

hawaiiCigar

ASSOCIATION

To: The Food and Drug Administration

Date: Tuesday, May 20, 2014

From: Les Drent
for the Hawaii Cigar Association

Re: Proposed Rule Regarding Premium Cigars
Department of Health and Human Services, Food and Drug
Administration 21 CFR Parts 1100, 1140, and 1143
{ Docket No. FDA-2014-N-0189 } RIN 0910-AG38

Dear Food and Drug Administration,

On behalf of all those in Hawai'i who enjoy fine cigars, the more than two hundred retail stores in Hawai'i that sell premium cigars and the Kauai Cigar Company, we would like to thank the Food and Drug Administration for the recent premium cigar rule proposal outlined in option 2 of the April 24, 2014 report.

The FDA's definition of a premium cigar, which many members of Congress and the Senate support, aligns with the definition the Hawaii Cigar Association also supports. We feel strongly that vast majority of Americans would agree with these definitions, and the HCA supports option 2 of this proposal.

However, we are concerned about definition part 6, which stipulates that a premium cigar must be sold for a minimum of \$10 per cigar after any discounts or coupons. Because the HCA comprises a diverse group of consumers from varying socio-economic circumstances, we feel that this minimum price is both discriminatory and elitist.

We kindly request that a minimum price be stricken from the rule, as it unfairly targets the less fortunate among those of us who enjoy cigars and it divides those who can't afford a \$10 cigar from those who can. Enjoying a cigar among friends is a tradition that has long brought people together in celebration and camaraderie. We respectfully ask that the FDA not set an arbitrary price that turns a freedom into a privilege.

It is critical that the FDA consider the difference between premium cigars and other tobacco products when drafting the final regulations. Premium cigars are an adult product, without the habitual use patterns of mass-market tobacco products. Thank you for the opportunity to submit comment on the proposed deeming regulations.

Sincerely,



Les Drent
for the Hawaii Cigar Association

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