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MCDERMOTT, WILL & EMERY

June 13, 2002

VIA FEDERAL EXPRESS

Lester M. Crawford, D.V.M., Ph.D
Deputy Commissioner
Room 1471
Food and Drug Administration
Parklawn Building
5600 Fishers Lane
Rockville, MD 20857

Re: Star Scientific, Inc.'s Filing of Comments
Concerning Citizen Petitions Docket No. 02P-0207

Dear Deputy Commissioner Crawford:

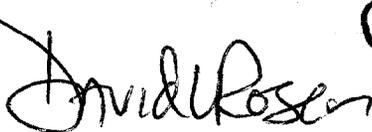
On behalf of our client Star Scientific, Inc., we filed the attached response to a Citizen Petition filed by John R. Hughes, M.D. on behalf of the Society for Research on Nicotine and Tobacco ("SRNT"), concerning Star Scientific's compressed powdered hard tobacco product, Ariva™ Cigalett™ pieces.

Enclosed is a courtesy copy of the response for your review.

We firmly believe that Star Scientific's compressed powdered hard tobacco product Ariva™ falls outside of FDA's jurisdiction pursuant to the Supreme Court decision in *FDA v. Brown & Williamson Tobacco Corporation*, 529 U.S. 120 (2000).

This Petition, like the others that we recently responded to, is without merit and should be denied.

Sincerely yours,



David L. Rosen

02P-0207

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cc: Charles Fried, Esq.

Ambassador Gerald P. Carmen
The Carmen Group, Inc.

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