

## INDUSTRY WATCH

## “Vast sums of money . . . to keep the controversy alive”—the 1988 BAT memo

Since at least the 1960s the tobacco industry has steadfastly maintained several key “public” positions on issues where admissions about its behind-closed-doors knowledge and intent would prove both politically and financially devastating. The main areas of sensitivity have concerned the denial of causality regarding smoking and adverse health outcomes; the denial of the addictiveness of nicotine; the alleged irrelevance of cigarette advertising to smoking initiation; and the notion that environmental tobacco smoke (ETS) is of insignificant risk to health. Our regular section *Play it Again* has featured several instances of these.

The remarkable memorandum we print in full below (appendix) is authentic. The signature on the copy of the original we have obtained is identical to that on a letter sent to us in 1993 by Dr Sharon Boyse.<sup>1</sup> Dr Boyse has featured prominently in past issues of *Tobacco Control*, in stories about the notorious British American Tobacco (BAT) seminars for journalists in developing countries (“Propaganda hit squad at large” 1994;3:76-7; “Blood on the chair” 1996;5:106-7).

In her 1993 letter, Boyse was critical of a paper by researchers James Repace and Alfred Lowry.<sup>2</sup> In high moral dudgeon, Boyse wrote that they were “attempt[ing] to discredit the scientific acumen of the tobacco industry”. In a second (unpublished) letter she continued that “science, particularly as it relates to tobacco smoke, is being sacrificed on the altar of political goals”.<sup>3</sup> Boyse’s high-minded concerns to fly a public flag for the scientific integrity of her industry were expressed some five years after she wrote the memo below.

Most significantly, the memo describes a process whereby those agreeing to work as consultants for Philip Morris would agree to undertake research “which apparently would then be filtered by lawyers to eliminate areas of sensitivity”. The memo reveals a worldwide programme whereby Philip Morris sought to recruit scientists “who have no previous association with tobacco companies and who have no previous record on the primary issues”. In other words, babes in the passive smoking research woods.

In Australia, there is a remarkable coincidence between this element of the process and a recent report on ETS commissioned by the Philip Morris-funded Tobacco Institute.<sup>4</sup> Of nine contributors recruited, only one had anything remotely resembling a track record in “the primary issues” of epidemiology or tobacco-related research. This person (JK

Peat) subsequently publicly distanced herself from the report’s main conclusion that the evidence on passive smoking was weak and inconclusive.

The memo has drawn the expected denials from the industry. Tom Fitzgerald, a spokesman for the American subsidiary of BAT (Brown and Williamson) describes the memo as “a subjective account of [Boyse’s] impressions of a Philip Morris program that had been described to her”.<sup>5</sup> Philip Morris has declined to comment.

In 1988 Philip Morris was urging other companies to join them in supporting their efforts to “keep the controversy alive” by recruiting “sympathetic” scientists. Two companies attending the meeting—Rothmans and Gallaher’s—seemed to go along with this and suggested names of potential candidates.

We contacted one name on the list—Dr Len Levy, now with the Medical Research Council Institute for Environment and Health at the University of Leicester—and requested his comments on the memo. He replied:

“Thank you for your e-mail of 20 May regarding passive smoking. I have read the memo of the meeting held in 1988 and am extremely surprised to see that my name was mentioned on a list of scientists who would be potentially sympathetic to the tobacco industry. I certainly knew nothing about any such meeting, nor have I ever authorised my name to be presented to the tobacco industry for any purpose whatsoever. My own areas of research and teaching are in occupational health and regulatory chemical toxicology. Although I am, of course, well aware of some of the information on passive smoking from hearing presentations at meetings and my general scientific reading, I have no particular interest in the subject and have neither written nor pronounced on it, nor have I received any funding for research from the tobacco industry. Some of the names on the list are scientists I have known professionally and I can only suppose my name was on the list because I was quite well known. I was asked to write a review on the toxicology of nicotine for a symposium entitled ‘Nicotine, smoking and the low-tar programme’ held in 1986. This was published in 1989 and edited by Professor Nicholas Wald and Sir Peter Froggat. [See book review on page 250.<sup>6</sup>] The symposium was funded by the Tobacco Research Trust, Guy’s Hospital, in conjunction with the MRC and the Ciba Foundation. I believe that my expenses were met for attending the symposium, but I received no fee for writing the review. Perhaps this review was also a reason why my name appeared on the list.

I hope these comments are of help to you.

Yours sincerely

Dr Leonard S Levy

*Head of Toxicology and Risk Assessment Group*”

However, subsequent to the BAT memo, at least two others on the list have published commentaries on ETS. William Butler, writing under the auspices of "Failure Analysis Associates" of Menlo Park, California and acknowledging support from RJR Nabisco,<sup>7</sup> wrote a critical review of the best-evidence synthesis of the ETS/disease literature by Spitzer *et al.*<sup>8</sup> RC Brown wrote a more even-handed review, concluding more research was needed and calling for research to be "reported calmly".<sup>9</sup> A third, Gordon Cumming, suggested by Rothmans, later co-authored a letter to the *British Medical Journal* in 1993 in which he was critical of efforts by the Health Education Authority to estimate deaths caused by tobacco use ("the estimation of the number of deaths caused by tobacco can never be a scientifically valid process, whatever method is chosen").<sup>10</sup>

SIMON CHAPMAN  
Deputy Editor

- 1 Boyse S. Passive smoking and the tobacco industry. *Tobacco Control* 1993;2:56.
- 2 Repace JL, Lowry AH. Issues and answers concerning passive smoking and the workplace: rebutting tobacco industry arguments. *Tobacco Control* 1992;1:208-19.
- 3 Boyse S. Letter to the editor of *Tobacco Control* (unpublished), 3 June 1993.
- 4 Lee J, Cooke PJ, Eccleston JA, *et al.* *Health aspects of environmental tobacco smoke: an evaluation of the scientific literature.* Sydney, Australia, November 1994.
- 5 Schwartz J. Philip Morris sought experts to cloud issue, memo details. *Washington Post* 1997 May 9:A2.
- 6 Wald N, Froggatt P, eds. *Nicotine, smoking and the low tar programme.* Oxford: Oxford University Press, 1989.
- 7 Butler WJ. Commentary on 'Links between passive smoking and disease: a best evidence synthesis—a report of the Working Group on Passive Smoking'. *Clin Invest Med* 1991;14:484-6.
- 8 Spitzer WO, Lawrence V, Dales R, *et al.* Links between passive smoking and disease: a best evidence synthesis—a report of the Working Group on Passive Smoking. *Clin Invest Med* 1990;13:17-42.
- 9 Brown RC. Environmental tobacco smoke in the context of indoor air quality. *Hum Toxicol* 1989;8:3-4.
- 10 Ashford JR, Cumming G. Tobacco and health education. *BMJ* 1993;306:999.

**Appendix**

Note on a special meeting of the UK Industry on Environmental Tobacco Smoke, London, February 17th, 1988

Present:			
Mr E Williams	}	Rothmans	— meeting only
Mr F Brown			
Mr B Prost			
Dr H Gaisch	}	Philip Morris	
Mr D Oxberry			— dinner only
Mr M Whittaker	—	Imperial	} meeting only
Dr A J Nelmes	—	Gallaher	
Dr S Boyse	—	BAT	
Mr D H Remes	—	Covington Burling,	
		USA	
Dr G B Leslie	—	Bioassay Ltd	

**Summary:**

Philip Morris presented to the UK industry their global strategy on environmental tobacco smoke. In every major international area (USA, Europe, Australia, Far East, South America, Central America, & Spain) they are proposing, in key countries, to set up a team of scientists organised by one national coordinat-

ing scientist and American lawyers, to review scientific literature or carry out work on ETS to keep the controversy alive. They are spending vast sums of money to do so, and on the European Front Covington & Burling, lawyers for the Tobacco Institute in the USA, are proposing to set up a London office from March 1988 to coordinate these activities. The countries in Europe where they have already been working are the UK, France, Germany, Switzerland, Italy, Spain, and Scandinavia (via Sweden). A list of potential scientists who could be contacted in the UK was produced.

Because of the heavy financial burden, Philip Morris are inviting other companies to join them in these activities to whatever extent individual companies deem to be appropriate. Presumably they expect interested companies to respond on an individual basis; it is perhaps significant that they did not hold this meeting through the Tobacco Advisory Council. Although action on Environmental Tobacco Smoke is becoming more vital to the industry, Philip Morris strategy is perhaps questionable in some respects e.g. involvement of lawyers at such a fundamental scientific level disadvantages in perception of what will only be perceived as a "pro-industry" group of scientists.

Dr Thornton had been invited to attend this meeting by Rothmans at their headquarters in Mayfair; in fact, the meeting turned out to have been organised by Philip Morris. Due to previous commitments I attended the meeting instead of RET, which was followed by dinner.

The aim of the meeting was for Philip Morris to present to this industry their global strategy on environmental tobacco smoke and how they propose to apply it to the UK. They apparently hoped both to inform the UK industry, out of courtesy, about what they were planning, and also if appropriate to marshal [~~crossed out and handwritten "marshall"~~] either financial or moral support for the idea.

Dr Gaisch said that their strategy on ETS had been established in the USA at a meeting between Philip Morris and Covington and Burling, the lawyers acting for the Tobacco institute of the USA. At a later date R J Reynold were also brought in to support some of their US activities, one of these being the Center for Indoor Air Research.

The Philip Morris philosophy of ETS was presented. This appeared to revolve around the selection, in all possible countries, of a group of scientists either to critically review the scientific literature on ETS to maintain controversy, or to carry out research on ETS. In each country a group of scientists would be carefully selected, and organised by a national coordinating scientist.

Philip Morris have already initiated various programmes of research on ETS in Europe e.g. with Batyl in Geneva, Neurath in Germany, about which they were quite open. Their aim now is to supplement these researches with their proposed coordinating teams. Their major target countries in Europe are: UK, France, Italy, Switzerland, and Scandinavia (Sweden). In all of these countries Philip Mor-

ris have already begun to identify and talk to suitable scientists.

The consultants should, ideally, according to Philip Morris, be European scientists who have had no previous association with tobacco companies and who have no previous record on the primary issue which might, according to Remes, lead to problems of attribution. The mechanism by which they identify their consultants is as follows:—they ask a couple of scientists in each country (Francis Roe and George Leslie in the UK) to produce a list of potential consultants. The scientists are then contacted by these coordinators or by the lawyers and asked if they are interested in problems of Indoor Air Quality: tobacco is not mentioned at this stage. CVs are obtained and obvious “anti-smokers” or those with “unsuitable backgrounds” are filtered out. The remaining scientists are sent a literature pack containing approximately 10 hours reading matter and including “anti-ETS” articles. They are asked for a genuine opinion as independent consultants, and if they indicate an interest in proceeding further a Philip Morris scientist makes contact.

Philip Morris then expect the group of scientists to operate within the confines of decisions taken by PM scientists to determine the general direction of research, which apparently would then be “filtered” by lawyers to eliminate areas of sensitivity.

Their idea is that the groups of scientists should be able to produce research or stimulate controversy in such a way that public affairs people in the relevant countries would be able to make use of, or market: the information. The scientists would not necessarily be expected to act as spokesmen for the industry, but could be if they were prepared to do so.

Philip Morris stressed that they did not want to offend other companies by treading on their toes in countries or territories where another company was the market leader. In fact, they would ideally like some of the coordination to be transferred to NMAs. However, as this meeting was not carried out through the Tobacco Advisory Council they clearly did not see TAC as being willing or able to play a role in the UK in this respect.

In respect of Professor Parry, Dr Gaisch said they he strongly believed TAC should continue to support him because it could be problematic to withdraw support from a scientist who has been sympathetic to the industry. Dr Gaisch, Dr Nelmes of Gallaher and David Remes were to go and see Professor Perry on February 18th to reassure him and if necessary Philip Morris would support Perry alone.

The list of potential consultants produced by Dr Leslie for the UK was as follows:

W Butler (a pathologist at ?????? [*possibly BIBRA*])

John Feccini (ex-Pfizers and Hazleton, now a consultant in Lyon)

Rolf H?ywood (ex-Huntingdon) [*Rolf crossed out and “Ralph” handwritten; H?ywood is possibly “Haywood” or “Heywood”*]

Brian Large (a pharmacologist at the University of Leeds)

Len Levy (a lecturer in Occupation Health at the University of Leeds)

Frank Luno (a consultant in occupational hygiene)

Paul Nicholls (Lecturer in respiratory pharmacology at Cardiff University)

Prof. Smithers (Professor of paediatric medicine at the University of Leeds)

Frank Sullivan (a consultant to Rothmans)

Donald Wheatman (another pharmacologist at Sunderland School of Pharmacy)

Gerald Clough (an ‘environmental physiologist’ at York)

Bob Brown (MRC [*possibly “MEC”*] Toxicology Unit, Carshalton)

Chris Rhodes (ICI)

Jim Bridges (Roemans Institute) [*Roemans crossed out and another word, possibly “Robbins”, handwritten*]

In addition Rothmans suggested:

John Daniels (ex-ICI toxicology)

Gordon Cumming

Gallaher’s suggested:

Bob Schroter (Imperial College) Professor Clifton (medical physics, UCL)

Not only are Philip Morris active in the US (via John Rupp of Covington & Burling) and the UK and Europe (via David Remes), but other Covington & Burling lawyers have also been commissioned to coordinate PM’s ETS activities in the Far East, Australia, South America, Central America, and Spain.

Although the industry is in great need of concerted effort and action in the ETS area, the detailed strategy of Philip Morris leaves something to be desired. The excessive involvement of external lawyers at this very basic scientific level is questionable and, in Europe at least, is likely to frighten off a number of scientists who might otherwise be prepared to talk to the industry. Also, the rather oblique initial approach may appear to be somewhat less than honest to many scientists. In the past the industry (at least in the UK) has had no difficulty approaching scientists directly. The idea of setting up a special group of consultants coordinated by one national coordinating scientist is also rather likely to frighten away scientists who would justifiably not wish to be associated with indus-

try in this rather structured way or who would not wish to be part of what will inevitably be seen to be a pro-industry group, but who would be prepared to carry out exactly the same activities on an individual, and therefore less compromising, basis.

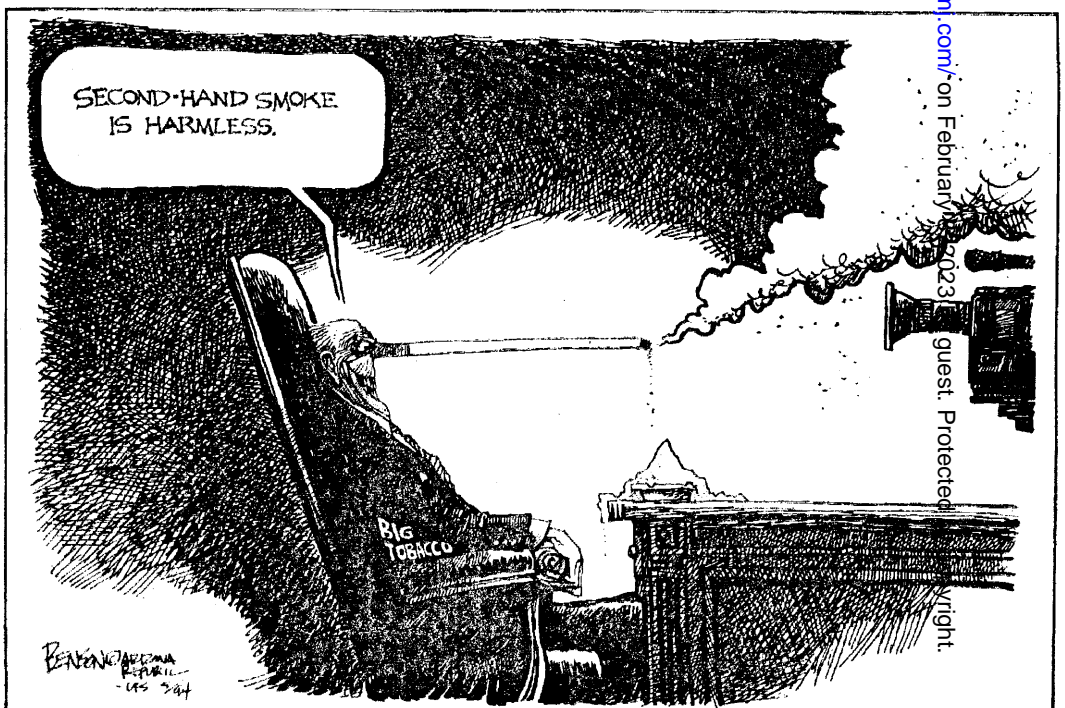
It must be appreciated that Philip Morris are putting vast amounts of funding into these projects: not only is directly funding large numbers of research projects all over the world, but in attempting to coordinate and pay so many scientists on an international basis to keep the ETS controversy alive. It is generally felt that this kind of activity is already giving

them a marketing and public affairs advantage, especially in countries in which, until recently, they have played a rather low profile.

[Signature]

- Dr Sharon Boyse
- cc:Mr E A A Bruell
- Mr R? [possibly "Ry" or "RY"] Pritchard
- Mr A L Heard
- Mr N B Cannar
- Mr R L O Ely
- Dr R E Thornton
- All members of the Scientific Research Group

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