



PHILIP MORRIS

MANAGEMENT CORP.

120 PARK AVENUE, NEW YORK, N.Y. 10017 • TELEPHONE (917) 663-5000

April 5, 2002

RECEIVED

APR - 8 2002

DHAT Director

Debra D. Bodenshtine
Director
Health Awareness and Tobacco
Florida Department of Health
4052 Bald Cypress Way
Bin #C23
Tallahassee, FL 32399-1743

Dear Ms. Bodenshtine:

We write on behalf of Philip Morris USA and Philip Morris International regarding a new advertising campaign sponsored by Florida Truth that is currently being broadcast in the State of Florida.

At the outset, we want to make clear that both Philip Morris USA and Philip Morris International strongly support government and public health sponsored advertising campaigns aimed at preventing youth smoking and reminding the public about the health consequences of smoking.

We are very concerned, however, about the Florida Truth ads, which we believe malign the employees of both companies with assertions that are factually incorrect. While not specifically mentioning Philip Morris USA or Philip Morris International by name, these advertisements clearly use brand-specific imagery and language in a way that leaves no doubt that they are directed at both companies.

As an initial point, Philip Morris USA does not engage in marketing activities anywhere other than the United States, and it certainly does not engage *anywhere* in the kinds of activities implied in your ads. The Florida Truth ads suggest otherwise, and thus are inaccurate, misleading, and false to the extent they apply to Philip Morris USA.

Furthermore, these ads are inaccurate, misleading, and false with regard to the conduct of Philip Morris International and its affiliates.

First, Florida Truth suggests that Philip Morris International does not place health warnings in advertisements in African countries that do not require health warnings. This is incorrect. More than a year ago, Philip Morris International and its affiliates adopted and began implementing a policy that requires placement of health warnings in advertisements even in countries in which such warnings are not required by law. Moreover, for years, it has been Philip Morris International's practice and policy to place health warnings on cigarette packs sold in Africa and elsewhere around the world, even where pack warnings are not required by law.

Second, Florida Truth claims that Philip Morris International places billboards near schools in Venezuela. This is also incorrect. In countries without laws regarding billboard placement – such as Venezuela – Philip Morris International and its affiliates voluntarily refrain from placing billboards within 100 meters of schools. Philip Morris International's code also prohibits outdoor advertisements "on signs or billboards located in close proximity to playgrounds or other facilities which are frequented particularly by minors." PMI's Venezuela affiliate is currently in strict compliance with this policy.

Third, Florida Truth asserts that Philip Morris International sends direct mail to minors in China. Again, the ad is incorrect. Philip Morris International and its affiliates do not engage in direct-mail promotional campaigns targeted at minors – in China, or any other country for that matter. Indeed, Philip Morris International has not engaged in *any* direct mail activities of any kind in China since 1998. (Nor has Philip Morris International or its affiliates engaged in direct mail in Hong Kong or Taiwan for the same time period.)

In short, Florida Truth's advertisements are false. They are false in their specifics and they are false in their implications of how Philip Morris USA and Philip Morris International conduct business. Neither company engages in marketing activities directed at minors. To the contrary, both companies are committed to responsibly marketing products to adults who smoke. Both companies' advertising and marketing activities are designed for adult smokers in the hope that they will select the companies' respective brands rather than competing brands of other manufacturers.

Indeed, Philip Morris USA is a leader in the industry in the United States in taking voluntary steps to go above and beyond what the law and the Master Settlement Agreement require in preventing youth access to cigarettes. Similarly, Philip Morris International supports regulations around the world to impose limitations and restrictions on tobacco advertising, and has taken a number of steps on its own to further reduce youth exposure to tobacco advertising. Moreover, Philip Morris International and its affiliates adhere to an Advertising and Marketing Policy, which underscores their commitment to the responsible marketing of cigarettes to adult consumers who choose to smoke.

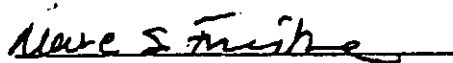
We request that you correct the advertisements discussed above, and publish a retraction as to Philip Morris USA and Philip Morris International. Alternatively, we request that you provide us with any facts substantiating the activity alleged in the advertisements as to either Philip Morris USA or Philip Morris International.

Philip Morris USA and Philip Morris International are strongly committed to the goal of reducing youth smoking. We are prepared to meet with you or your representatives to engage in a constructive discussion about the companies' practices, and to explain in detail the many ways in which Philip Morris USA and Philip Morris International responsibly market their products only to adults.

We look forward to your response.



Denise F. Keane
Senior Vice President & General Counsel
Philip Morris USA



Marc Firestone
Senior Vice President & General Counsel
Philip Morris International Inc.

cc: Dr. John Agwunobe
William W. Large, Esq.
Charles Canady, Esq.
Richard Doran, Esq.
Crispin Porter & Bogusky

cc: Steve Pontius, GM - WBBH, Channel 20
Donita Todd, GM - WFTX, Channel 36
Bill Scaffide, GM - WTVK, Channel 46
Josh McGraw, GM - WAWS, Channel 30
Michael Liff, GM - WJWB, Channel 17
F. Lewis Robertson, Jr., GM - WJXX, Channel 25
Josh McGraw, GM - WTEV, Channel 47
Bill Ballard, GM - WBFS, Channel 33
Harvey Cohen, GM - WBZL, Channel 39
John Garwood, GM - WPLG, Channel 10
Robert Leider, GM - WSVN, Channel 7
Don Browne, GM - WTVJ, Channel 6
Carl Leahy, GM - WEAR, Channel 3
Sharon Moloney, GM - WJTC, Channel 44
Joe Addalia, GM - WKCF, Channel 18
Mark Higgins, GM - WOFL, Channel 35
Seth Winter, GM - WRBW, Channel 65
Richard Rogala, Jr., GM - WFLA, Channel 8
Jim Major, GM - WFTS, Channel 28
Kenneth Lucas, GM - WMOR, Channel 32
Mike Conway, GM - WTOG, Channel 44
Noreen Parker, GM - WTSP, Channel 10
Steve Marks, GM - WTTA, Channel 38
David Boylan, GM - WTVT, Channel 13
Dan Sawyer, GM - WWSB, Channel 40
Michael Gonzalez, GM - WFLX, Channel 29
Viki Regan, GM - WPBF, Channel 25
Bill Ballard, GM - WTVX, Channel 34