

CLOSING STATEMENT OF REPRESENTATIVE  
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Mr. Chairman, when Commissioner Kessler came here on March 25, he charged that the cigarette companies were directly adding nicotine to their products through various patented process which allegedly added nicotine to filters and the like. A few weeks later, that charge was refuted by the CEOs of the major companies. I find it very significant that Commissioner Kessler has not repeated that charge today. I had hope that he would at least have the good grace to admit that he made a mistake and that that spiking charge was false.

Now, Commissioner Kessler has come to tell us a different tale -- that the FDA has "discovered" that the cigarette companies are doing something different -- that they are secretly using genetically altered tobacco plants which have somewhat higher nicotine content and an ammonia process which may slightly change nicotine deliveries. But in fact, Mr. Chairman, as I have tried to point out today in the short time available, neither of these things is an "FDA discovery."

With respect to the fact that some tobacco varieties have slightly different nicotine to tar ratios, that was recognized and actually recommended by the federal government and the National Cancer Institute

*not secret*

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in 1980; and the availability of different varieties of tobacco with such differing nicotine to tar ratios was fully discussed as early as the 1981 Surgeon General's Report. Commissioner Kessler may not be familiar with these sources or the federal government's efforts in these regards, but that does not make them an FDA "discovery." And it does not make what the tobacco companies have done with these plants in any way improper. The fact is that there are different types of nicotine contents and different tobacco plants -- and those facts have been known for years.

With respect to the ammonia process, I've tried to point out that the Surgeon General and anyone at all familiar with tobacco processing was well aware that for years the companies have been using this process for legitimate reasons -- to make reconstituted leaf which overall lowers nicotine delivery; that one small side effect of the process is to change the pH content of the nicotine; and that the possibility that such pH content can slightly alter nicotine delivery to the smoker has also been well understood by scientists for 20 years -- as summarized by the Surgeon General in 1988. Again, there is nothing new here.

Finally, I note that in none of these cases has Commissioner Kessler shown that these processes -- as used in actual, commercial cigarettes -- measurably

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increases nicotine delivery to the smoker. I hope that before Commissioner Kessler comes back to us charging nicotine addition or manipulation he will review the government's own publications and get his facts straight.

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