EXHIBIT 6

UNITED STATES
INTERNATIONAL TRADE COMMISSION

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In the Matter of Investigation No.

CERTAIN TOBACCO HEATING ARTICLES 337-TA-1199

AND COMPONENTS THEREOF

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OPEN SESSIONS

Pages: 556 through 829 (with excerpts)

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you -- let me ask you about the final category, because that's what the last couple of questions relate to.

A. Sure.

Q. This -- this final category of products that have their applications pending before FDA, are those products allowed to be sold and continue to be sold while their application is pending before FDA?

A. Yes. Under both the court order and under FDA's enforcement discretion policy that has been publicly announced, those products can be marketed for the next year while undergoing FDA review, as long as they submitted an application by that September 9th deadline.

Q. Okay. In terms of statements by FDA, in terms of what FDA has said, has FDA ever said that it is going to take enforcement action against any product that had a timely-filed PMTA, even at the expiration of that year?

A. FDA has not said that they are going to do that at the end of that year.

Q. Okay. And there -- there's been a suggestion, I think you were -- you were listening to the opening statements yesterday, a suggestion made by Respondents yesterday that products will be removed from the market or may be unavailable after the expiration of this year period if there is no ruling made by FDA.

Based on your knowledge of what products are on

the market and when PMTAs were filed, what's your opinion about that?

A. Yeah, so the -- the opening statement yesterday seemed to imply that one year after the application was submitted, if FDA hadn't approved it, the -- the product would have to be taken off the market.

I -- I am not aware that that's FDA's policy. And, in fact, if it was, we would have heard about a lot of PMTAs being withdrawn because FDA usually takes longer than a year, at least historically, to review a PMTA.

And I'm not aware of any such statement or -- or policy.

Q. Just by way of example, again, for one product, I think it was mentioned -- there was a discussion about a Vuse products that had a PMTA filing in October of 2019.

Do you recall that discussion from yesterday?

A. Yes, yes.

Q. Is that product -- that would have expired in October of last year. Is that product still on the market today?

A. Yes, it is.

Q. Has FDA ever taken enforcement action against that product?

A. Not at all.

Q. Have they indicated any intent to or desire to?

A. Not to my knowledge, no.

MR. BAYUK: That's all the questions I have. Thank you, Mr. Clissold.

MR. GRANT: Your Honor, perhaps just a half a dozen questions, if it please the Court, before we end the day?

JUDGE CHENEY: What does half a dozen questions mean for time to you?

MR. GRANT: Five minutes.

JUDGE CHENEY: Okay. Let me ask Mr. Clissold, how do you feel about that?

THE WITNESS: Fine.

JUDGE CHENEY: Okay. Let me check in with Ms. Sladic. What is your cross looking like?

MS. SLADIC: Currently, the Staff does not have any questions. We'll see where Respondents go. And I might have a few follow-ups, but --

JUDGE CHENEY: Okay.

MR. GRANT: Your Honor, I want to be clear. My cross-examination is longer than five minutes, but I was asking to begin it and do the first five minutes. That's what I was asking.

JUDGE CHENEY: Oh, we're not going to do that.

MR. GRANT: Okay.

JUDGE CHENEY: Yeah, we are done with our

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