Cardiovascular News

Thirty Years of Tobacco Industry Domination of Tobacco Control Efforts in the Federal Government

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January 11, 1994, marked the 30th anniversary of the release of the first Surgeon General’s report linking cigarette smoking and cancer. That first report was followed by more than 20 additional Surgeons General’s reports on smoking and by more than 60,000 scientific studies on cigarette smoking and its effects on health.

It was anticipated 30 years ago that the landmark 1964 report would sound the death knell for the tobacco industry or at least result in the product being more severely restricted in how it was sold, advertised, promoted, and labeled. According to one of the members of the panel, Dr Charles “Mickey” LeMaistre, “The atmosphere that morning was tense; the security was tight—word had already leaked out—to the media and to the tobacco industry—that the findings were ‘explosive.’” Although the report was explosive, the policy measures that followed were not.

This article is intended to review the progress, or lack of progress, that has been made in the area of public policy since the release of that landmark report. This article will paint a picture of an industry that in the face of overwhelming scientific evidence was able to craft a protective strategy to not only ensure its survival but also ensure that its products escaped proper regulation.

As far back as 1954, the first substantive evidence was coming to light that implicated cigarette smoking as a cause of cancer. A study conducted by Dr Ernst Wynder showed that mice whose shaved backs were exposed to tar from cigarettes contracted tumors. Such scientific findings were naturally a threat to the economic life of the tobacco industry. The tobacco industry was quick to go on the offensive. It ran an advertisement in 600 national newspapers designed to reassure the public that more studies needed to be done and that the tobacco industry would do everything in its power to ensure the protection of the public’s health. The ads read in part, “We accept an interest in people’s health as a basic responsibility paramount to every other consideration in our business.” This advertisement was the beginning of what has been 40 years of lies and deceptions by the tobacco industry. It is now known that the major tobacco manufacturers met secretly in New York that year to plot out their public relations, litigation, and legislative strategies.

In 1957, a special study group cosponsored by such organizations as the National Cancer Institute, the American Cancer Society, the National Heart Institute, and the American Heart Association issued a report that concluded, “The sum total of scientific evidence establishes beyond reasonable doubt that cigarette smoking is a causative factor in the rapidly increasing incidence of human epidermoid carcinoma of the lungs. . . . The evidence of a cause-effect relationship is adequate for considering initiation of public health measures.”

In 1961, the leadership of the American Heart Association, American Cancer Society, National Tuberculosis Society (now the American Lung Association), and the American Public Health Association strongly urged the President of the United States to establish a commission to study the “widespread implications of the tobacco problem.”

When the 1964 report was finally released on January 11 by then Surgeon General of the United States Dr Luther Terry, the tobacco industry was ready. Its first line of defense was to argue that the scientific evidence available at the time was speculative at best and that those studies relied merely on statistical association and did not constitute scientific proof. The tobacco industry took the further offensive move of telling Congress that it was concerned about the “allegations” and that the industry had established its own scientific research committee to investigate those allegations. The Tobacco Industry Research Committee (TIRC), as it was called, had been established in the 1950s when the tobacco industry first realized that it had a significant public relations problem on its hands. According to testimony presented to a House Committee in 1957, “the purposes and objectives of the TIRC are to aid and assist research in tobacco use and health and to make available to the public factual information on this subject.” The tobacco industry continued to use the TIRC as a public relations tool to literally buy the industry time as it worked out new strategies that would keep its products on the market. In June 1964, Bowman Gray, chairman of the board of RJ Reynolds and spokesperson for the tobacco industry, assured the Congress that the activities of the TIRC were completely independent. He also told Congress that the TIRC researchers would be free to publish any and all of their scientific findings. Mr Gray assured the committee that, after millions of dollars of research, “no study has come up with a positive answer which would be in the area that this [cigarette smoking]
causes ill health or this is injurious.” When asked what the industry would do if it was proven that cigarette smoking caused disease, Mr Gray assured the committee that the industry would do whatever was necessary to protect the public’s health. To use his own words, “If it is proven that cigarettes are harmful, we want to do something about it, regardless of what somebody else tells us to do. And we would do our level best. This is just being human.” As Dr Terry was to point out to attendees of the National Conference on Cigarette Smoking and Youth, held in New York in June 1964, “None of us should be misled by the half truth that we need more research before we can take action. Certainly we need more research and through government, the voluntary agencies and the tobacco industry, a great deal of research is going on. But the research is to learn how cigarette smoking produces lung cancer . . . not whether it produces them. On that part of the question the facts are now in, and no reasonable person should dispute that cigarette smoking is a serious health hazard” (emphasis added).

In addition to its so-called independent research efforts, the tobacco industry was also working diligently to ensure that its advertising and promotional efforts were not subjected to regulation by the Federal Trade Commission or the Food and Drug Administration. To accomplish that objective, the industry again took the offensive, assuring the Congress that it did not want to encourage children and young adults to take up the cigarette habit. To that end, the industry agreed to implement an enforceable voluntary advertising and promotional code that ensured that advertising did not contain images of sexual attraction, sophistication, success, and good health that would encourage children to try cigarettes. The tobacco industry also assured Congress that no implied health claims, such as those found in low-tar and low-nicotine ads, would be made. The tobacco industry’s perceived good faith efforts were welcomed by the Congress. This happened despite warnings by Dr Terry that the tobacco industry’s voluntary efforts did not obviate the need for policy measures designed to ensure the proper protection of the public’s health.

The events that occurred back in 1964 set the parameters by which tobacco control legislation was to be continuously measured by Congress. While no tobacco control legislation moved forward, except when it served the interests of the tobacco industry, the industry was also working diligently to ensure that its products did not become subjected to various other health and safety laws passed by Congress. Tobacco products were soon exempted from such laws as the Consumer Product Safety Act, the Fair Packaging and Labeling Act, the Toxic Substances Act, and the Federal Hazardous Substances Act.

Although tobacco use is routinely cited as this nation’s single most preventable cause of death and disease, and although there have been significant public education efforts on the part of both the public and private sectors, policy changes have been slow in coming. It is no wonder that our society continues to be permeated with seductive tobacco advertising and free giveaways of tobacco products. It is no wonder that warnings about the addictive nature of tobacco products or warnings that environmental tobacco smoke causes cancer and cardiovascular disease in nonsmokers are absent from tobacco products.

The Coalition on Smoking OR Health, composed of the American Cancer Society, the American Lung Association, and the American Heart Association, and the Legislative Advisory Committee of the Coalition (consisting of 11 nationally recognized organizations) recently released its agenda for the second session of the 103rd Congress. The primary goals of the Coalition are as follows:

1. To increase the federal excise tax on cigarettes to $2.00 per pack and to increase the state excise tax on cigarettes to $1.00 per pack.
2. To regulate the manner in which cigarettes are manufactured, distributed, sold, labeled, advertised, and promoted by expanding the authorities of the federal Food and Drug Administration and the Federal Trade Commission and through other actions.
3. To enact policy measures designed to protect the public from environmental tobacco smoke.
4. To ensure that the United States government does not facilitate or encourage the exportation of US tobacco products to other countries.

The 30th anniversary of the first Surgeon General’s report on smoking and health offers us the chance to reflect on just how much and how little progress has been made in the area of tobacco control and to refocus on what needs to be accomplished. The opportunities are clear. With health care reform on the front burner, the environment is also right. However, the scientific community and the general public must continue to make their voices heard to legislators at all levels of government. Politicians must hear the message that tobacco industry profits should not come at the expense of hundreds of thousands of American lives each and every year. Undoing more than 30 years of tobacco industry entrenchment and political influence will not be an easy task, but it is the correct one.
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Circulation. 1994;89:543-544
doi: 10.1161/01.CIR.89.2.543

Circulation is published by the American Heart Association, 7272 Greenville Avenue, Dallas, TX 75231
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Print ISSN: 0009-7322. Online ISSN: 1524-4539

The online version of this article, along with updated information and services, is located on the World Wide Web at:
http://circ.ahajournals.org/content/89/2/543.citation

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