



## FEDERAL TRADE COMMISSION

### PROTECTING AMERICA'S CONSUMERS

# FTC Rescinds Guidance from 1966 on Statements Concerning Tar and Nicotine Yields

FOR YOUR INFORMATION

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**TAGS:** Consumer Protection

The Federal Trade Commission has rescinded guidance issued in 1966 that generally permitted statements concerning tar and nicotine yields if they were based on the Cambridge Filter Method, sometimes called the FTC method. As a result, advertisers should no longer use terms suggesting the FTC's endorsement or approval of any specific test method.

The Cambridge Filter Method is a machine-based test method that "smokes" cigarettes according to a standard protocol. At the time the FTC issued its guidance, most public health officials believed that reducing the amount of "tar" produced by a cigarette could reduce a smoker's risk of lung cancer. The Commission believed that giving consumers uniform, standardized information about tar and nicotine yields of cigarettes would help them make informed decisions about the cigarettes they smoked.

Today, however, the scientific consensus is that machine-based measurements of tar and nicotine yields based on the Cambridge Filter Method do not provide meaningful information on the amounts of tar and nicotine smokers receive from cigarettes, and that the test method is sufficiently flawed to make statements of tar and nicotine yields as measured by the method unlikely to help consumers make informed decisions. Thus, the underlying premise of the 1966 guidance is no longer valid.

In addition, the Commission believes the statements of tar and nicotine yields as measured by this test method are confusing at best, and are likely to mislead consumers who believe they will get proportionately less tar and nicotine from lower-rated cigarettes than from higher-rated brands. The Commission will not allow its stamp of approval on a test method that is confusing or misleading to consumers.

The Commission vote to rescind the guidance was 4-0, with Commissioners Pamela Jones Harbour and Jon Leibowitz issuing separate concurring statements. In her statement, Commissioner Harbour wrote, "Now that the FTC has removed its apparent imprimatur from the testing method, I urge the scientific community to redouble its efforts. Scientists must develop a test that provides consumers with a meaningful measure of the tar and nicotine yields of the cigarettes they smoke. More importantly, I urge the next Congress to reintroduce S. 625, the Family Smoking Prevention and Tobacco Control Act." In his statement, Commissioner Leibowitz wrote, "Our action today ensures that tobacco companies may not wrap their misleading tar and nicotine ratings in a cloak of government sponsorship. Simply put, the FTC will not be a

**smokescreen for tobacco companies' shameful marketing practices."**

(FYI Cigarette Testing)

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