

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 11-5332

September Term, 2011

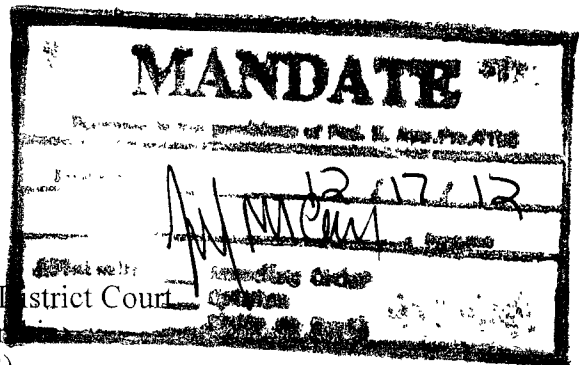
FILED ON: AUGUST 24, 2012

R.J. REYNOLDS TOBACCO COMPANY, ET AL.,
APPELLEES

v.

FOOD & DRUG ADMINISTRATION, ET AL.,
APPELLANTS

Consolidated with 12-5063



Appeals from the United States District Court
for the District of Columbia
(No. 1:11-cv-01482)

Before: ROGERS and BROWN, *Circuit Judges*, and RANDOLPH, *Senior Circuit Judge*

JUDGMENT

These causes came on to be heard on the record on appeal from the United States District Court for the District of Columbia and were argued by counsel. On consideration thereof, it is

ORDERED and **ADJUDGED** that the judgment of the District Court appealed from in these causes be affirmed; the graphic warnings requirements of the challenged Rule be vacated and remanded to the agency; and the permanent injunction issued by the district court be vacated, in accordance with the opinion of the court filed herein this date.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Jennifer M. Clark
Deputy Clerk

Date: August 24, 2012

Opinion for the court filed by Circuit Judge Brown.
Dissenting opinion filed by Circuit Judge Rogers.

A True copy:

United States Court of Appeals
for the District of Columbia Circuit

By: _____ Deputy Clerk