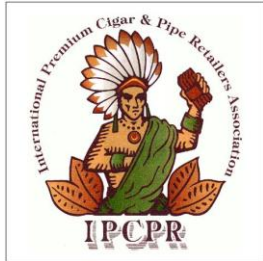


Judge Stops FDA Regulations of Graphic Labels; Premium Cigar Association Agrees



Columbus, GA Nov. 8, 2011 – The Food and Drug Administration’s efforts to slap graphic labels on packaging of tobacco products – including artisan cigar boxes - suffered a setback today when U.S. District Judge Richard Leon granted an injunction that stopped regulations forcing cigarette makers to place the labels on their products. The International Premium Cigar & Pipe Retailers Association agreed.

Judge Leon said that the labels, some of which include photos that appear to be digitally retouched, fail to meet the standard of “purely factual and uncontroversial information.” He agreed that the tobacco companies’ claims against the FDA violated their First Amendment rights and has a significant chance of standing.

“We certainly agree with this judge and his interpretation of constitutional law,” said Bill Spann, chief executive officer of the IPCPR. “Today it’s cigarette packaging and tomorrow it could be artisan cigar boxes. When does all this over-regulation end? Businesses as well as people have rights that are too often disregarded because of someone else’s prohibitionist agenda.

The FDA, which released the nine new graphic warnings in June to have them go into effect in September 2012, was instructed by Congress to issue the new rule as part of the Family Smoking Prevention and Tobacco Control Act. Judge Leon wrote that just because Congress ordered the size and placement of the new warnings, “doing so does not enable this requirement to somehow automatically pass constitutional muster.”

“Too many people want to tell you how to live your life. Where does the ‘Nanny State’ end? Americans are sick and tired of being told what they can do and where they can do it when it comes to using legal products,” said Spann.

“Thank you, Judge Leon, for making a legal and correct decision,” Spann said.

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