Nicely put: Apt insights from the tobacco control community and others

“[W]hen I was invited recently to give a talk on tobacco advertising to students at a progressive private school outside Boston, the person extending the invitation said she was also going to invite someone from the tobacco industry to represent ‘the other side’. I was tempted to ask her if she felt equally compelled to have a batterer on hand during a discussion of domestic violence.”


“I had to tell one of your customers she had lung cancer.”

Dr David O Lewis, to RJ Reynolds CEO Steven Goldstone at a shareholders meeting. Source: Deacle S. Doctor wants to stop tobacco, “Danville Register & Bee” 1999 January 30.

“It was just too blatant, too obvious, too visible an image . . . Joe Camel helped change a nation that wanted to believe the industry didn’t market to kids to a nation that didn’t doubt that the industry would market to kids.”


“No snowflake in an avalanche ever feels responsible—Jerzy Lee

Despite decades of PR campaigns smear- ing tobacco control advocates as “health nazis” who try to control others and destroy revered freedoms, it is the industry itself which now finds itself being consistently reviled in op-eds and editorials.

The industry is fighting to reclaim some moral ground with an advertising campaign and a new call for cooperation. The need is urgent: public perception of the industry affects not only Congress, jurors, and potential allies, but even its own employees. With regard to the latter, the question is, just what does upset them? The shocking revelations from secret documents? The public’s open censure? Or being discourteously reminded of the health effects of their products in a health newsletter?

“As many of you are aware, there is currently a spate of publicity about historical documents from the files of Philip Morris and other tobacco companies. These materials are being irresponsibly promoted in the media in the middle of the Cipollone trial which is underway in Newark, New Jersey involving Philip Morris, Lorillard and Liggett as defendants . . .

“These charges are misinterpretations of fragments of hundreds of thousands of pages of documents and do not in any way reflect the responsible and ethical decision-making process of our past management. We are confident that when the jury hears the full story, they will understand that our company has acted honestly and in good faith over the many years of the tobacco health controversy.
“This publicity is not easy for any of us, since we see the integrity of our company being questioned. I can only assure you that we have reviewed all these files top to bottom and know that we have nothing to fear from our history. Once that history is fairly and fully revealed in the Newark trial [Cipollone], the jury and the public will realize that our company has always been responsible and honest.”

Employee Morale at Philip Morris, PM, April 11, 1984. Bates No. 2025800665

“Once that history is fairly and fully revealed in the Newark trial, the jury and the public will realize that our company has always been responsible and honest.”

Employee Morale at Philip Morris, PM, April 11, 1984. Bates No. 2025800665

“Once that history is fairly and fully revealed in the Newark trial, the jury and the public will realize that our company has always been responsible and honest.”

Employee Morale at Philip Morris, PM, April 11, 1984. Bates No. 2025800665

“Once that history is fairly and fully revealed in the Newark trial, the jury and the public will realize that our company has always been responsible and honest.”

Employee Morale at Philip Morris, PM, April 11, 1984. Bates No. 2025800665

Philip Morris spokesmen misinterpreted our words as a ‘comparison of the decent, honest, hardworking people of [Philip Morris] to Adolph [sic] Hitler’. We meant nothing of the sort . . . True, we’ve long wondered how those decent, hardworking Philip Morris employees lived with themselves knowing that their company was peddling addictive carcinogens and lying about it . . . But we’re not at all suggesting these patriotic Americans, our friends and neighbours, are genocidal sociopaths. We’re sure they were just following orders.

Unfettered by the MSA rules, Bob Garfield spices up his vilification of the American Legacy Foundation commercials with a vilification of Philip Morris. Source: Garfield B. Ad Review - How to make lots and lots of money go up in smoke, “Advertising Age” 2000 February 21.

“The National Public Education Fund shall be used only for public education and advertising regarding the addictiveness, health effects and social costs related to the use of tobacco products and shall not be used for any personal attack on, or vilification of, any person, company or governmental agency, whether individually or collectively.”


“It appears that the intent of this campaign may be to vilify Philip Morris and its employees.”

Philip Morris representative Tom Ryan, on the American Legacy Foundation’s hard-hitting ads, one of which features film of body bags in front of PM HQ at 121 Park Ave. Source: Melillo W. Foundation ads bag Big Tobacco,”Ad Week” 2000 February 7.

“How can you run an anti-smoking campaign and not vilify the industry? . . . It would be better to not take the money if the industry is able to pull the strings and take control.”


“There’s a part of me that says, ‘OK, these guys have this money. Let’s take this money . . . There is another part of me that says, ‘This is really a problem’ . . . But I also have a major problem with saying to the women whom we serve, ‘We can’t serve you in this way because we are too good to take tobacco money.’

“Money is money . . . It’s not like we’re going to allow Philip Morris to come and hand out free cigarettes.”


“First, they came for the tobacco executives—and I did nothing . . .”


“The anxiety of the goalie at the penalty kick

Anne Landman found the following 1977 document, wherein the tobacco industry (TI) expresses some degree of hysteria over the emerging era of airline smoking bans.

“Eastern Airlines has entered an unconscionable agreement with Prohibitionist ‘consumer groups’ to squeeze travellers who enjoy tobacco into the rear third of its flight cabins. The agreement was reached privately in spite of its implications of potential second-class citizenship for 55 million Americans! . . . Apparently, that’s in violate, even if two-thirds of the passengers want to smoke! . . . Think of its implications, its potential for precedent in successful attacks on the personal freedoms of other groups of citizens—on yourself as an individual . . . Use the addresses on the back of this message. And thanks for your citizenship!”


The industry’s promulgation of a seemingly heartfelt terror just from giving one third of available space to non-smokers seems amusing in retrospect, as continued tobacco regulation did not bring about the end of the world. Yet the same scare tactics continue today, equally hysterical, if more inventive, and certainly often quite as ludicrous.

“Instead of forays into South American countries to destroy their coca fields, we could find ourselves combing the back roads of North Carolina hunting down tobacco farmers.”


“The industry’s response to adversity has always incorporated the good cop/bad cop routine. The good cop seems to have gone into overdrive recently. Some statements sound genuine, some hollow, some demonstrably insincere.

“We have one of the finest companies in the world . . . But if we are not part of the solution the future of our company is not a good one. That’s why, if no adults smoke as a result of cracking down on youth smoking, we are prepared to accept that and we will invest our assets in other businesses.”

“(7) I believe nicotine is a drug . . . I do not believe that merely because it’s a drug it should
be regulated as a pharmaceutical or medical device under the Food, Drug and Cosmetics Act.”

*Philip Morris senior vice president Steven Parrish. Sources (respectively):*


***

“Far from denying that cigarettes are a cause of illness, Gallaher accepts that if you smoke you are more likely to contract lung cancer or certain other diseases than non-smokers . . . Indeed it is the recognition of the health risks associated with smoking that has underpinned Gallaher’s whole relationship not only with governments but with the very people who smoke its products.”


***

“We accept . . . smoking is the cause of serious disease. The popular understanding today is smoking is addictive. But our customers are not fools, our shareholders are not immoral . . . shopkeepers who sell our product are not drug pushers.”


***

“It is time for the leadership of the public health community and the tobacco industry to turn the page on the past and to look for ways to work together in the interests of informed adult Americans who choose to smoke. Identifying the issues is easy. Setting aside the prejudices of the past is our challenge.”


***

And the beat goes on . . .

Given the industry’s unwillingness to address even the non-litigated aspects of its history of insincerity—such as California’s Proposition 188 debacle, the arrant creation of front groups like the CIAR, the NSA, the Beverly Hills and Vermont Restaurant Associations, etc, and its continued co-option of business councils, restaurant associations, and other groups—does anyone have the energy to believe them this time?

In addition, the industry’s own guidelines once forbid marketing to 18 year olds, yet now they fiercely vie for them in bars, clubs, and other hangouts today.

And the smear campaign against tobacco control advocates continues.

Surely the industry can frankly understand the reasons for skepticism and reticence. Sure, let’s look to the future, but couldn’t they at least acknowledge even a few of those reasons, if we want to start on a new, more open footing?

“Those who cannot remember the past are condemned to repeat it.”—George Santayana

***

“Let’s clear the air! Don’t let smoking bans burn your business.”

Philip Morris-supported speaker’s talk at the hospitality and food service expo in Anchorage. Source: Demer L. Clear the air to aid smokers, pro-tobacco group suggests, “Anchorage Daily News” 2000 March 2.

***

 “[The WHO Framework Convention is a] developed world obsession being foisted on the developing world.”

Martin Broughton, chairman of BAT, though some might see BAT’s cigarettes as a developed world product being foisted on the developing world. Source: BAT profits nearly double “BBC Online”, 2000 March 7.

***

“According to the New York Times, through local, state and federal taxes, government earns four times more money from the sale of a pack of cigarettes than the tobacco companies do. Knowing this, do you think that the taxes on cigarettes are ‘too low’, ‘about right’, or ‘too high’?

Philip Morris commissions a poll wherein the very posing of the question seems to skew the answer. Source: Roper Starch survey shows majority of Americans opposed to tobacco tax increase, “PR Newswire” 2000 January 25.

***

“Stealth concert”


***

 “[The increasing political activism of think tanks is] part of a rent-a-mouthpiece phenomenon . . . There are mercenary groups that function as surrogates when industry feels it’s not advantageous for it to speak directly.”


***

“We’re targeted by a big anti-tobacco lobby that is largely financed by the federal and other governments, whose mission in life is to gather anti-tobacco-company headlines.”

Michel Descoteaux, Imperial’s public-affairs director. Source: Derfel A, Kennedy M. Tobacco
firm fuming/Unfairly targeted by Ottawa’s ‘avalanche’ of documents, Imperial says, “Montreal Gazette” 1999 November 23.

* * *

“I taught myself never to say I hate the cigarette companies, because they are brilliant . . . They are brilliant manipulators. They look at obstacles and ingeniously come up with a way around them. A new magazine here, a new campaign there. They are always and will always be 20 years ahead of us. I think that is significant for people who think we are winning the war against the tobacco companies, because to imagine that we are is just naive.”

Dr Elizabeth Whelan, the president of the American Council on Science and Health. Source: Kuczynski A. Big Tobacco’s newest billboards are the pages of its magazines, “New York Times” 1999 January 12.

* * *

Love (and smoke) is in the air

“Cigarettes are luxury products . . . It appeals to one’s emotions. Therefore, people in North and South Korea will feel a togetherness when they smoke Hanmaum [“One Spirit”].

Lee Cheul Soo of Korea Tobacco & Ginseng Corp, on the first same brand product that will be manufactured and distributed both in North and South Korea. Source: Song M. Korean companies hope smokes will extinguish fires of animosity, “The Wall Street Journal Interactive Edition” 2000 January 28.

* * *

“I hope all business leaders in this industry love cigarettes as a product; have the best interests of the industry at heart; enjoy participation in an exciting and incredibly stimulating business; and consider the product range across the world an unparalleled service to the consumer.”


* * *

“I want to spend the rest of my life everywhere, with everyone, one to one, always, forever, now.”


* * *

“When there is no more money to be made [selling tobacco to the British] I shall go back to England . . . I’m going to open a health farm. It’s my way of putting something back.”


* * *

“Lucky Loves You”


* * *

“Oooohh, the tobacco plant is a lovely plant. Its leaves so broad and green, But you shouldn’t think about the tobacco plant

If you’re still a teen. Cause tobacco is a big person’s plant And that’s the way it should be So if you’re under 21 Go and climb a tree.”


* * *

Religion

In 1994, five Iranian drama students were banned from the stage, and a theatre manager was fired from Teheran’s Islamic Culture and Guidance Ministry, because the students smoked during a daytime rehearsal of “the Glass Menagerie”. In 1987, Philip Morris executives were blessed by a Roman Catholic cardinal. (“Treasures of the Vatican” exhibit). In 1994, an Israeli rabbi certified a brand of cigarettes “Kosher for Passover” in full page advertisements. Religion and tobacco make a strange and wondrous mix. In the USA, while the seminal 1989-90 war against “Uptown” cigarettes was led by black ministers, the voices of white ministers on any aspect of tobacco have been loudly silent; in fact, the powerful Christian conservative movement is solidly behind the tobacco friendly Republican party. Around the world, religion may soon be the new battlefield.

* * *

“The Lord protects the simple [sometimes translated as ‘fools’ or ‘idiots’].”

Talmudic dictum that had allowed tolerance of smoking before the true health effects were widely known. Source: Kessler E. Torah prohibits tobacco, faction of rabbis insists in controversial opinion, “Weekly Forward” 1999 November 26.

* * *

“As a result of our discussion here it is apparent that definite action must be taken in order to eradicate smoking from the Orthodox community. This is called for both out of consideration for the health of the smoker, as well as that of the innocent bystander assaulted and harmed by the smoke he generates. In both instances, the community (as represented by the Rabbinate and Batei Din) are responsible for the enforcement of Halachic norms regulating the general welfare.”

***

“For the lips of wise men.”

***

“The reason we’re the powerhouse we are is because of a couple of guys in the 1950s and 1960s . . . The Cullmans. With the Cullman family coming in, the Jewish mind entered the tobacco industry.”


***

“Anyone who agrees that smoking is guilty has no moral right to occupy even a medium-level position in a tobacco company. It’s completely immoral.”


***

“There is going to be a Day of Judgment. If there isn’t a day up there, it’s when you’re lying on your deathbed. And you’re going to say to yourself: ‘Well, what did I achieve in my life?’ . . . ‘What did I do to make the world better?’ That’s what it’s going to come down to.”


***

Teens
Teen smoking became an even larger issue in the USA, as new surveys found teen smoking rates decreasing or remaining stable in states like Massachusetts, California, and Florida, which have tough, strong anti-smoking programmes.

“Our strong view is the tobacco industry knows more than anyone else on Earth how to addict young people to tobacco, and they’re in a better position than anyone else to stop them in the first place.”


***

“We are advertising to inform adults . . . They may be younger adults, they may be older adults, but they’re not under 18.”


***

“It’s vital to our business that kids don’t smoke . . . if we’re perceived as marketing to kids, then it’s likely that people will not want to allow cigarettes to continue as a legal business in this country.”


***

“Researchers have determined why young people start smoking . . . The reasons include peer pressure, the desire to appear more mature, and the need to rebel. We want to share some of the solutions we’ve learned, and we want to discuss how parents can make a huge difference in a child’s life and in the decision not to smoke.”


***

“[W]e spent decades making sure that we don’t know about kids, because they’re not our customers. So we’re not in any position to turn around and say, ‘Well, here’s how to deal with kids’.”


***

“I’d love to talk to you about what you think might be appropriate guidelines or restrictions. But I really don’t think it’s appropriate to have teenagers looking at cigarette advertising and making judgments about it.”


***

“Under the heading ‘Apparently problematic research’, the author, Kwechansky Marketing Research, Inc, has noted: The studies reported on youngsters’ motivation for starting, their brand preferences, etc as well as the starting behaviour of children as young as 5 years old . . . The studies examined examination [sic] of young smokers’ attitudes towards ‘addiction’, and contain multiple references to how very young smokers at first believe they cannot become addicted, only to later discover, to their regret, that they are.”

BAT document which Minnesota’s Special Master held was misfiled in ‘Advertising’ instead of ‘Children’. Source: Order with respect to

“[Brown & Williamson] will not support a youth smoking program which discourages young people from smoking.” 1983 Tobacco Institute memo “US News” 05/04/98.

“Why do we need to give them [the Florida Tobacco Pilot Program] $61 million when it’s working on the dollars we’ve authorized?” Florida House Speaker John Thrasher, R-Orange Park. Florida’s legislators last year had refused to give the program $60 million on the basis that it hadn’t been proven if it worked or not. Source: Kennedy J. Teen smoking shows stunning decline, “Orlando Sentinel” 2000 March 2.

“Funny to hear that type of criticism, calling our ads over the top or morbid . . . because if killing over three million people every year around the world is not over the top and morbid, I don’t know what is.” Truth Campaign spokesman Jared Perez. Source: Anti-tobacco ads, “National Public Radio” 2000 February 16.


Smuggling

“DNP” (duty not paid)
“transit”
“GT” (general trade)
“Parallel market”
“Second channel”
“Border trade”


“Although we agreed to support the federal government’s effort to reduce smuggling by limiting our exports to the USA, our competitors did not. Subsequently, we have decided to remove the limits on our exports to regain our share of Canadian smokers.” June 3, 1993, letter from Imperial president Don Brown to Ulrich Herter, a senior executive at BAT Industries. Source: Kennedy M. Tobacco giant turned blind eye to smuggling, “Ottawa Citizen” 1999 January 12.

“The Center for Public Integrity . . . appear to have ‘cherry picked’ a selection of documents from the 8 million pages in the depository, and could be at high risk of drawing and publishing conclusions which are at variance with the facts.” BAT response to a CPI/Guardian series on smuggling. Source: BAT responds, “The Guardian” 2000 January 31.

“Since the pages you faxed to me are rather selective and are out of context extracts from old documents, a response would be quite impossible.” Brenda Choo, director of public affairs for BAT (China) and chairman of the Tobacco Institute of Hong Kong, neatly encapsulates BAT’s smuggling documents rationale, a defense the Nuremburg defendants might have mounted. Source: Manuel G. Cigarette firm’s ‘smoking gun’, “South China Morning Post” 2000 February 3.

Lawsuits

“Cigarette advertising is functional pornography”


“Taking all of plaintiffs’ allegations as true . . . it is clear that they show a 45 year conspiracy to addict smokers (especially teenagers) and thereby cause them grave medical harm, to manipulate nicotine levels, to prevent and suppress research into the dangers of smoking, and to mislead and deceive the American public about the dangers of smoking. The foreseeable consequences of such conduct are obvious . . . It would be nothing short of unconscionable to conclude that foreseeable wrongs of such magnitude and moral culpability, if proven, must go unremedied because our legal system deemed them unworthy of recognition.” US District Judge Gladys Kessler, in one of the very few rulings that has supported union health funds in their suits against the tobacco industry. Source: Skolnik S. Union Tobacco ruling bodes well for DOJ suit, “Law News Network” 2000 January 3.

In December 1999, the US Supreme Court heard arguments on whether the US Food and Drug Administration may regulate tobacco. The session did not seem to go well for the government. The Justices’ upcoming decision will be seminal.
“[An article other than food] intended to affect the structure or any function of the body.”


* * *

“Can the agency regulate the movie industry because so many people go to horror movies to get the adrenaline pumping?”

Justice Sandra Day O’Connor seems to have difficulty distinguishing movies from an ingested drug. Source: Mitchell K. Smoke signals/Justices’ reactions to arguments in Supreme Court may hint at trouble for plan to have tobacco regulated by FDA, “Winston-Salem Journal” 1999 December 2.

* * *

“Nobody believed them.”

This was the remarkable response of both Justices Antonin Scalia and William H. Rehnquist—both smokers—when solicitor general Seth Waxman noted that executives of seven major tobacco companies testified to Congress under oath in 1994 that nicotine was not addictive and that the industry did not manipulate nicotine content. Source: Sealey G. FDA and big tobacco head to court, “ABC News” 1999 January 1.

* * *

“The scale of defendants’ illegal conduct and the scope of harm that it has caused are truly unprecedented. Defendants cannot rely on the sheer massiveness of their wrongdoing to defeat this suit.”

The Department of Justice’s answer to the industry’s position that lawsuits should have been brought for each individual’s case separately. Source: US opposes tobacco lawsuit dismissal, “Reuters” 2000 February 25.

* * *

“[W]hat is most notable about (the government’s) complaint is what they do not say: their almost complete silence as to the existence—let alone the substance—of the 1998 Master Settlement Agreement that the tobacco industry entered into with the states, which provides for broad scale injunctive relief barring any continuation of the violations alleged in the [government’s] complaint.”

Tobacco companies’ motion seeking dismissal of the DOJ suit. Did the MSA grant the industry a kind of immunity? Source: Tobacco companies attack government suit, “Business Wire” 1999 January 27.

* * *

Secret documents

“The response to [WHO speaker] Tibblen will come from carefully briefed and placed floor discussion people. Vogel insisted that there will be control of every detail so that the results will be known; otherwise, there is no sense in holding a symposium. Vogel also indicated that the Verband has full control over the ‘IO’...Mary Covington then raised the question that if the WHO speaker, Tibblen, were to have his position attacked and countered, wouldn’t it be possible that someone would then ‘smell a rat’?”


* * *

Frank Colby, the former head of RJR’s scientific library, was interviewed extensively for a monumental history of RJR published in the hometown paper, the Winston-Salem Journal. Mr Colby figures prominently in some of the juicier finds. Today he remains astoundingly forthright and unrepentant.

* * *

“Many of the scientists in the industry have now swallowed the establishment (point of view on smoking and health). It’s absolute medical insanity, and it’s only possible because Goldstone agrees with the establishment...I call him Mr Tombstone.”


* * *

“I am against marketing cigarettes to children, but a competitive situation may force you to.”


* * *

“Being able to cope with society’s problems...That may save more lives than lung cancer.”
