2023 U.S. TOBACCO INDUSTRY INTERFERENCE REPORT LAUNCH



Speakers







Manager of Engagement and Special Programs ACTION ON SMOKING AND HEALTH

Juliana Broad



Investigative Reoirter
THE CENTER FOR MEDIA
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TOBACCO SETTLEMENT
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Campaign Manager
TOBACCO STOPS WITH ME and
the OKLAHOMA TOBACCO
HELPLINE

Padmini Kucherlapaty



Research Associate
TRUTH INITIATIVE
SCHROEDER INSTITUTE



Moderator

Laurent Huber

Executive Director

Action on Smoking and Health

2023 U.S. Tobacco Industry Interference Index



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



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.

Unmasking Tobacco Industry Interference: Key Facts

- 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.

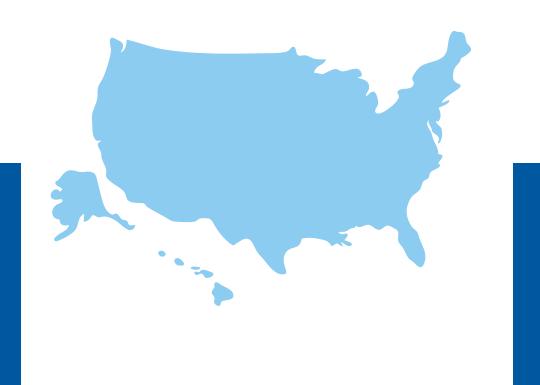


Report Limitations

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

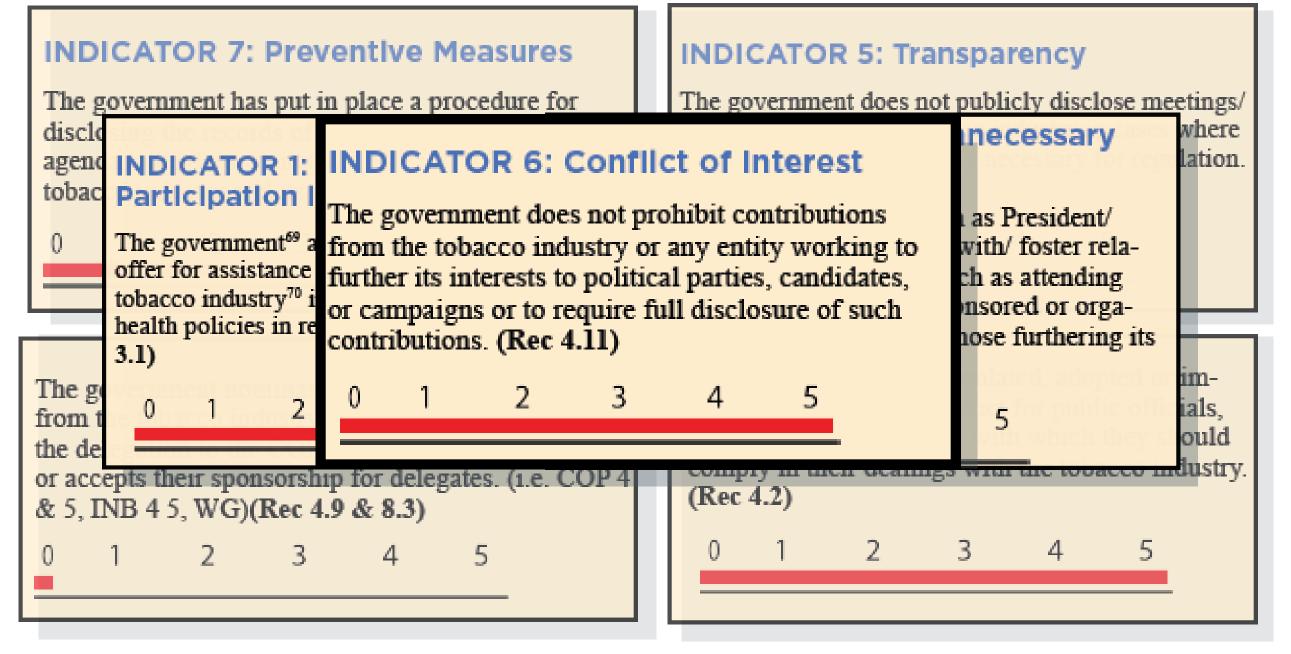
Conflict of Interest

Indicator 7

Preventative Measures

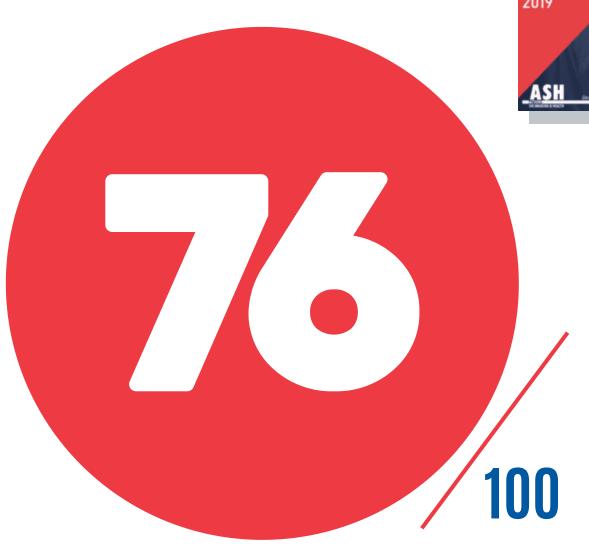


2023 Findings



Represents data from April, 1 2021 through March, 31 2023

2023 U.S. Score









This is the raw score for the U.S. and is subject to adjustment in the Global Index.



Recommendations

Raise awareness on the WHO FCTC and its provisions regarding tobacco industry interference

Prevent conflicts of interest in the FDA drug approval process

Strengthen and standardize revolving door prohibitions

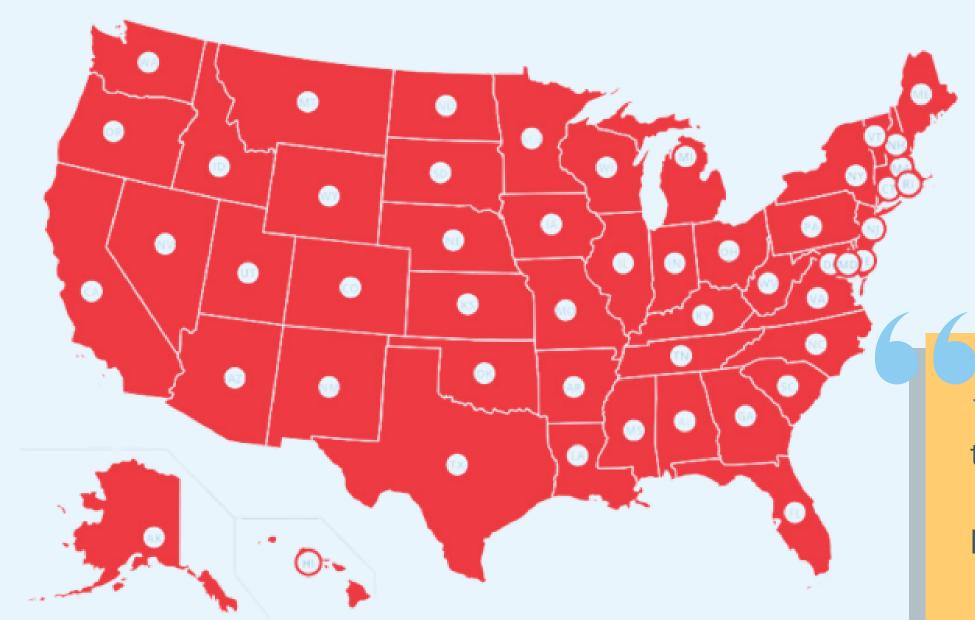
Adopt an official code of conduct for public officials

Close loopholes in executive branch ethics guidelines

Educate lawmakers on industry interference

Mandate philanthropic donation disclosure





Practical Tools

ash.org/tobacco-money/

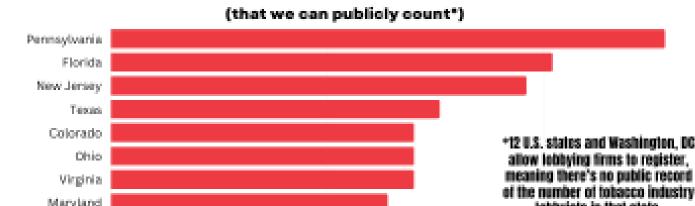
The tobacco industry has been a tremendous threat to public health for decades, and it's no surprise that they come with a wide array of lobbyists and consultants doing their bidding.

~Stacey Gagosian, Vice President of Public Policy at Truth Initiative

TOBACCO LOBBYIST AND LOBBYING FIRM TRACKER



Top 11 U.S. States: with the Most Tobacco Lobbyists



TAKE ACTION!

Read the full 2023 U.S. Tobacco Industry Interference Index report here:

ash.org/2023Index



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 XO @ashorg



Pay-to-Play

How the Tobacco Industry Buys Access to Our Lawmakers



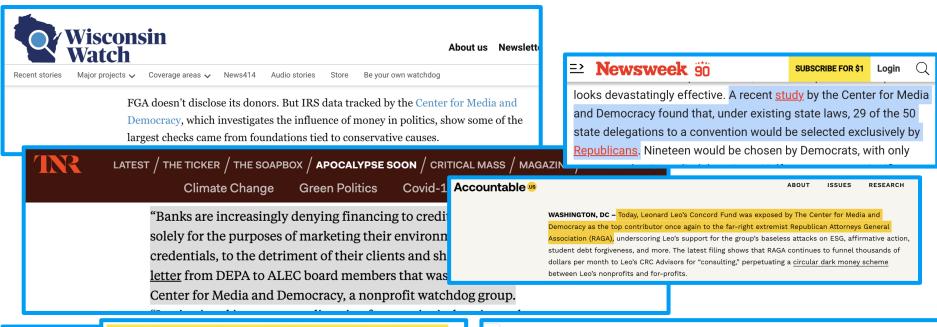
Overview

- 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?





exposedbycmd.org



<u>Intelligencer</u>

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).

Do you see more stuff?

Yes. I think it has grown rapidly in the last few years. I think the *Dobbs* decision was a clarion call. We're going to continue to have an uphill struggle against that Republican political machine because the same big donors who ran the court-capture operation for all those years, which Center for Media and Democracy estimated was \$580 million operation and which got Leonard Leo a \$1.6 billion slush-fund payoff, is also behind the Republican dark-money political spending.

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

BY NICHOLAS CONFESSORE NOVEMBER 7, 2011 1:40 PM

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 CICARETTES

MODEL POLICIES SEARCH Q OADVANCED

Model Policies



3 MONTHS AG

Taxpayer Dollars Protect Workers Act

SECTION 1 – Statement and Purpose: WHEREAS, [insert state], as part of its economic development policy, has the right to set terms and conditions in connection with the awarding of ...



3 MONTHS AGO

Elimination of Youth Justice Fines and Fees Act

Section 1. Legal Financial Obligations for Youth Referred to the Juvenile Justice System A. No fee, court cost or fine other than restitution shall be imposed on or collected from...



2 MONTHS AC

Resolution Supporting a US-Taiwan Agreement for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income

WHEREAS, the United States has entered into tax treaties covering more than 60 jurisdictions around the world which facilitate bilateral economic activity; strengthen global cooperation and benefit US businesses and...



3 MONTHS AG

Safeguard American Votes and Elections Act (SAVE Act)

(1) In all elections, including primary elections, for any local, state, or federal public office, the following shall be prohibited: a. Voting systems that permit a voter to...

Summary

This resolution recognizes that tobacco harm reduction is a vital component in a successful tobacco contool strategy. While abstaining from all tobacco is the best way for smokers to reduce their risk of disease, state 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.

Party Status

Type: Model Resolution

Status: Final

Date Finalized: June 23, 2017

Task Forces

Tax and Fiscal Policy

ags

STFS 2017

RESOLUTION ON TAXATION OF SMOKELESS TOBACCO PRODUCTS VERSUS CIGARETTES

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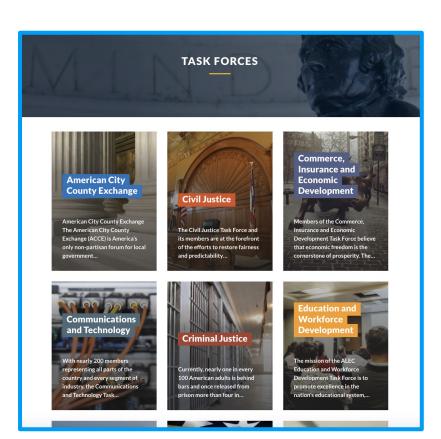
Resolution

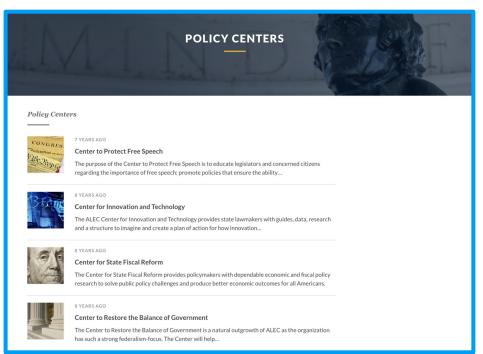
WHEREAS, states have pursued for decades policies intended to encourage citizens who smoke to quit, and to discourage others who don't smoke from starting; and

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

- 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 pitfall and problems of earmarking cigarette tax dollars for cancer research centers.
- Continue to work with organizations who feel smoking regulations in the workplace are unfair and should be left to the managers of each company.

Source: UCSF's Truth Tobacco Industry Documents







Private Enterprise Advisory Council

Altria Client Services

Daniel Smith

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.







A News > 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

Tobacco Giant Altria Buys Access to **ALEC Lawmakers, Urges Deregulation**



By Juliana Broad | August 21st, 2023 at 7:29 AM (CDT) / Ed



Bills to Ban Local Soda Taxes Are Moving In the States, Coke and Pepsi Borrow from the Tobacco Playbook



By Mary Bottari | March "Darling" of Big Tobacco **Promotes Kid-Friendly Tobacco Products**

Some ALEC Funders Flee, but July 1, 2011 - 12:43pm Koch, Big Tobacco, and **PhRMA Remain Loyalists**

Submitted by Rebekah Wilce

ALEC and the Tobacco Industry

Submitted by Anne Landman on July 15, 2011 - 9:04am

Koch Draws on Big Tobacco for New PR Hires

Submitted by Jessica Mason on August 24, 2015 - 9:10am

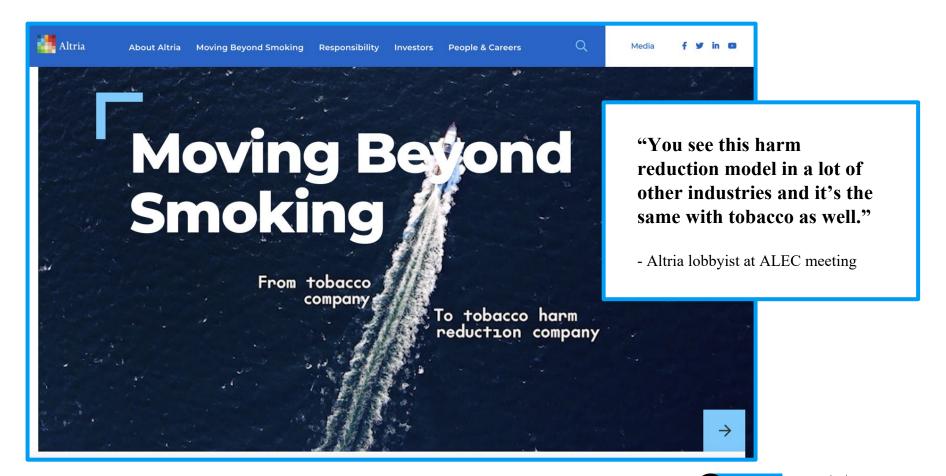
Oil, Tobacco Interests Fund **Luxury Getaway for** Republicans

Submitted by Anne Landman on January 25, 2010 - 1:50pm

"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."







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

Campaign Background

• 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



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



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

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



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.

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.

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



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

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



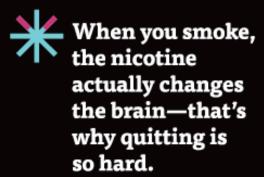
Cigarette companies control the impact and delivery of nicotine in many ways, including designing filters and selecting cigarette paper to maximize the ingestion of nicotine, adding ammonia to make the cigarette taste less harsh, and controlling the physical and chemical make-up of the tobacco blend.

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



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

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



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



Secondhand smoke kills over 38,000 Americans each year.

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



There is no safe level of exposure to secondhand smoke.

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

Creative Messaging

• **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











Print



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 <u>no safe</u>
<u>level</u> of exposure
to secondhand
smoke.

SMOKING HURTS
EVERYONE,
AND TOBACCO
COMPANIES KNOW IT.

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:



Smoking is highly addictive, AND addictive, DEADLY.

Nicotine is the addictive drug in tobacco, THAT'S

MAKING COMPANIES
BILLIONS OF DOLLARS
AT YOUR EXPENSE.

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:



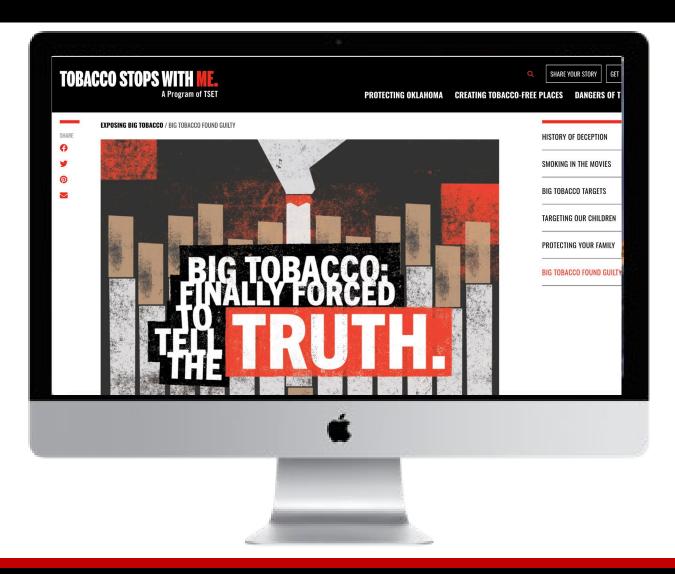
Secondhand smoke kills over 38,000 Americans

FAMILY MEMBERS/FRIENDS/ NEIGHBORS/COWORKERS

each year,

... AND TOBACCO COMPANIES HAVE KNOWN THESE DEADLY FACTS ALL ALONG.

Landing Page



Videos – "Nicotine"



TRANSLATION:

"We intentionally designed cigarettes to
INTENTIONALLY DESIGNED CIGARETTES TO
make sure people got hooked and stayed hooked."

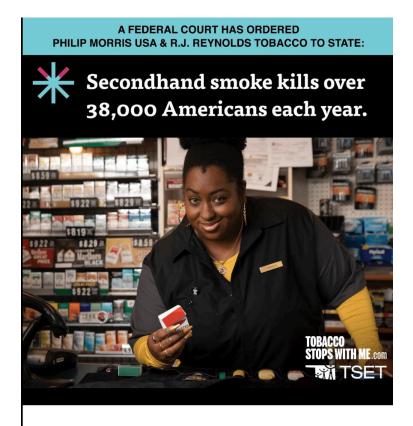
MAKE THEM MORE ADDICTIVE."

LEGALLY, 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."



Social



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



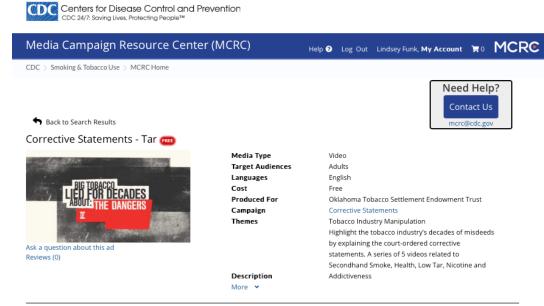
Have you seen Big Tobacco's court-ordered punishment in gas stations?

Results

- Campaign performance
- High awareness
- Increasing education

FREE Campaign Resources

Corrective
 Statements assets
 available for FREE in
 CDC MCRC or
 StopsWithMe.com



Order Options Available - 1



Catalog ID QYSH 11275 (E-30) Length 30 s Language English

Request this Item

Transcript

OKTSET Corrective Statements - Tar (30 seconds)
Big tobacco lied for decades about the dangers of low tar and

Protecting Tobacco Science Integrity

Padmini Kucherlapaty MS, MPH Research Associate October 5, 2023

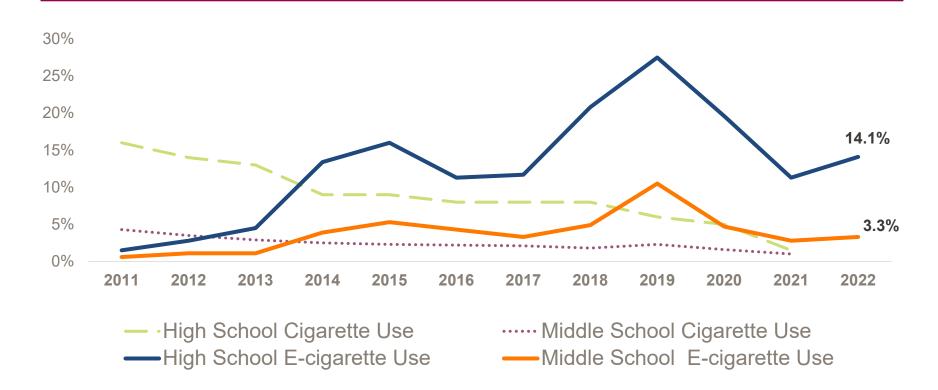


Our Mission

- 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







Industry Strategies

Expanding product portfolios to attract new customers and retain existing ones

Marketing new products to youth and young adults who have rejected cigarettes

Changing the Narrative to improve industry reputation among influential audiences and the general public

Lobbying and Cultivating influence with policy makers against policies that strengthen tobacco control efforts

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



AMERICAN JOURNAL OF HEALTH BEHAVIORTM

VOLUME 45 NUMBER 3 MAY/JUNE 2021

SPECIAL ISSUE ON JUUL

Introduction to the Special Issue on JUUL Use Saul Shiffman, Erik M. Augustson

Prevalence of ENDS and JUUL Use, by Smoking Status, in National Samples of Young Adults and Older Adults in the U.S.

Shivaani Prakash, Cameron Hatcher, Saul Shiffman

The Adult JUUL Switching and Smoking Trajectories (ADJUSST) Study: Methods and Analysis of Loss-to-Follow-Up

Saul Shiffman, Mark A. Sembower, Erik M. Augustson, Nicholas I. Goldenson, Farhana Haseen, Neil Patrick McKeganey, Christopher Russell

Switching away from Cigarettes across 12 Months among Adult Smokers Purchasing the JUUL System Nicholas I. Goldenson, Saul Shiffman, Cameron Hatcher, Dish Lamichbane, Arzoo Gaggar, Gem M. Le, Shivaani Prakash. Erik M. Aueustson

TUUL LABS INC.

02/24/2021 | Press release | Distributed by Public on 02/24/2021 13:00

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

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

RESEARCH & ANALYSIS

FEBRUARY 24, 2021

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

	APHA	SRNT	SBM
Action	Sent letters urging the adoption of comprehensive policy and a broader "tobacco industry" definition for APHA and AJPH	Sent letters recommending expanding their conflict-of-interest policy to exclude tobacco industry consultants	Sent a letter urging restriction of tobacco industry employees or those who receive industry funding from attending or presenting at their annual conference
Outcome	APHA formalized a conflict- of-interest policy for abstract submission and advertising at APHA	SRNT leadership acknowledged our recommendation and is working to collect data to determine membership eligibility for industry consultants in the future	SBM leadership was responsive and met with a small group to discuss the issue, we are in contact with them and look froward to see if they will change their COI policy



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 <u>website</u> with colleagues so they can learn more

https://truthinitiative.org/TSI



Resources on Industry Interference

- Our <u>Website</u>: 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. <u>Tobacco industry advertising</u>: efforts to shift public perception of big tobacco with paid media in the USA
- Briggs and Vallone. <u>The Tobacco Industry's Renewed Assault on Science</u>: 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

Jodie Briggs jbriggs@truthinitiative.org

Padmini Kucherlapaty pkucherlapaty@truthinitiative.org



truthinitiative.org









Stay Involved









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Read the report



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Stay tuned for our next webinar, and register today to save your spot for

the U.S. FDA Menthol Announcement

