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

- Present: Mr R Williams) - meeting only
- Mr P Brown) Rothmans
- Mr B Prost)

- Dr H Gaisch) Philip Morris
- Mr D Oxberry) - dinner only
- Mr M Whittaker - Imperial) meeting only
- Dr A J Helms - 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 coordinating 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.

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- 1 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 REF, which was followed by dinner.
- 2 The aim of the meeting was for Philip Morris to present to the 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 ~~partially~~ ^{secure} either financial or moral support for the idea. *Marshall*
- 3 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 Reynolds were also brought in to support some of their US activities, one of these being the Centre for Indoor Air Research.
- 4 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.
- 5 David Remes presented the approach of the US lawyers, and said that he believed their function to be to act as intermediaries between the consultants and industry and also to indicate 'areas of sensitivity' on ETS research. He was not prepared to elaborate on these areas of sensitivity or on the stage at which any filtering process would be carried out. He noted that in the USA, their strategy at first had been to meet short-term 'emergencies' by presenting teams of witnesses eg Witorsch, Gray Robertson. He did, however, acknowledge that this kind of roadshow would be unlikely to be acceptable in Europe. The Centre for Indoor Air Research that Philip Morris, RJR and Lorillard have set up in the US was mentioned as a further development of this strategy which would not necessarily be practical elsewhere.

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- 6 Covington & Burling are proposing to set up an office in London to coordinate their European activities. They will know for certain in March whether they are likely to do so; if so, this will occur almost immediately. When asked, David Keses said that of course they would be consulting British product liability lawyers 'where appropriate'.
- 7 Philip Morris have already initiated various programmes of research on ETS in Europe eg with Battelle 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 Morris have already begun to identify and talk to suitable scientists.
- 8 The consultants should, ideally, according to Philip Morris, be European scientists who have had no previous connection with tobacco companies and who have no previous record on the primary issue which might, according to Keses, 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.
- 9 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.

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- 10 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.
- 11 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 RMAs. 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.
- 12 In respect of Professor Perry, 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 Helmes 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.
- 13 The list of potential consultants produced by Dr Leslie for the UK was as follows:-
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| W Butler | (a pathologist at BIRBA) |
| John Peccini | (ex-Pfizers and Hazleton, now a consultant in Lyon) |
| John Ralph Hayward | (ex-Huntingdon) |
| 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) |

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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 Toxicology Unit, Carshalton)
Chris Rhodes (ICI)
Jim Bridges (Rothmans Institute)
Robbins

In addition Rothmans suggested:-

John Daniels (ex-ICI toxicology)
Gordon Cumming

Gallaher's suggested:-

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

14 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.

15 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 industry 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.

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It must be appreciated that Philip Morris are putting vast amounts of funding into these projects: not only in 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.



Dr Sharon Boyse

cc: Mr EAA Bruell
Mr RJ Fritchard
Mr AL Heard
Mr MB Cannar
Mr RLO Ely
Dr RK Thornton
All members of the Scientific Research Group

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