

PHILIP MORRIS USA

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March 5, 2008

The Honorable John D. Dingell
United States House of Representatives
Washington, DC 20515

H.R. 1108

Dear Representative Dingell:

Thank you for the opportunity to write you on the subject of this legislation. Philip Morris USA remains committed to passage of comprehensive, meaningful and effective FDA regulation of tobacco products. Thus, as explained below, we encourage your support for the Amendment in the Nature of a Substitute to H.R. 1108 which we understand will soon be considered by the committee.

As you know, we have supported tough but reasonable federal regulation of tobacco products by the FDA for the past seven years. We believe that such tough but reasonable regulation would ensure that all tobacco manufacturers and importers doing business in the United States operate at the same high standards; would provide a framework for the further pursuit of tobacco product alternatives that are less harmful than conventional cigarettes; and would ensure transparent, accurate communication about tobacco products to consumers. We believe that consumers should be and will be the primary beneficiary from FDA legislation.

We understand that reaching agreement on such a complex topic requires engagement, discussion and compromise, and thus have made compromises toward that end. We recognize that others have been doing the same in an effort to improve the bill, and we very much appreciate those efforts.

I assure you that we understand and agree that manufacturers should not communicate to consumers regarding FDA regulation of tobacco products in a way that would mislead consumers into believing that such tobacco products are less harmful because of FDA regulation. We look forward to continuing our discussions about the First Amendment issues on which we have expressed our reservations. There are compelling constitutional, legal and business reasons

The Honorable John D. Dingell

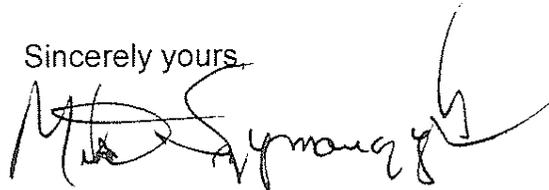
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why manufacturers must be permitted to communicate truthfully about tobacco products. We are confident that continued good faith discussions will craft the appropriate balance on these issues and we look forward to those discussions.

Thank you again for the opportunity to express our support for this important legislation and for your leadership in considering it. We look forward to continuing our efforts together on this bill.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Mike Symington". The signature is fluid and cursive, with a large initial "M" and "S".

cc: The Honorable Henry A. Waxman
All Members of the House Energy and Commerce Committee