

Contact: Dolly Colby
Philip Morris Management Corp.
212-878-2144

Tom Fitzgerald
Brown & Williamson Tobacco Corp.
502-568-7468

Peggy Carter
R.J. Reynolds Tobacco Co.
910-741-7674

Arthur Stevens
Lorillard Tobacco Co.
212-545-3400

CIGARETTE COMPANIES ASK COURT TO DECIDE CHALLENGE TO FDA AUTHORITY

NEW YORK, Oct. 5 -- The nation's major tobacco companies have asked a federal judge to rule on their challenge to the U.S. Food and Drug Administration's asserted regulatory authority over cigarettes.

The companies' request for a ruling, known as a motion for summary judgment, is based on the industry's view that the FDA lacks any legal authority over cigarettes.

"There's no reason that this case should take months or years to resolve," said Charles R. Wall, deputy general counsel and senior vice president at Philip Morris Companies Inc. "The Court has the ability to decide the questions of the FDA's authority now, and that's what we're asking the Court to do."

"There is no need to spend months of time and millions of taxpayer dollars to argue the merits or lack thereof of the various provisions of the agency's August 10 filing with the Federal Register," said Daniel W. Donahue, deputy general counsel

2045555230