

Tobacco firms sue US over graphic cigarette labels

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Four tobacco companies filed a lawsuit against the US Food and Drug Administration (FDA) on Tuesday over what they say are unconstitutional requirements for warning labels on US cigarette packaging.

The third largest cigarette manufacturer in the [United States](#), Lorillard, Inc., said they were "challenging nine new cigarette warnings as an unconstitutional way of forcing tobacco manufacturers to disseminate the government's anti-smoking message," in a statement Tuesday.

R.J. Reynolds Tobacco Co., Commonwealth Brands, Inc., and Liggett Group LLC joined Lorillard in the suit, which was filed in a federal court in Washington.

Under recently announced FDA regulations, cigarette packs, cartons and all cigarette advertising must display graphic warnings by September 22, 2012.

"The regulations violate the First Amendment," said Floyd Abrams, a partner at Cahill Gordon & Reindel, the law firm representing Lorillard.

The FDA, which routinely declines discussing pending litigation, could not be reached for comment.

In June the FDA unveiled the graphic images -- including a lifeless body, a scarred mouth and a blackened lung -- that will occupy the top 50

percent of the front and rear panels of [cigarette packs](#) sold in the United States and the top 20 percent of cigarette advertisements.

One of the images, which shows a man with his chest sewn up, bears the caption "Warning: Smoking can kill you."

According to the FDA, smoking kills 1,200 people a day in the United States alone.

The label changes came about following a June 2009 law, signed by President Barack Obama about five months after he took office, that gave the FDA the power to regulate manufacturing, marketing and sale of [tobacco](#) products.

The nine images were picked from a group of 36 proposals issued several months ago, after health authorities analyzed results on their effectiveness from an 18,000-person study and took into account about 1,700 public comments, the FDA said.

Each warning label also contains a phone number to call for help in quitting.

Anti-smoking groups such as the Campaign for Tobacco-Free Kids said earlier this year that the move was "the most significant change in US cigarette warnings since they were first required in 1965."

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