2023 U.S. TOBACCO INDUSTRY INTERFERENCE REPORT LAUNCH
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WHO FCTC and the Global Tobacco Industry Interference Index

- World Health Organization Framework Convention on Tobacco Control (WHO FCTC)
- STOP partners Global Index

There is a **FUNDAMENTAL and IRRECONCILABLE CONFLICT** between the tobacco industry’s interests and public health policy interests.

- First Guiding Principle of the WHO FCTC Article 5.3 Guidelines
Unmasking Tobacco Industry Interference: Key Facts

Tobacco Industry Priority List

1. The tobacco industry wants to prevent effective tobacco control to maximize tobacco use.

2. They have a fiduciary responsibility to their stakeholders to maximize their profits.

3. Evidence shows that their tactics interfere with tobacco control policies.

• Tobacco use is the leading cause of disease and early death in the U.S.,

• The most effective strategies for reducing tobacco use involve public policy and

• The most significant barrier to enacting effective public policy is tobacco industry interference.
Report Limitations

- WHO FCTC Signed but not ratified
- Scope of domestic policy making
- Article 5.3 activities constitutionally prohibited
Tobacco Industry Interference Index Indicators

**Indicator 1**
Level of Industry Participation in Policy Development

**Indicator 2**
Industry CSR Activities

**Indicator 3**
Benefits to the Tobacco Industry

**Indicator 4**
Forms of Unnecessary Interaction
Tobacco Industry Interference Index Indicators

**Indicator 5**
Transparency

**Indicator 6**
Conflict of Interest

**Indicator 7**
Preventative Measures
INDICATOR 7: Preventive Measures

The government has put in place a procedure for disclosing tobacco industry contributions to health policies in relation to tobacco control and health policies in relation to tobacco control (Rec 3.1).

INDICATOR 5: Transparency

The government does not publicly disclose meetings/arrangements where tobacco industry representatives meet with government officials.

INDICATOR 6: Conflict of Interest

The government does not prohibit contributions from the tobacco industry or any entity working to further its interests to political parties, candidates, or campaigns to require full disclosure of such contributions. (Rec 4.11)

Represents data from April 1, 2021 through March 31, 2023.
2023 U.S. Score

76/100

This is the raw score for the U.S. and is subject to adjustment in the Global Index.
Raise awareness on the WHO FCTC and its provisions regarding tobacco industry interference

Strengthen and standardize revolving door prohibitions

Close loopholes in executive branch ethics guidelines

Prevent conflicts of interest in the FDA drug approval process

Adopt an official code of conduct for public officials

Educate lawmakers on industry interference

Mandate philanthropic donation disclosure
The tobacco industry has been a tremendous threat to public health for decades, and it’s no surprise that they come with a wide array of lobbyists and consultants doing their bidding.

~Stacey Gagosian, Vice President of Public Policy at Truth Initiative
It’s time to mobilize and act! We invite you to share your invaluable stories of tobacco industry interference in your jurisdiction and provide relevant data to help us strengthen our efforts to highlight this issue. We also encourage you to utilize crucial tools like the Tobacco Industry Lobbyists and Lobbying Firm Tracker.

Together, we can have a significant impact on curbing the tobacco industry's influence and safeguard public health.

Contact us
grayn@ash.org or info@ash.org

Follow us
ash.org @ASHglobalAction @ashorg
Pay-to-Play

How the Tobacco Industry Buys Access to Our Lawmakers
Overview

- Who am I, and what is the Center for Media and Democracy?
- What is the American Legislative Exchange Council (ALEC)?
- How does the tobacco industry access our lawmakers?
- Where can you find our work?
FGA doesn’t disclose its donors. But IRS data tracked by the Center for Media and Democracy, which investigates the influence of money in politics, show some of the largest checks came from foundations tied to conservative causes.

“Banks are increasingly denying financing to creditworthy borrowers solely for the purposes of marketing their environmental credentials, to the detriment of their clients and shareholders,” a letter from DEPA to ALEC board members that was obtained by Wisconsin Watch, a nonprofit watchdog group, shows.

Other leading donors to RAGA in 2022 include an arm of the US Chamber of Commerce, energy giant Koch Industries, and tobacco behemoth Altria, according to the liberal research group the Center for Media and Democracy (CMD).

I.R.S. Asked to Investigate Nonprofit Linked to Cain Campaign

A liberal-leaning watchdog group based in Wisconsin asked the Internal Revenue Service on Monday to investigate whether a tax-exempt organization linked to Herman Cain’s top campaign aide violated the law by providing air travel and other help to Mr. Cain earlier this year when he was exploring a presidential bid.

The watchdog group, the Center for Media and Democracy, said
RESOLUTION ON TAXATION OF SMOKELESS TOBACCO PRODUCTS VERSUS CIGARETTES

Summary

This resolution recognizes that tobacco harm reduction is a vital component in a successful tobacco control strategy. While abstaining from all tobacco is the best way for smokers to reduce their risk of disease, states and governments must also consider if those who will not abstain can reduce their risk by switching to tobacco products that present less risk. Research shows that 85 percent of U.S. smokers are unaware that smokeless tobacco products present less risk than cigarettes. Therefore, this resolution calls for transparency in terms of accurate and complete information on the relative risks of nicotine products that are not smoked. Furthermore, this resolution finds that excise taxes for smokeless tobacco products should reflect their relative risk in order to avoid arbitrary economic barriers to less risky products for consumers.

Resolution

WHEREAS, states have pursued for decades policies intended to encourage citizens who smoke to quit, and to discourage others who don’t smoke from starting; and

WHEREAS, while cigarette smoking rates have declined substantially over the period from 1965-2004, the rate of decline has slowed in recent years and the Centers for Disease...
OBJECTIVE

Help create an atmosphere of tolerance and fairness in the public's attitude toward smoking and smokers.

STRATEGIES

1. Continue to develop key ally groups who can and will tell the pro-tobacco side of issues. Examples being law enforcement and friendly fire department personnel.

2. Develop through friendly legislative groups, the willingness to tell our story in such a manner that it becomes their position. Example: ALEC telling the pitfalls and problems of earmarking cigarette tax dollars for cancer research centers.

3. Continue to work with organizations who feel smoking regulations in the workplace are unfair and should be left to the managers of each company.
Private Enterprise Advisory Council

To better promote the principles of limited government, free markets and federalism with real-world business experience, the ALEC Board of Directors enlists an advisory team of private-sector industry leaders.

Daniel Smith
Altria Client Services

Thank you to our 50th Anniversary Gala Sponsors!

- Alibaba
- Altria
- American Association for Debt Resolution
- American Bail Coalition
- American Council for Life Insurers
- Americans for Prosperity
- American Philanthropic
Tobacco Giant Altria Buys Access to ALEC Lawmakers, Urges Deregulation

Altria, which owns the maker of Marlboro cigarettes, lobbied ALEC state lawmakers at last month's annual meeting. Source: Joshua Katt/Unsplash

By Juliana Broad | August 21st, 2023 at 7:29 AM (CDT)
“Prohibitionist policies” – including bans of flavored tobacco meant to protect children and teens – “create so many unintended consequences: illicit markets, burdens on law enforcement, and it’s a burden on the criminal justice system,” said Mark King, Altria’s senior director for state government affairs.

“There’s 30 million adult smokers in the U.S.,” King said. “It’s not just the data; it’s your constituencies, people in our communities. But over 50% of them are interested in switching away from cigarettes. They want alternatives, and they want another product that they can transition away from smoking.”
“You see this harm reduction model in a lot of other industries and it’s the same with tobacco as well.”

- Altria lobbyist at ALEC meeting
Where can you find our work?

ALECExposed.org — articles, resources, and a database of known ALEC lawmakers

SourceWatch.org — wiki for front groups

ExposedbyCMD.org — investigative reporting

TinyURL.com/CMDEmails — our newsletter
Point-of-Sale Corrective Statements TSET Campaign

Julie Bisbee
Executive Director
Tobacco Settlement Endowment Trust

Tyler Klaassen
Senior Marketing Strategist
VI Marketing and Branding

Chase Harvick
Campaign Manager
Tobacco Settlement Endowment Trust
In 2006, the US District Court for the District Court of Columbia ruled that tobacco companies were guilty of breaking civil racketeering laws, marketing to children and lying to the public about the dangers of smoking. After years of fighting the ruling, the companies were forced to take action and admit their guilt in national media.
RICO Court Findings (U.S. v. Philip Morris, USA, Inc, *et al*)

1. Violated civil racketeering laws (engaged in an organized conspiracy to commit fraud)
2. Committed fraud
3. Are likely to continue to commit fraud
4. Denied that they control the level of nicotine to create & sustain addiction
5. Suppressed & concealed scientific research
6. Marketed low tar & light cigarettes as less harmful though they knew they were not
7. Marketed cigarettes to young people to replace smokers who die or quit smoking
8. Denied that secondhand smoke harms nonsmokers
9. Denied that smoking is addictive
10. Denied the health consequences of smoking
Smoking kills, on average, 1,200 Americans. Every day.

Secondhand smoke causes lung cancer and coronary heart disease in adults who do not smoke.

Children exposed to secondhand smoke are at an increased risk for sudden infant death syndrome (SIDS), acute respiratory infections, ear problems, severe asthma, and reduced lung function.

Secondhand smoke kills over 38,000 Americans each year.

There is no safe level of exposure to secondhand smoke.

A FEDERAL COURT HAS ORDERED PHILIP MORRIS USA & R.J. REYNOLDS TOBACCO TO STATE:

All cigarettes cause cancer, lung disease, heart attacks, and premature death—lights, low tar, ultra lights, and naturals. There is no safe cigarette.

More people die every year from smoking than from murder, AIDS, suicide, drugs, car crashes, and alcohol, combined.

Cigarette companies control the impact and delivery of nicotine in many ways, including designing filters and selecting cigarette papers to maximize the ingestion of nicotine, adding elements to make the cigarette taste less harsh, and controlling the physical and chemical make-up of the tobacco blend.

Cigarette companies intentionally designed cigarettes with enough nicotine to create and sustain addiction.

When you smoke, the nicotine actually changes the brain—that’s why quitting is so hard.
Campaign Strategy

• Time the release of the campaign around Big Tobacco’s statements being released
• Use creative messaging that addresses Big Tobacco’s deception
• Educate Oklahomans on the corrective statements themselves and the importance of this landmark decision
• Remind audience about Big Tobacco’s current deceptive practices
Campaign Audience

• Primary audience Ages 35+
• College education
• Household income of higher than $50,000
• Civically engaged
Big Tobacco’s current tactics: it’s important to drive home that the fight is not over. Big Tobacco has found new ways to target children and addict new users. Joining the fight is as important as ever and the CTA for the campaign invited users to do so at StopsWithMe.com.
Tactics

• Earned media
  • Press release
  • Organic website promotion
• Talking points for partners
• TrueView (YouTube ads)
• Social Video
• Promoted Social Posts
Tactics

A FEDERAL COURT HAS ORDERED R.J. REYNOLDS TOBACCO & PHILIP MORRIS USA TO STATE:

Smoking is highly addictive. Nicotine is the addictive drug in tobacco. That's making companies billions of dollars at your expense.

Secondhand smoke kills over 38,000 Americans each year.

Learn more about Big Tobacco's lies at TOBACCO STOPPES WITH ME.com

When you smoke, the nicotine actually changes the brain—that's why quitting is so hard.

Secondhand smoke kills over 38,000 Americans each year.

Learn more about Big Tobacco's lies at TOBACCO STOPPES WITH ME.com
Telling the WHOLE truth is tough for Big Tobacco.

We helped them out by editing their court-ordered mandates.

A FEDERAL COURT HAS ORDERED R.J. REYNOLDS TOBACCO & PHILIP MORRIS USA TO STATE:

There is no safe level of exposure to secondhand smoke. SMOKING HURTS EVERYONE, AND TOBACCO COMPANIES KNOW IT.

Smoking is highly addictive AND DEADLY. Nicotine is the addictive drug in tobacco. THAT'S MAKING COMPANIES BILLIONS OF DOLLARS AT YOUR EXPENSE.

Secondhand smoke kills over 38,000 Americans FAMILY MEMBERS/FRIENDS/NEIGHBORS/COWORKERS each year, ... AND TOBACCO COMPANIES HAVE KNOWN THESE DEADLY FACTS ALL ALONG.

TOBACCO STOPS WITH ME.
Videos – “Nicotine”

LEGAL TEXT HERE IS WHAT TOBACCO COMPANIES ARE FORCED TO SAY NOW:

“ALTRIA, R.J. REYNOLDS TOBACCO AND LORILLARD INTENTIONALLY DESIGNED CIGARETTES TO MAKE THEM MORE ADDICTIVE.”

GET THE TRUTH BEHIND THE LIES AT TOBACCO STOPS WITH ME.

TobaccoStopsWithMe.com
Social

A FEDERAL COURT HAS ORDERED PHILIP MORRIS USA & R.J. REYNOLDS TOBACCO TO STATE:

Secondhand smoke kills over 38,000 Americans each year.

After years of breaking civil racketeering laws, Big Tobacco is being punished. [Link](https://bit.ly/BTguilty)

Have you seen Big Tobacco’s court-ordered punishment in gas stations?
Results

• Campaign performance
• High awareness
• Increasing education
FREE Campaign Resources

• Corrective Statements assets available for FREE in CDC MCRC or StopsWithMe.com
Protecting Tobacco Science Integrity

Padmini Kucherlapaty MS, MPH
Research Associate
October 5, 2023
Our Mission

• **Truth Initiative** is dedicated to achieving a culture where young people reject smoking, vaping, and nicotine.

• We speak, seek, and spread the truth about smoking, vaping, and nicotine through:
  • education
  • tobacco control research
  • community activism and engagement
  • treatment innovations
Evolving Tobacco Epidemic

Source: National Youth Tobacco Survey
## Industry Strategies

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<th>Description</th>
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<td>1</td>
<td>Expanding product portfolios to attract new customers and retain existing ones</td>
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<tr>
<td>2</td>
<td>Marketing new products to youth and young adults who have rejected cigarettes</td>
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<td>3</td>
<td>Changing the Narrative to improve industry reputation among influential audiences and the general public</td>
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<td>4</td>
<td>Lobbying and Cultivating influence with policy makers against policies that strengthen tobacco control efforts</td>
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[https://truthinitiative.org/research-resources/tobacco-industry-marketing/spinning-new-tobacco-industry-how-big-tobacco-trying](https://truthinitiative.org/research-resources/tobacco-industry-marketing/spinning-new-tobacco-industry-how-big-tobacco-trying)
Tobacco Industry Changing the Narrative

- Paid “advertorials” in the New York Times, Wall Street Journal to rehab their image
- Position themselves as on the side of “science” and “harm reduction”
Undermining Scientific Integrity

JUUL LABS SHares FINDINGS FROM 11 SCIENTIFIC STUDIES AT THE 2021 ANNUAL MEETING OF THE SOCIETY FOR RESEARCH ON NICOTINE & TOBACCO

JUUL Labs today announced findings from its science and research program at the 2021 Annual Meeting of the Society for Research on Nicotine & Tobacco (SRNT), which was held virtually. The studies presented covered a wide range of topics that contribute to the growing body of scientific evidence on ENDS products, including information about their harm reduction potential as well as rates of complete switching to ENDS among adult smokers.
Undermining Scientific Integrity Through Grantmaking

PMI’s Foundation for a Smoke-Free World (FSFW)

• Influencing the field via journal publications
• We reviewed U.S. FSFW grants from 2017-2022, Finding:
  - 61 grants to 42 U.S.-based organizations
  - 30 journal publications
Tobacco Science Integrity Steering Committee
Tobacco Science Integrity Steering Committee

**Who:** Discussion group of researchers, policy analysts, practitioners and program staff to help inform our field about industry actions

**Strategies:**
- **Educate** scientists, journals, and public health professionals about industry actions
- **Change policies** and practices in key scientific organizations to prevent conflicts of interest
- **Counter and expose** efforts by the industry to intimidate researchers and organizations
- **Educate a new generation of researchers** about historical industry actions and the importance of protecting scientific integrity
Improving COI Policies

• Clarify wording: Replace "tobacco industry employees" with a clear definition.

• Eliminate loopholes: Explicitly exclude consultants funded by the tobacco industry.

• Remove exceptions: Explicitly exclude tobacco industry employees or those funded by the tobacco industry from publishing, participating in conferences, and reviewing papers.

• Improve accessibility: Make instructions and COIs easier to find.
Changing membership policies

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<th>Action</th>
<th>APHA</th>
<th>SRNT</th>
<th>SBM</th>
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<td>Sent letters urging the adoption of comprehensive policy and a broader “tobacco industry” definition for APHA and AJPH</td>
<td>Sent letters recommending expanding their conflict-of-interest policy to exclude tobacco industry consultants</td>
<td>Sent a letter urging restriction of tobacco industry employees or those who receive industry funding from attending or presenting at their annual conference</td>
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<td>Outcome</td>
<td>APHA formalized a conflict-of-interest policy for abstract submission and advertising at APHA</td>
<td>SRNT leadership acknowledged our recommendation and is working to collect data to determine membership eligibility for industry consultants in the future</td>
<td>SBM leadership was responsive and met with a small group to discuss the issue, we are in contact with them and look forward to see if they will change their COI policy</td>
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Counter And Expose Efforts By The Industry
What can we do?
Promote Tobacco Science Integrity

Speak out!

1. Remain vigilant to industry interference
2. Work to change policies at journals, conferences, and organizations
3. Share the website with colleagues so they can learn more

https://truthinitiative.org/TSI
Resources on Industry Interference

- Our [Website](#): Protecting Scientific Integrity from Tobacco Industry Interference
- [Watch our panel discussion](#): Undermining Scientific Integrity: The Tobacco Industry’s Renewed Attack on Research and Reality
- [Spinning a New Tobacco Industry](#): How Big Tobacco Is Trying To Sell A De Gooder Image And What American Thinks About It.
- Koval et al. [Tobacco industry advertising](#): efforts to shift public perception of big tobacco with paid media in the USA
- Briggs and Vallone. [The Tobacco Industry’s Renewed Assault on Science](#): A Call for a United Public Health Response
- Legg et al. [Paying lip service to publication ethics](#): scientific publishing practices and the Foundation for a Smoke-Free World
Thank you

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Stay Involved

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ash.org/webinars

Read the report

Tobacco Industry Interference Index

ash.org/2023Index

Next Webinar

Stay tuned for our next webinar, and register today to save your spot for the U.S. FDA Menthol Announcement

Please complete our survey after the webinar ends. Thank you!