER AUTHORITY OF
NINIO TOBACCO INC.
MIAMI, FLORIDA U.S.A.
MADE IN BULGARIA

PREMIUM QUALITY



UNITED NINIO[®]

MENTHOL

200 Class A Cigarettes

100's

US[®]

PREMIUM QUALITY

MADE IN BULGARIA

US[®]

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

PREMIUM QUALITY





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

Division of Advertising Practices

March 21, 2001

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 Protabaco S.A. Corp. ("Protabaco") on March 19, 2001 calling for quarterly rotation of the health warnings on packaging of the First US brand of cigarettes.

The health warnings on the sample packs and cartons submitted on March 19th with your plan appear to comply with the requirements of the Cigarette Act for size and conspicuousness. Protabaco's plan for quarterly rotation of the health warnings on packaging of the Full Flavor King, Full Flavor 100's, Light King, Light 100's, Menthol King and Menthol 100's brand styles of the First US brand of cigarettes has been 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 Protabaco 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 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.



PREMIER MANUFACTURING I N C O R P O R A T E D

(formerly Premier Marketing, Inc.)

March 22, 2001

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

Dear Mr. Peeler:

On March 8, 2001, the Federal Trade Commission approved Premier Manufacturing's Quarterly Rotation plan for 1st CLASS Brand cigarettes, which was submitted on March 6, 2001. In the letter, it was stipulated that three styles were not to be approved until 1st Quarter packaging was provided. Since the March 8th letter, we have submitted all the packaging for the Light Menthol 100's and, along with this letter, the balance of the packaging for the Light Menthol Kings. Therefore we wish to supplement our existing approved plan with the following:

- Light Menthol 100's (provided 3/16/01) (Pregnancy pack, Quitting pack, Lung Cancer pack, and Carbon Monoxide pack)
- Light Menthol Kings (provided 3/16/01) (Lung Cancer carton, Quitting carton, Pregnancy carton, Carbon Monoxide carton)
- Light Menthol Kings (provided 3/22/01) (Pregnancy pack, Lung Cancer pack, Carbon Monoxide pack, and Quitting Now pack)

The following styles were approved in the March 8th approval letter, but not all the warning labels were provided. Instead, artwork for the missing warnings were submitted and the plan was approved with the understanding that the actual packaging would be submitted once produced. These styles include the following, which were all submitted on March 16, 2001:

- Full Flavor Menthol 100's (Carbon Monoxide pack, Quitting carton)
- Light Kings Soft (Lung Cancer pack, Lung Cancer carton, Quitting carton)
- Ultra Light 100's (Lung Cancer carton)
- Full Flavor Kings Soft (Lung Cancer pack)

www.GoPremier.com

160 Chesterfield Industrial Blvd. • Chesterfield, Missouri 63005 • (636) 537-5348 • Fax (636) 537-3359 • email: inf@gopremier.com



PREMIER MANUFACTURING I N C O R P O R A T E D

(formerly Premier Marketing, Inc.)

As an added note, the remaining unapproved styles, Full Flavor Menthol King Box, has been cancelled by Premier Manufacturing and we will no longer be producing this style due to poor performance in the marketplace. Therefore, approval for this style will not be necessary.

Premier Manufacturing also submits that all four (4) warnings on the enclosed packaging, and the packaging submitted on March 16, 2001, will be rotated quarterly following the rotation plan that was approved in the letter dated March 8, 2001. The four health warnings will appear exactly as they do on the samples of packs and cartons submitted.

Sincere Regards,

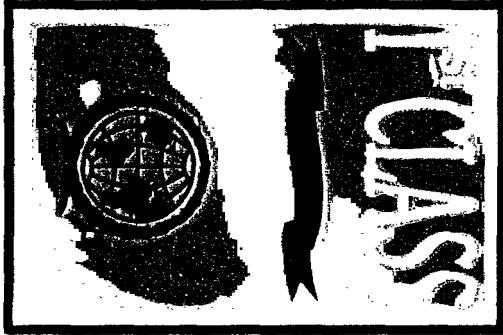
Mark Dunham
Premier Manufacturing, Inc.

www.GoPremier.com

160 Chesterfield Industrial Blvd. • Chesterfield, Missouri 63005 • (636) 537-5348 • Fax (636) 537-3359 • email: inf@gopremkr.com

Selected packaging samples from those
submitted with the plan.

20 CLASS A CIGARETTES



AMERICAN BLEND
Distributed by Premier Marketing
St Louis, Missouri 63017
Mfd in Spain

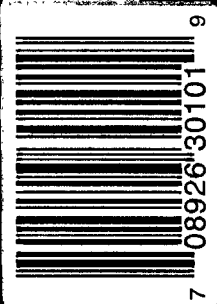
20 CLASS A CIGARETTES



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

200 CLASS A CIGARETTES

CLASS 1st



1st CLASS

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

1st CLASS

15128 TC-2 1



3

a

200 CLASS A CIGARETTES



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

Division of Advertising Practices

March 27, 2001

Mr. ~~Mark~~ Dunham, President
Premier Manufacturing Incorporated
160 Chesterfield Industrial Blvd.
Chesterfield, MO 63005

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"). On March 8, 2001, the Commission approved Premier Manufacturing Incorporated's ("Premier") March 1, 2001 plan for quarterly rotation of the four health warnings on packaging of the following varieties of the 1st Class brand of cigarettes: full flavor kings soft, full flavor kings box, light kings soft, light kings box, menthol kings soft, ultra light kings, non-filter kings, full flavor 100's, light 100's, menthol 100's, and ultra light 100's.

On March 22, 2001, Premier filed a supplement to expand its plan to include the light menthol 100's and light menthol kings brand styles of the 1st Class brand. The warnings on the packs and cartons submitted with your letters of March 1, 2001 and March 22, 2001 appear to meet the size and conspicuousness requirements of the Cigarette Act. Premier's supplement to its plan 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.

Sincerely,

A handwritten signature in cursive script 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.

Everglades Brands, Corp.

4960 SW 72 Avenue, Suite 308A

Miami, Florida 33155

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

March 22, 2001

Mr. C. Lee Peeler
Associate Director
Division of Advertising Practices
Federal Trade Commission
601 Pennsylvania Avenue, N.W.
Room 4004
Washington D.C. 20580

Cigarette Health Warning Rotation Plan Submitted by Everglades Brands, Corp.

Dear Mr. Peeler:

On behalf of our company, Everglades Brands, Corp. ('Everglades') we submit our Surgeon General Rotation plan as required under the Federal Cigarette Labeling and Advertising Act of 1984 (15 U.S.C 1331 (1997), et seq.), as amended. The cigarettes covered by the proposed Plan are cigarettes that will be manufactured outside the USA 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 soft; Maxxim ultra-light 100mm soft; Maxxim menthol 100mm soft; menthol soft. We anticipate that the volume of cigarettes imported in 2001 will not exceed () cigarettes each) for any single brand style.

We that the cigarettes imported by Everglades 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.

Everglades proposes a rotation plan of the US Surgeon General'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. Everglades 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 US 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 health warnings will appear exactly **as they** do in the samples provided on February 12, 2001 and the remainder **that** accompanied **this** proposal. Everglades 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:

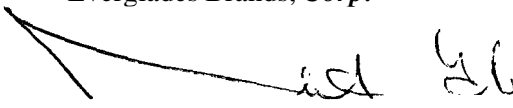
1. SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.
2. SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.
3. SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury, Premature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

Since Everglades 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.

Should you require any additional information with respect to the foregoing, please contact the undersigned at the above Miami, Florida address.

Respectfully submitted,
Everglades Brands, *Corp.*



Paul A. Embury
Director

c.c. Mr. Michael Ostheimer
Attorney, Division of Advertising Practices

Selected packaging samples from those
submitted with the plan.

MAXIM
U.S.A.



Premium
Quality

Menthol
Soft Pack
100's

UNDERAGE
SALE
PROHIBITED

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

MAXIM
U.S.A.



Premium
Quality

Menthol
Soft Pack
100's

Menthol
MAXIM
U.S.A.

Class "A"
20
Cigarettes

Under Authority of
Sterling Tobacco Dist. Corp.
Miami, Florida 33155
Made in Bulgaria



JIM
U.S.A.



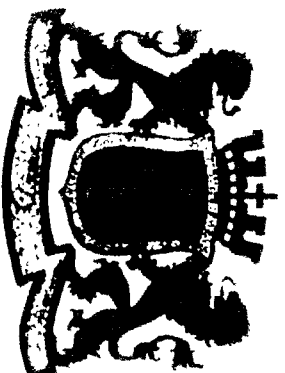
MAXXIM
U.S.A.



**Premium
Quality**

Menthol
Soft Pack
100's

MAXXIM
U.S.A.



**Premium
Quality**

Menthol
Soft Pack
100'S

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 28, 2001

Mr. Paul A. Embury, Director
Everglades Brands, Corp.
4960 SW 72 Avenue, Ste. 308A
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 Everglades Brands, Corp. ("Everglades") on March 22, 2001 calling for the simultaneous display of the four health warnings on the packs and cartons of certain varieties of the Maxxim brand of cigarettes.

Everglades' 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 February 12, 2001 and March 22, 2001 letters appear to comply with the requirements of the Cigarette Act for size and conspicuousness. Everglades' plan has been approved for the following varieties of the Maxxim brand of cigarettes: full flavor 100mm soft, lights 100mm soft, ultra-light 100mm soft, menthol 100mm soft, and light menthol 100mm soft. This approval is effective on the date of this letter and ends on March 27, 2002. 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 Everglades 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,

A handwritten signature in cursive script 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. 18U.S.C. § 1001.

LAW OFFICES OF
FINGER, PARKER, AVRAM, MARTIN & ROEMER, L.L.P.
204 NORTHGATE PARK DRIVE
WINSTON-SALEM, NORTH CAROLINA 27106

M. NEIL FINGER
RAYMOND A. PARKER, II
GABRIEL A. AVRAM
DENNIS G. MARTIN
HENRY C. ROEMER, III, P.C.

MAILING ADDRESS
POST OFFICE BOX 11633
WINSTON-SALEM, NORTH CAROLINA 27116-1633
TELEPHONE (336) 759-0964
TELEFAX (336) 759-0965

OTHER OFFICE:
105 SOUTH BRIDGE STREET
P. O. BOX 8
JONESVILLE, N. C. 28642
(336) 835-4000

March 28, 2001

BY FAX (202) 326-2699 WITH CONFIRMING LETTER BY FED EX

Michael Ostheimer, Esq.
Federal Trade Commission
601 Pennsylvania Ave., NW
Washington, DC 20580

Re: Request for Approval of the Warning Statement Rotation Plan (“the plan”) of Certain DJARUM Super and DJARUM Light Cigarettes Imported by G. A. Andron & Co., Inc. (“Andron”)

Dear Mr. Ostheimer:

First of all, I wish to refer you to your approval letter of March 8, 2001 with regard to DJARUM Lights and DJARUM Super cigarettes. That letter referred to so-called “new international” packaging on which the warning statements were in black print on a white background.

We now would like to request approval of a plan to sell an inventory of only 250 cases of the same kinds of products which differed, however, in certain respects. Packaging for these products was sent to you with our letter of February 5, 2001. The printed warning statements appeared to comply with the law in that they were big enough and conspicuous enough on the packs themselves, but we understand that the cartons may be considered not compliant because of the fact that the warning statement was placed upon the bottom of the carton.

We respectfully request approval of a supplement to our plan for the year 2001 that would allow G.A. Andron to use up the existing inventory of the “International” variety of DJARUM Lights and DJARUM Supers products on the following basis:

- a. The products would be used so that the warning statements coincided with those that have been approved by your March 8 letter as submitted by my March 2, 2001 letter.
- b. The products will be removed before entry into the U.S. from the cartons and imported as individual packs. They will be sold either individually or in cartons that were previously approved by your


Page Two
Michael Ostheimer
March 28,2001

March 8 letter, (in other words, some empty cartons of the type that you have approved will **be** shipped to Andron, and Andron may place cigarettes packs into such cartons). In sum, the packages would either be sold without the offending cartons or in cartons that have been approved by you.

With these assurances in mind, **we** respectfully request a quick approval of this proposed plan.

Thank you **for** your kind courtesy and cooperation.

Very truly yours,

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

G. A. Avram

GAA/cee

Cc: Ms. Joanne Diggett



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

Division of Advertising Practices

March 28, 2001

G. A. Avram, Esq.
Finger, Parker, Avram, Martin & Roemer, L.L.P.
P.O.Box 11633
Winston-Salem, N.C. 27116-1633

Dear Mr. Avram:

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, on March 8, 2001, I approved G.A. Andron & Co., Inc.'s ("Andron") March 2, 2001 revised proposed plan calling for quarterly rotation of the four health warnings on **redesigned packaging** of the "International" varieties of Djarum Lights and Djarum Super cigarettes.¹ In a letter dated March 28, 2001, you propose to supplement Andron's March 2nd plan to include certain packs of Djarum Lights and Djarum Super cigarettes that were manufactured prior to the redesign ("old packs").

The warnings on the old packs of Djarum Lights and Djarum Super cigarettes submitted with your letter of February 5, 2001 appear to comply with the size and conspicuousness requirements of the Cigarette Act. **Although sample cartons were submitted on February 5th, the warnings on the old cartons of Djarum Lights and Djarum Super cigarettes do not comply with the conspicuousness requirements of the Cigarette Act. Andron's supplement to its plan calls for removing the old packs from their cartons and importing them individually.** Pursuant to its plan, subsequent to importation, Andron may repackage the old packs into the redesigned cartons which were approved on March 8th. Andron's supplement to its plan for the old packs of the "International" varieties of Djarum Lights and Djarum Super cigarettes is hereby approved. This approval is effective on the date of this letter and ends on December 31, 2001. 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.

Finally, we want to reemphasize that it is your client's responsibility to ensure that all cigarettes that are imported under this plan fully comply with it.

Sincerely,

C. Lee Peeler
Associate Director

¹ **The redesigned packs and cartons have the health warnings in black print on a white background. The redesigned cartons have the health warnings on the top panel.**

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.

TOBACCO & CANDY INTERNATIONAL, INC.

2305 N.W. 107th AVENUE
UNIT #B-10
MIAMI, FLORIDA 33172
Phone: (305) 640-2385
Fax: (305) 640-0388
Toll Free: (888) 286-2706

March 26, 2001

CONTAINS TRADE SECRETS
AND CONFIDENTIAL
BUSINESS INFORMATION
NOT FOR PUBLIC DISCLOSURE

Via Facsimile (202) 326-3259

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

Attn: Sallie Schools

RE: Cigarette Health Warning Rotation Plan Submitted on Behalf of
Tobacco & Candy International, Inc. for Calendar Year 2001 for
Point and Golden Palace Brand Cigarettes

Ladies/Gentlemen:

Tobacco & Candy International, Inc. hereby re-submits a Surgeon General Rotation Plan as required under the Federal Cigarette Labeling and Advertising Act of 1984 (15 U.S.C. et seq.) as amended. Gitano Bryant is the President of the applicant, and the corporate address for the company is Tobacco & Candy International, Inc., 6795 N.W. 87th Avenue, Miami, Florida 33178. The cigarettes covered by the proposed Plan are the following foreign manufactured Point and Golden Palace brand style cigarettes, which include health warnings complying with the Surgeon General's warning language set forth in the statute: Point Full-Flavor King Soft, Point Full-Flavor 100 ~~soft~~, Point Light King Soft, Point Light 100 Soft, Point Menthol King Soft, Point Menthol 100 Soft, Point Ultra Light King Soft, Point Ultra Light 100 Soft, Point Non-Filter, Point Menthol Light 100 ~~soft~~, Point

Letter to Federal Trade Commission
March 26, 2001
• Page 2

Menthol Light King Soft, Golden Palace Full Flavor Kings Soft, Golden Palace Full Flavor 100 Soft, Golden Palace Light King Soft, Golden Palace Light 100 Soft, Golden Palace Menthol King Soft, Golden Palace Menthol 100 Soft, Golden Palace Ultra Light King Soft, Golden Palace Ultra Light 100 Soft, Golden Palace Non-Filter, Golden Palace Menthol Light King Soft and Golden Palace Menthol Light 100 Soft.

The required warnings will be printed directly on the packs and cartons and in a conspicuous location as required under the Cigarette Labeling and Advertising Act ("CLAA"). The warnings will appear on the packs and cartons exactly **as** shown on the sample packs and cartons provided in our previous submission of March 19, 2001. The Company **will** check all shipments to ensure that said rotations are properly prepared and that compliance is maintained in accordance with this Plan. The Company will keep records demonstrating compliance with this Plan.

The Company will rotate, from the date of order, the Surgeon General's Health Warnings on a quarterly basis on the Point and Golden Palace brand cigarettes using the following schedule:

Point:

First Quarter Warning (January - March):

SURGEON GENERAL'S WARNING:

Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.

Second Quarter Warning (April - June):

SURGEON GENERAL'S WARNING:

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

Third Quarter Warning (July - September):

SURGEON GENERAL'S WARNING:

Smoking **By** Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight.

Fourth Quarter Warning (October - December):

SURGEON GENERAL'S WARNING:

Cigarette Smoke Contains Carbon Monoxide.

Golden Palace:

First Quarter Warning (January - March):

SURGEON GENERAL'S WARNING:

Cigarette Smoke Contains Carbon Monoxide.

Letter to Federal Trade Commission

March 26, 2001

Page 3

Second Quarter Warning (April - June):

SURGEON GENERAL'S WARNING:

Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.

Third Quarter Warning (July - September):

SURGEON GENERAL'S WARNING:

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

Fourth Quarter Warning (October - December):

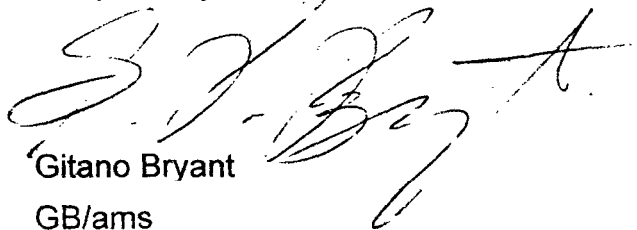
SURGEON GENERAL'S WARNING:

Smoking By Pregnant Women May Result in Fetal Injury, Premature Birth, And Low Birth Weight.

Tobacco & Candy International, Inc. will not be advertising at this time. If the applicant chooses to advertise it, it will submit an advertising plan for approval prior to engaging in such activity.

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 (305) 640-0388.

Respectfully submitted,



Gitano Bryant

GB/ams

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



Special Filter Cigarettes

Point

KING SIZE FILTER
FULL FLAVOR
PREMIUM CIGARETTES

CLASS A
20
FILTER
CIGARETTES

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



Special Filter Cigarettes

Point

KING SIZE FILTER
FULL FLAVOR
PREMIUM CIGARETTES



UNDERAGE
SALE
PROHIBITED

POINT
Full Flavor King Size
BTA - Miami, FLA 33178
MFG in Uruguay



AG0168
030101

Point

100'S

200 Special Filter Cigarettes

LIGHTS

POINT
Lights 100'S
BTA - Miami, FLA 33178
MFG in Uruguay

Class A
200 Cigarettes
Filter

Point

100'S

200 Special Filter Cigarettes

LIGHTS

Point

100'S

200 Special Filter Cigarettes

LIGHTS

UNDERAGE
SALE
PROHIBITED

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



UNDERAGE
SALE
PROHIBITED

CLASS A
20
FILTER
CIGARETTES

GOLDEN PALACE

GP

100'S
FILTER
MENTHOL LIGHTS
PREMIUM CIGARETTES

GOLDEN PALACE



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

GOLDEN PALACE

GP

100'S
FILTER
MENTHOL LIGHTS
PREMIUM CIGARETTES



GOLDEN PALACE
Menthol Lights 100'S
BTA - Miami, FLA 33178
MFG in Uruguay

GOLDEN PALACE

KING SIZE FILTER
FULL FLAVOR
PREMIUM CIGARETTES

GP

GOLDEN PALACE

FULL FLAVOR

UNDERAGE
SALE
PROHIBITED

GOLDEN PALACE

KING SIZE FILTER
FULL FLAVOR
PREMIUM CIGARETTES

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



GP

GP

GP



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

Division of Advertising Practices

March 29, 2001

Mr. Gitano Bryant
Tobacco & Candy International, Inc.
2305 N.W. 107th Avenue, Unit #B-10
Miami, FL 33172

Dear Mr. Bryant:

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 by Tobacco & Candy International, Inc. ("T&C") on March 26, 2001 calling for quarterly rotation of the four health warnings on the packaging of the Point and Golden Palace brands of cigarettes.

The health warnings on the sample packs and cartons submitted with your March 19, 2001 letter appear to comply with the requirements of the Cigarette Act for size and conspicuousness. T&C's plan has been approved for the following **soft** pack varieties of the Point and Golden Palace brands of cigarettes: Full Flavor King, Full Flavor 100's, Light King, Light 100's, Menthol **King**, Menthol 100's, Ultra Light King, Ultra Light 100's, Menthol Light King, Menthol Light 100's, and Non Filter. 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 T&C 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,

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.



Smokers Choice Inc.

April 2nd, 2001

MRS. SALLY SCHOOLS
FEDERAL TRADE COMMISSION
DIVISION OF ADVERTISING PRACTICES
601 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, DC 20580

RE: "SHIVSAGAR PACKING MATERIAL COMPLIANCE.

DEAR MRS. SCHOOLS,

I AM SUBMITTING A REVISED CIGARETTES HEALTH WARNING PLAN FOR PACKAGING OF OUR "SHIVSAGAR" KING SIZE REGULAR BRAND STYLE OF CIGARETTES.


I QUALIFY FOR THE ALTERNATIVE TO THE QUARTERLY LABELING ROTATION AS SET FORTH IN THE CIGARETTE ACT. I WILL IMPORT LESS THAN [REDACTED] CIGARETTE PER CALENDER YEAR. I PLAN TO DISPLAY ALL FOUR (4) WARNINGS AS PER STATED ON OUR SAMPLES SENT ALONG WITH OUR LETTER DATED MARCH 2ND AND AS SEPCIFIED IN THE FEDERAL LABELING ACT AN EQUAL NUMBER OF TIMES ON THE PACK & CARTONS OF OUR "SHIVSAGAR" BRAND OF CIGARETTES DURING THE CALENDER YEAR.

SINCE WE HAVE ALREADY SUBMITTED THE PACKING MATERIAL WHICH YOU HAVE VERBALLY CONFIRMED BEING IN COMPLIANCE, I REQUEST YOU TO PLEASE ISSUE SMOKERS CHOICE INC. AN EXEMPTION CERTIFICATE ENABLING TO US RESUME IMPORTATION OF OUR "SHIVSAGAR" BRAND OF CIGARETTES FOR DISTRIBUTION INTO THE UNITED STATES.

UPON RECEIPT OF YOUR COMPIANCE CERTIFICATE I SHALL START PRINTING OF THE REMAINING SEVENTEEN (17) 'SHIVSAGAR' BRAND STYLES AND FORMALLY PRESENT THEM FOR COMPLIANCE CERTIFICATION.

YOUR PROMT REPLY IN REGARDS TO THE ABOVE WILL BE HIGHLY APPRECIATED AND REMAIN.

SINCERELY YOUR'S


HARRY IDNANI
PRESIDENT
SMOKERS CHOICE INC.

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

SHIVSAGAR
MADE IN INDIA

SHIV
20 KING SIZE BIDI'S CLASSIC



SAGAR

FLAVOUR: REGULAR
MADE OF PURE NATURAL INDIAN TOBACCO

SHIVSAGAR
MADE IN INDIA

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



B

DISTRIBUTED BY:
SMOKERS CHOICE INC.
(U.S.A.)

MADE OF PURE NATURAL
INDIAN TOBACCO
FLAVOUR : REGULAR

MANUFACTURED BY
SABLE WAGHIRE & CO.
(INDIA)

SAGAR



SHS

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

10 PACKETS
KINGSIZE
200 CLASS 'A' BIDS

MADE IN INDIA

SAGAR



SHS

10 PACKETS
KINGSIZE
200 CLASS 'A' BIDS

SHS



SAGAR

FLAVOUR : REGULAR
MADE OF PURE NATURAL
INDIAN TOBACCO

**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

April 3, 2001

Mr. Harry Idnani
President
Smokers Choice, Inc.
11 14 South Main Street
Los Angeles, CA 90015

Dear Mr. Idnani:

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 by Smokers Choice, Inc. ("Smokers Choice") dated April 2, 2001 calling for the simultaneous display of the four health warnings on packaging of the King Size "Regular" variety of the Shivsagar brand of cigarettes.

Smokers Choice's sales appear to qualify for the aforementioned alternative to quarterly rotation of the warnings on packaging. The health warnings on the sample packs and cartons submitted with your March 2, 2001 letter appear to meet the requirements of the Cigarette Act for size and conspicuousness. Smokers Choice's plan for the King Size "Regular" variety of the Shivsagar brand of cigarettes has been approved. This approval is effective on the date of this letter and ends on April 2, 2002. 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 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 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.

TRADECORP INTERNATIONAL

April 3, 2001

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 **SHIELD** Brand cigarettes.

There are fifteen (15) varieties of **SHIELD**. In 2000 our sales for **SHIELD** were 30,360,000 sticks. Our estimated sales for 2001 are 720,000,000 sticks for **SHIELD**. 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 **SHIELD** Brand cigarettes, using the following schedule:

Q U A R T E R L Y D C I G A R E T E P L A N

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

Tradecorp International also submits that all four (4) warnings shall appear exactly as they do on the enclosed packaging, and the packaging from the previous submission dated March 13, 2001 and March 22, 2001.

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

T R A D E C O R P

I N T E R N A T I O N A L

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 were submitted with the plan of the 5 leading U.S. cigarette manufacturers, and place the warnings as specified in those plans. Enclosed are the acetates for the warning labels that we

will be using 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 10.4 sq. feet (exhibit 8).

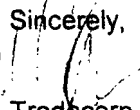
	Width (inches)	Height (inches)	Sq. Inches	Sq. Feet	Exhibit #
Poie Sign	28	38	1064	7.4	7
Poster (lrg)	25	16	400	2.8	5
Poster (sml)	22	15	330	2.3	4
Shelf Talker	11	3.5	38.5	0.3	1
Counter Rack Header	9	9	81	0.6	2
Floor Rack Header	16	5.5	88	0.6	2
Temp. Floor Rack Header	16	14.5	232	1.6	4
Temp. Counter Rack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

SHIELD ADVERTISING PLAN

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

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


Sincerely,


Tradecorp International, LLC
Mark Dunham, President

T R A D E C O R P














































I N T E R N A T I O N A L

2000 Sales

SHIELD brand cigarettes 

2001 Sales (est.)

SHIELD brand cigarettes 

SHIELD	% of Sales	Cases	Sticks
Full Flavor Kings (Soft)			
Full Flavor Kings (Box)			
Light Kings (Soft)			
Light Kings (Box)			
Menthol Kings (Soft)			
Menthol Kings (Box)			
Light Menthol Kings			
Ultra Light Kings			
Full Flavor 100's			
Full Flavor 100's Box			
Light 100's			
Light 100's Box			
Menthol 100's			
Light Menthol 100's			
Ultra Light 100's			

Selected packaging samples from those
submitted with the plan.

Shield®
FULL FLAVOR BOX

Shield®
FULL FLAVOR KINGS BOX

Shield™
FULL FLAVOR BOX



CLASS A CIGARETTES

Shield®
FULL FLAVOR KINGS BOX

CLASS A CIGARETTES



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



i



AMERICAN BLEND
Comments:
P.O. Box 98319
Stockton, CA 95209-0319
Mk. In China

Underage
Sale
Prohibited

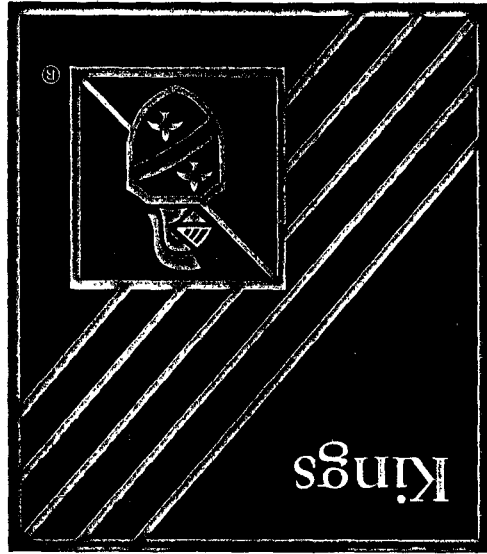
SURGEON GENERAL'S WARNING:
Smoking Causes Lung Cancer,
Heart Disease, Emphysema,
And May Complicate Pregnancy.

Shield ©

FULL FLAVOR KINGS BOX



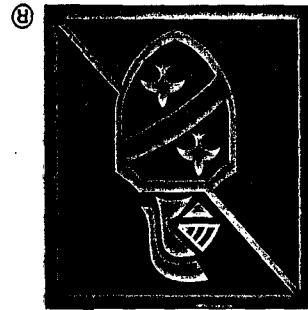
Underage
Sale
Prohibited



200 CLASS A CIGARETTES

FULL FLAVOR BOX

Shield®



FULL FLAVOR KINGS BOX

Shield®

AMERICAN BLEND
Comments:
P.O. Box 89319
Oakton, CA. 95209-9319
Mfd. in China



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

Division of Advertising Practices

April 3, 2001

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 ("Tradecorp") on April 3, 2001 calling for quarterly rotation of the four health warnings on packaging and advertising of certain varieties of the Shield 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 Shield brand submitted with your letters of March 13, 2001 and March 22, 2001 appear to comply with the requirements of the Cigarette Act for size and conspicuousness. Tradecorp's plan has been approved for the following varieties of the Shield brand of cigarettes: full flavor kings box, light kings soft, light kings box, menthol kings soft, menthol kings box, light menthol kings, ultra light kings, full flavor kings soft, full flavor loo's, full flavor 100's box, light loo's, light 100's box, menthol loo's, light menthol loo's, and ultra light 100's. 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 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

GILBERT, SEGALL AND YOUNG LLP
430 PARK AVENUE

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JEFFREY A. AROUH
MARTIN P. MINER
KENNETH J. STUART
RUTH L. LANSNER
ROBERT S. ROBBIN
H. BARRY VASIOS
HARVEY F. MILMAN
DANIEL
NEAL N. BLATON
JEFFREY E. LIVINGSTON
MITCHELL J. GELLER
MICHAEL J. STUDENT
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RICHARD F. MARKERT
LISA J. BOCHNER
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COUNSEL

PERTTI J. RIPATTI*
FINNISH COUNSEL
MEMBER OF THE BAR OF FINLAND

MARK W. SMITH
TIMOTHY B. FROESSEL
EMMA C. SOLAUN
SEAN C. SHEELY
TARA L. VANCE
JASON A. LAWIT
NISA L. OJALVO
J.J. LEITNER
HIRO OSHIMA

*NOT ADMITTED IN NEW YORK

April 11, 2001

WRITER'S DIRECT DIAL NUMBER

(212) 644-4010

VIA FEDERAL EXPRESS

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 Section 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. importers, Japan Tobacco International U.S.A., Inc. and JTIDuty-Free USA Inc. (collectively "Japan Tobacco"), we hereby submit a revised application pursuant to Section 4(c)(2) of the Federal Cigarette Labeling and Advertising Act, as amended (the "Act") seeking approval, effective for a one-year period, 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)

Mr. C. Lee Peeler

April 11, 2001

Page 2

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, and January 7, 2000, which approval was most recently renewed effective January 19, 2001 for the ensuing one-year period ending January 18, 2002.

We had submitted, under cover of my letter dated February 8, 2001 two copies of Amendment No. 6 to the Plan executed on behalf of Japan Tobacco which, upon approval by the Federal Trade Commission, would set forth the label statement rotation applicable to advertisements for additional brands of cigarettes for sale or distribution in the United States. Attached to such amendment was a revised Schedule A to the Plan for such advertisements.

The above Amendment No. 6 incorporates into Japan Tobacco's Plan the five "Export A" brand styles for which its own rotational warning application had been filed in previous years by RJR-Macdonald Corp. of Canada, which is now known as JTI-Macdonald Corp., and is now an indirect subsidiary of Japan Tobacco Inc. Such entity's separate label statement rotation plan had been approved most recently effective March 27, 2000 for the period ending December 31, 2000.

In support of Japan Tobacco's application for renewal of Federal Trade Commission approval of its simultaneous display plan for packages and cartons, we had submitted, also under cover of my letter dated February 8, 2001, a sworn affidavit of Mr. Thomas Hirshfield, President of Japan Tobacco International U.S.A., Inc., importer into the duty-paid market 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, under cover of letter dated today and being directly sent to you via overnight courier service separately by Sheila Carson of JTI-Macdonald Corp., samples of cartons for the new brand styles covered by the above Amendment No. 6, as previously requested by your office and consistent with the proofs thereof shown by us to Michael Ostheimer, Esq. and Ms. Sallie Schools on April 4, 2001. We had submitted samples of the packages therefor under cover of letter dated December 27, 2000 in response to an earlier request.

Mr. C. Lee Peeler

April 11, 2001

Page 3

If you should have any questions in connection with this application, please call me at (212) 644-4010. When and if this application is approved, we would appreciate it if the approval letter could be faxed to me at (212) 644-4051 as well as mailed to me.

Thank you for your continued cooperation in this matter.

Very truly yours,



Neal N. Beaton

cc: Mr. Thomas Hirshfield
Bruno Duguay, Esq.
Ms. Sheila Carson

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 CALIFORNIA)
) ss.:
COUNTY OF LOS ANGELES)

Thomas Hirshfield, being duly sworn, deposes and says:


1. I am 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 and cartons of cigarettes manufactured by Japan Tobacco for the one-year period beginning January 1, 2001, 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 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, and January 7, 2000, which approval was most recently renewed on January 19, 2001 effective for the one year period ending January 18, 2002.

2. The total number of cigarettes of any brand style sold by Japan Tobacco in the United States in the year ended December 31, 2000, 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 such 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).

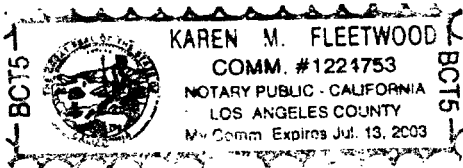
3. The total number of cigarettes of any brand style which we estimate in good faith will be sold by Japan Tobacco in the United States in the year ending December 31, 2001 will account for less than one-fourth of one percent of all cigarettes sold in the United States during such year and more than one-half of the cigarettes manufactured by Japan Tobacco for sales in the United States are packaged into brand styles which meet such requirement.

IN WITNESS WHEREOF, I have hereunto signed my name this 6th day of February, 2001.


Thomas Hirshfield
President

Sworn to before me this
6th day of February, 2001.


Notary Public



**Amendment No. 6 to
Label Statement Rotation Plan
of Japan Tobacco
Pursuant to Section 4(c) of the
Federal Cigarette Labeling and Advertising Act (as amended)**

The Label Statement Rotation Plan of Japan Tobacco ~~as~~ submitted to the Federal Trade Commission on August 28, 1985, as previously amended, for each of the warnings labels to appear on the packages and cartons of each brand style of cigarettes an equal number of times during each calendar year and as approved by the Federal Trade Commission on October 11, 1985 and effective as of January 1, 1993, January 1, 1994, January 1, 1995, January 1, 1996, January 1, 1997, January 1, 1998, January 1, 1999 and January 7, 2000, and on January 19, 2001 (collectively the "Plan") is hereby, subject to approval by the Federal Trade Commission, further amended as follows:

1. Schedule A to the Plan setting forth the label statement rotation applicable to advertisements is deleted in its entirety and is replaced by a revised Schedule A attached hereto for advertisements;
2. Except ~~as~~ have been submitted to the Federal Trade Commission contemporaneously herewith, packages and cartons for all brand styles are the same as previously submitted to and approved by the Federal Trade Commission; and

3. Except **as** amended hereby, the Plan (including the application for each of the warnings labels to appear on the packages and cartons of each brand style of cigarettes **an** equal number of times during each calendar year) shall remain in full force and effect and, except as so amended, is hereby ratified, confirmed and approved.

Submitted this 6th day
of February, 2001

Japan Tobacco International U.S.A., Inc.

By: *Thomas Hirshfield*
Thomas Hirshfield
President

Approved this ____ day
of February, 2001

Federal Trade Commission

By: _____
Title

JAPAN TOBACCO

SCHEDULE A

LABEL STATEMENT ROTATION FOR ADVERTISEMENT PURPOSES (ONLY) BY BRAND STYLE AND QUARTER

	<u>Brand A</u> (Mild Seven)	<u>Brand B</u> (Cabin Mild)	<u>Brand C</u> (Seven Stars)	<u>Brand D</u> (Mild Seven Super Lights)	<u>Brand E</u> (Mild Seven Lights)	<u>Brand F</u> (Caster Mild)	<u>Brand G</u> (Wave Menthol)	<u>Brand H</u> (Wave)
1st Calendar Quarter	Statement 2	Statement 3	Statement 4	Statement 1	Statement 2	Statement 3	Statement 4	Statement 1
2nd Calendar Quarter	Statement 3	Statement 4	Statement 1	statement 2	Statement 3	Statement 4	Statement 1	Statement 2
3rd Calendar Quarter	Statement 4	Statement 1	Statement 2	Statement 3	Statement 4	Statement 1	Statement 2	Statement 3
4th Calendar Quarter	Statement 1	Statement 2	Statement 3	Statement 4	Statement 1	Statement 2	Statement 3	Statement 4

Note: Rotation proceeds to 1st calendar quarter at the conclusion of fourth calendar quarter.

JAPAN TOBACCO

SCHEDULE A
(Continued)

LABEL STATEMENT ROTATION FOR ADVERTISEMENT PURPOSES (ONLY) BY BRAND STYLE AND QUARTER

New Brand Styles: Brands O through U

	<u>Brand I</u> (Wave Ultra Lights)	<u>Brand J</u> (Wave Lights)	<u>Brand K</u> (Wave 100)	<u>Brand L</u> (Wave Lights 100)	<u>Brand M</u> (Wave 100 Menthol)	<u>Brand N</u> (Wave Menthol Lights 100)	<u>Brand O</u> (Wave Lights Menthol)	<u>Brand P</u> (Wave Ultra Lights 100)	<u>Brand Q</u> (Export A Full Flavour)
1st Calendar Quarter	Statement 2	Statement 3	Statement 4	Statement 1	Statement 2	Statement 3	Statement 4	Statement 1	Statement 2
2nd Calendar Quarter	Statement 3	Statement 4	Statement 1	Statement 2	Statement 3	Statement 4	Statement 1	Statement 2	Statement 3
3rd Calendar Quarter	Statement 4	Statement 1	Statement 2	Statement 3	Statement 4	Statement 1	Statement 2	Statement 3	Statement 4
4th Calendar Quarter	Statement 1	Statement 2	Statement 3	Statement 4	Statement 1	Statement 2	Statement 3	Statement 4	Statement 1

Note: Rotation proceeds to 1st calendar quarter at the conclusion of fourth calendar quarter.

JAPAN TOBACCO

SCHEDULE A
(Continued)

LABEL STATEMENT ROTATION FOR ADVERTISEMENT PURPOSES (ONLY) BY BRAND STYLES AND QUARTER

New Brand Styles: Brands Q through U

	<u>Brand R</u> (Export A Ultra Lights)	<u>Brand S</u> (Export A Lights)	<u>Brand T</u> (Export A Extra Lights)	<u>Brand U</u> (Export A Medium)
1st Calendar Quarter	Statement 2	Statement 3	Statement 4	Statement 1
2nd Calendar Quarter	Statement 3	Statement 4	Statement 1	Statement 2
3rd Calendar Quarter	Statement 4	Statement 1	Statement 2	Statement 3
4th Calendar Quarter	Statement 1	Statement 2	Statement 3	Statement 4

Note: Rotation proceeds to 1st calendar quarter at the conclusion of fourth calendar quarter.



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

Division of Advertising Practices

April 17, 2001

Neal N. Beaton, Esq.
Gilbert, Segall and Young, LLP
430 Park Avenue
New York, **NY** 10022-3592

Dear Mr. Beaton:

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 Japan Tobacco, Inc. and Japan Tobacco International U.S.A., Inc. (collectively "Japan Tobacco") on April 11, 2001 (along with an affidavit and amended Schedule A dated February 6, 2001) calling for the simultaneous display of the four health warnings on packaging of the Export A brand of cigarettes, and quarterly rotation of the warnings in advertising.

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.

Japan Tobacco's sales appear to qualify for the aforementioned alternative to quarterly rotation of the warnings on packaging. The health warnings on the sample packs submitted with your December 27, 2000 letter, and the revised sample cartons submitted on April 12, 2001 appear to comply with the requirements of the Cigarette Act for size and conspicuousness. Japan Tobacco's plan for the simultaneous display of the four health warnings on the packaging of the Export A brand is hereby approved. This approval is effective on the date of this letter and ends on April 16, 2002. 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 are reminded 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 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.



PREMIER MANUFACTURING I N C O R P O R A T E D

(formerly Premier Marketing, Inc.)

April 19, 2001

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

Dear Mr. Peeler:

Premier Manufacturing 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 **ULTRA BUY** Brand cigarettes.

There are thirteen (13) varieties of **ULTRA BUY**. In 2000 our sales for **ULTRA BUY** were [REDACTED] sticks. Our estimated sales for 2001 are [REDACTED] sticks for **ULTRA BUY**. 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 **ULTRA BUY** Brand cigarettes, using the following schedule:

ULTRA BUY 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 By Pregnant Women May Result in Fetal Injury, Premature Birth, And low Birth Weight.
July-Sept	SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.
Oct-Dec	SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

Premier Manufacturing also submits that all four (4) warnings shall appear exactly as they do on the packaging submitted on April 4, 2001 and the artwork enclosed in this correspondence, with the revised colors and capitalization/punctuation.

Enclosed in the April 4th letter were the samples for all but one warning on one style of **ULTRA BUY**, the Light Kings Box with the 'Carbon Monoxide' warning. You will find enclosed, however, the printed artwork

www.CoPremier.com



PREMIER MANUFACTURING I N C O R P O R A T E D

(formerly Premier Marketing, Inc.)

and the same artwork on disk, for *this* style. We will submit pack and carton samples for that brand style as soon as they become available, which should be in just a few weeks. We submit the foregoing complies with the Act and request approval of this plan.

Sincerely,

Premier Manufacturing, Inc.
Mark Dunham, President

www.GoPremier.com

160 Chesterfield Industrial Blvd. • Chesterfield, Missouri 63005 • (636) 537-5318 • Fax (636) 537-3359 • email: info@gopremier.com



PREMIER MANUFACTURING INCORPORATED

(formerly Premier Marketing, Inc.)

2000 Sales

ULTRA BUY brand cigarettes [REDACTED]

2001 Sales (est.)

ULTRA BUY brand cigarettes 960,000,000 sticks

ULTRA BUY	% of Sales	Cases	Sticks
Full Flavor Kings (Soft)	[REDACTED]	[REDACTED]	[REDACTED]
Full Flavor Kings (Box)	[REDACTED]	[REDACTED]	[REDACTED]
Lght Kings (Soft)	[REDACTED]	[REDACTED]	[REDACTED]
Light Kings (Box)	[REDACTED]	[REDACTED]	[REDACTED]
Menthol Kings (Soft)	[REDACTED]	[REDACTED]	[REDACTED]
Light Menthol Kings	[REDACTED]	[REDACTED]	[REDACTED]
Ultra Light Kings	[REDACTED]	[REDACTED]	[REDACTED]
Non-Filter Kings	[REDACTED]	[REDACTED]	[REDACTED]
Full Flavor 100's	[REDACTED]	[REDACTED]	[REDACTED]
Light 100's	[REDACTED]	[REDACTED]	[REDACTED]
Menthol 100's	[REDACTED]	[REDACTED]	[REDACTED]
Light Menthol 100's	[REDACTED]	[REDACTED]	[REDACTED]
Ultra Light 100's	[REDACTED]	[REDACTED]	[REDACTED]
	100.0%		

www.GoPremier.com

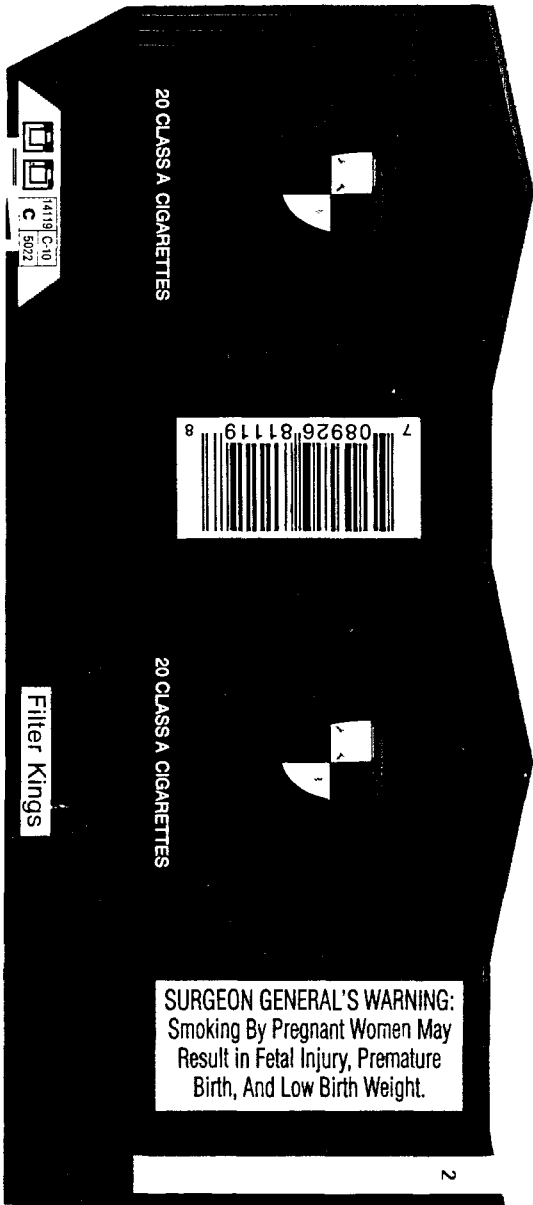
160 Chesterfield Industrial Blvd. • Chesterfield, Missouri 63005 • (636) 537-5348 • Fax (636) 537-3359 • email: info@gopremier.com

Selected packaging samples from those
submitted with the plan.

ULTRA BUY
Filter Kings

ULTRA BUY
Filter Kings

AMERICAN BLEND
100% TOBACCO
100% TOBACCO
100% TOBACCO



Filter Kings

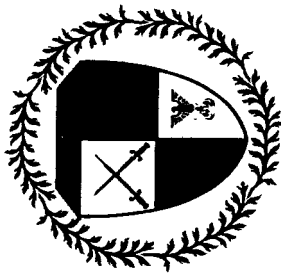
ULTRA BUY

ULTRA BUY

Filter Kings

ULTRA BUY

Filter Kings



200 CLASS A CIGARETTES

Filter Kings

ULTRA BUY

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

Filter Kings

200 CLASS A CIGARETTES



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

Division of Advertising Practices

April 19, 2001

Mr. Mark Dunham, President
Premier Manufacturing Incorporated
160 Chesterfield Industrial Blvd.
Chesterfield, MO 63005


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 Premier Manufacturing Incorporated ("Premier") on April 19, 2001 calling for quarterly rotation of the four health warnings on packaging of certain varieties of the Ultra Buy brand of cigarettes.

The warnings on the artwork and sample packs and cartons of the Ultra Buy brand submitted with your letters of April 4, 2001 and April 19, 2001 appear to comply with the requirements of the Cigarette Act for size and conspicuousness.¹ Premier's plan has been approved for the following varieties of the Ultra Buy brand of cigarettes: 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 loo's, light loo's, menthol loo's, light menthol loo's, **and** ultra light 100's. 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 showing **warnings** for the 2nd through 4th quarters of the year for those brand styles for which Premier only sent artwork, Premier 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 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 Peeler
Associate Director

¹ Although the warnings on packs and cartons of some brand styles submitted contained typographical errors or 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



K IMPORTS, Inc.

From: K Imports, Inc.
2214 West Willow
Enid, OK 73703
Tel: 580-233-4723
Fax: 580-233-5314

To: Mr. C. Lee Peeler
Associate Director, Division of Advertising Practices
Federal Trade Commission
601 Pennsylvania Ave. Suite 4002
Washington D.C. 20580

April 5th, 2001

Revised January 17th Submittal

Mr. Peeler:

IRT/Approval of SURGEON GENERAL'S WARNING LABELS for the cigarette "THIS"

K Imports, Inc. is submitting a plan for rotation of the Surgeon General's Warning labels that will be placed on the cigarette brand "THIS": as required by the Federal Cigarette Labeling and Advertising Act. Specifications and rotation of warning labels with the specifications stated in Sections 1333 (a)(1) and Federal Cigarette Labeling and Advertising Act.

K Imports, Inc. intends to import the cigarette, "THIS" from South Korea to the United States of America in only one style and flavor: **THIS Full Flavor King size**

Warning labels are going to appear exactly as shown on the samples submitted on March 2nd and the revised samples that we submitted with my March 29th 2001 revised letter.

Packaging

A.) **Warning Label Size and Location:** K Imports, Inc. will display the warnings on each of the cigarette packs and cartons. All warning labels will be clearly marked in navy blue on white background and each warning label will appear on the side panel of every cigarette pack and carton.

B.) **Warning Label Rotation:** Warnings are scheduled to rotate on a basis of production date beginning with the 2nd Quarter, Our schedule is as follows:

Schedule for Rotation

<i>Quarters</i>	Period of Production	Warning Labels for the Cigarette Brand "THIS"
	Jan ~ Mar	SURGEON GENERALS WARNING: Cigarette Smoke Contains Carbon Monoxide .
2nd	Apr ~ Jun	SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal injury, Premature Birth, And Low Birth Weight.
3rd	Jul ~ Sep	SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.
4th	Oct ~ Dec	SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.

ADVERTISING

For the time being, we are not planning **to** advertise the cigarette "**THIS**" 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.

Thank-You for your consideration and response.

Respectfully,



Won Kwang
President/ **CEO** K Imports, Inc.

Selected packaging samples from those
submitted with the plan.

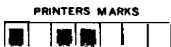
CLASS 20 CIGARETTES

THIS

KT&G



THIS
LOW TAR & NICOTINE
FULL FLAVOR



PRINTERS MARKS

09

S

THIS

THIS
LOW TAR & NICOTINE
FULL FLAVOR



8800.6628

THIS
MADE IN KOREA

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



THIS

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

 KOREA TOBACCO & GINSENG CORP?



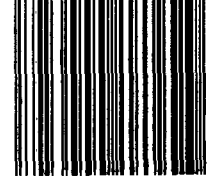
SHH



SHH



7 89690 00032 9





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

Division of Advertising Practices

April 27, 2001

Mr. Won Kwang
K Imports, Inc.
2214 West Willow
Enid, OK 73703

Dear Mr. Kwang:

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 by K Imports, Inc. ("K Imports") on April 5, 2001, calling for quarterly rotation of the four health warnings on packaging of the Full Flavor King Size variety of the This brand of cigarettes.

The warnings on the sample packs and cartons submitted on March 2, 2001, and on the revised packs submitted with your letter of March 29, 2001 appear to meet the requirements of the Cigarette Act for size and conspicuousness.¹ K Imports's plan for the Full Flavor King Size variety of the This brand has been approved. 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 K Imports does decide to advertise the This 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 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,

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

C. Lee Peeler
Associate Director

¹ Although the warnings on some of the packs submitted were not sufficiently conspicuous, corrected packaging was submitted. This approval only pertains to packaging that meets the precise 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.