

May 29, 1984

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PRESS RELEASE

For Immediate Distribution

The National Conference of Christians and Jews, a New York based humanitarian organization, recently sent invitations to a \$250 a plate banquet honoring James C. Bowling, a senior vice president of Phillip Morris Company, whose Marlboro brand is the world's best-selling cigarette. This association between the cigarette manufacturers and organized religion has drawn a strong reaction from DOC (Doctors Ought to Care), a national physician's group involved in health awareness and education.

"It is unthinkable that a religious organization whose philosophy involves the sanctity of life should engage in cooperative activities with an industry whose products have produced this country's number one public health problem, according to the U. S. Surgeon General." Doctor Tom Houston, National Coordinator of DOC, Rome, Georgia also said, "It is unfortunate that such a well-intentioned organization as the National Conference of Christians and Jews would raise funds by honoring a man whose success has been built at a terrible cost in lives and health-care resources."

Doctor Rick Richards, DOC president from Augusta, Georgia said, "Donations by Phillip Morris are really an attempt to buy absolution for their sins and legitimacy for the industry and its products -- innocence by association. Cigarettes have been shown to cause the premature death of over 370,000 Americans yearly -- hardly an innocent endeavor." He noted that the Reverend Collins Kilbourne, Executive Director of the North Carolina Council of Churches was quoted recently in the Charlotte, North

Carolina Observer as saying, "We insist there is a moral problem when you are producing a product that causes death to large numbers of people."

In New York, Doctor Alan Blum, the founder of DOC, compared the destruction by the cigarette industry to a modern-day holocaust saying, "It is incredible that the NCCJ and other religious organizations which have had similar affiliations with the tobacco industry have not seen this connection."

DOC urged concerned citizens as well as its 2000 physician members to contact their local clergy and demand a clean break from the cigarette industry.

Doc

Doctors Ought to Care

June 14, 1989

Elizabeth M. Whelan, Sc.D., M.P.H.
Executive Director
American Council on Science and Health
1995 Broadway, 16th Floor
New York, New York 10023-5860

Dear Beth:

Once again, I think your presence in allaying public "Alarm" has been very important. I saw you on "Nightline" and was only disappointed that you didn't get more time. Perhaps DOC could be helpful in presenting some of your points in our school and community-based efforts.

I would definitely like to have increased dialogue with you to plan a few cigarette-related projects. I am trying to complete two video and monograph projects: one on sports sponsorship and the other on minorities.

I think I could reorganize and refocus Larry's piece into a more dispassionate and better documented manuscript. The single step that would most improve it would be to compile a table (not necessarily comprehensive but with sufficient meat and potatoes to make the point to even a casual reader) of the various non-advertising inroads made by tobacco companies into science, the arts, and philanthropy in general. But you and I still need to discuss what we would like to see done about all this.

Christine's comment is very intriguing, but remember that, at least insofar as DOC has been concerned, our mission has been to educate the public that the tobacco industry is bad, not just tobacco. Let's speak soon.

Fondly,

Alan Blum, M.D.

AB/js

Dear Beth,

Once again, I think your presence in allaying public "Alarm" has been very important. I saw you on "Nightline" and was only disappointed that you didn't get more time. Perhaps DOZ

I ~~heard~~^{read} an interesting letter about organic farming (it may have appeared ^{either} in the New York Times or else in one of the dozens of local dailies I pick up as I travel around) ~~to~~ to the effect that if ~~everyone~~^{more farmers} were to adopt such practices there would be ^{overall} less profit and many would go out of business. ^{I believe} ~~the~~ premise of the letter was that demand for such produce simply isn't there - or certainly wouldn't be if wildly fluctuating prices came about based on seasons when insects ate the crop. Whatever the letter actually said made me realize that the expectation of fresh produce has in large measure come about through ~~could~~ be helpful in presenting some of your points in our school-based and community-based efforts.

I would most definitely like to have

increased dialogue with you
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Christine's comment is very intriguing
but remember that, at least insofar as Doc has
been concerned, our mission has been to educate the
public that the tobacco industry ~~is~~ is bad, not just tobacco.
Let's speak soon. Fondly,
Ann

Reactions to the paper on Ethics sent to you by E. Whelan

These are just a few quick reactions I had to the ethics paper.

* The first part of the article is written without footnotes or any sort of references. Those not informed about the issue might be interested in knowing the sources or some background reading material.

* Those already informed will not find anything new in the article.

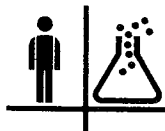
My general reaction is that there is nothing new in the article. The only other piece sighted (Wolinsky) is a much better article than what the author offers. However the author could add new insight by using a more narrow focus on one particular industry or incident to give a more detailed and more interesting insight into the ethical problems posed by taking tainted money.

I need to
get copy of
(Jim's typing of)
my letter to
Beth Whelan

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American Council on Science and Health



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May 9, 1989

To: Alan Blum

*Beth St. Helan asked me to
forward you the attached manuscript
for your comments and review.*

Thank you.

Sincerely,

Pat Keenan -

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THE ETHICS OF ACCEPTING MONEY FROM THE TOBACCO INDUSTRY
An American Council on Science and Health Report
by Larry C. White

Despite its great wealth, the tobacco industry in the United States is under siege. Cigarette smoking is officially condemned by the U.S. government and just about every association of health professionals. Smoking has been acknowledged by the medical community as the number one cause of premature death in this country. That cigarettes are both addictive and potentially deadly is no longer a matter of serious scientific dispute.

An industry on the defensive is likely to use every weapon at its command to further its interests. Philanthropy is one of those weapons. Tobacco industry motives in giving money include the quest for "innocence by association" with prestigious charitable institutions, the diversion of scientific research into less damaging channels, and the creation of a favorable corporate/industry image. Philanthropy also earns the friendship of important opinion makers.

Tobacco industry philanthropy cannot be understood without recognizing the essential uniqueness of the industry's products. Cigarettes are the only product on the market that are harmful when they are used as they are intended to be used. This raises a number of ethical considerations for potential recipients, some of which are considered in the first section below. The following section details the reasons why cigarettes are unique.

The sections of this report dealing with the history of tobacco philanthropy and current patterns of giving examine the

industry's efforts to make use of its largesse to protect an enterprise that is essentially indefensible.

The last two sections, on the concept of conflict of interest and the effect of accepting cigarette money, are attempts to consider the problem from the point of view of a potential recipient of industry funding.

This report will explore some of the ethical questions that charitable institutions should consider before accepting money from the tobacco industry. Because the industry uses its philanthropy to promote its business, there are serious ethical considerations involved in accepting tobacco money. Recipients must consider whether taking money from this source in some way promotes cigarette smoking, leading to more needless deaths.

Some charitable organizations accept cigarette money and some don't. But the decision whether to take tobacco money has customarily been made ad hoc. An examination of the reasons behind tobacco industry gifts and the ethical issues surrounding these gifts should help potential recipients make the decision on whether to accept or reject these funds on a reasoned and principled basis.

SOME ETHICAL CONSIDERATIONS

The recipients of philanthropy, including money from the tobacco industry, are customarily engaged in doing "good works". The value to individuals and society of their activities is often

great. That value, it has been argued, outweighs any ethical considerations about taking tobacco money.

Yet there is broad agreement that money from some sources would not be acceptable. For example, few if any charitable institutions would accept money from the mafia. The underlying reason for rejecting money from such a source is that to accept it would be in some way to become complicit in immoral actions of the donor.

We all know that accepting money creates obligations. Among other ethical principles there is one called "reciprocity". All things being equal, a recipient of money owes a moral obligation to the donor to, at the very least, not harm the donor or his interests.

This is a potent if often unspoken principle. Its primary result is to limit the freedom of expression of recipients of cigarette money. Artists who receive grants from Philip Morris are not free to ridicule Marlboro ads or satirize smoking. Researchers cannot investigate the role of RJR or the Tobacco Institute in promoting smoking. Indeed, researchers must think carefully about the possible consequences of correctly listing the order of lifestyle risk factors in the origin of many diseases. As students of free speech and the First Amendment have long known, the most effective censorship is self-censorship.

There is another ethical question that must be considered. In receiving money, an organization, a researcher, an artist bestows something on the giver. When PM sponsors an opening at

the Metropolitan Museum, some of the museum's legitimacy rubs off on the cigarette maker. When Harvard University accepts an RJR grant, RJR acquires a little chunk of Harvard's credibility.

Some may say that the work done with cigarette money is so valuable that it is worth lending credibility to the tobacco industry. An analogy to this ethical dilemma was suggested by a professor of philosophy who posited the question thus, "you are standing on a street corner collecting money for the homeless. A man robs and murders a passer-by. As the murderer passes you by, he gives you a five dollar bill. Are you justified in taking it?" Another issue is: "how would taking it restrict me? One answer to this is that you would not be free to call the police, because you would in some sense be an accomplice to the crime."

There is sure to be an ethical dilemma for those who take money from a source that is dedicated to values antithetical to their own. Those in the medical profession work in the interests of the health of people. The tobacco industry is dedicated to earning profits despite the diseases caused by their business.

Non-profit organizations and artists who accept money from tobacco sources risk betraying the very people and work to whom they owe their primary loyalty.

CIGARETTES ARE A UNIQUE PRODUCT

Almost all cigarettes sold in the United States are made by the six American cigarette companies (Philip Morris,

R. J. Reynolds, Lorillard, American Tobacco, Brown and Williamson, and Liggett and Myers). By far the two largest cigarette companies are Philip Morris which has a 33% share of the American cigarette market and RJR/Nabisco which has a 31% share. The two giant cigarette makers each give more than \$40,000,000 per year to a variety of charitable endeavors. Lorillard is a subsidiary of Loew's corporation, which is controlled by two brothers, Laurence and Preston Tisch, who are noted philanthropists.

Corporate philanthropy is well established in the United States. Indeed, corporations now give away more money than do foundations. Companies that sell cigarettes resemble other types of businesses in a myriad of ways. As the companies' public relations people like to say, cigarettes are a "legal product".

Cigarette manufacturers deny that their products have been proven to cause disease and death. They contend that cigarettes are simply in a class of products that are in some way associated with a heightened degree of risk. They say that cigarettes are like cars, red meat, alcoholic beverages, eggs and so on.

Yet there is no scientific dispute that smoking causes cancer, heart disease, emphysema, and a variety of other diseases. The tobacco industry's claim that smoking has not been proven to cause disease need not be taken seriously. But what about the comparison with other alleged risks to health?

If this comparison is accurate, then there is little reason for singling out cigarette company philanthropy from that of automobile manufacturers etc. But on closer analysis, it becomes

obvious that cigarettes are not like other products.

The most striking difference is in the number of people who are injured by cigarettes as opposed to other products. Approximately 20,000 Americans die each year in automobile accidents not related to drinking and about another 20,000 die as a result of the combination of alcohol and driving. While these numbers are tragic, they are far less than the 390,000 deaths caused by smoking. The other products cited by cigarette manufacturers as also "controversial" such as red meat have not been proven to cause death at all.

But there is an important theoretical as well as practical difference between cigarettes and all other products. Other products that harm people do so because of accident or human error. Both automobiles and alcoholic beverages are harmful only if improperly manufactured or designed or if abused by a consumer. The harm they cause is thus caused inadvertently--by accident or human error. Thus while there may be some degree of negligence involved, harm from using the product is an exceptional and unusual circumstance.

Cigarettes, on the other hand, are manufactured by companies that know or should know that they are harmful. It is not necessary for consumers to abuse cigarettes to be harmed. They are harmful when used as they are intended to be used. Furthermore, they are harmful not because of any error in design or manufacture, but because they are intrinsically harmful to health. The analogy in the civil law would be to injuries caused

by negligence (a poorly designed car) as contrasted with intentional injuries such as assault and battery.

Cigarettes are also unique because they are protected by special provisions in federal law. They are specifically exempted from regulation by the Food and Drug Administration and the Consumer Products Safety Commission. The states are forbidden by federal law to regulate cigarettes or their advertising. Indeed, because they are harmful when used as intended, they could not be marketed freely without this special protection. The only reason for the privileged niche cigarettes occupy is the power of the tobacco lobby in Washington. Indeed, were it not for the unyielding efforts of the cigarette companies, cigarette usage, and resulting death rates, would be far lower than they are now.

Furthermore, cigarettes have no utilitarian value. The "pleasure" of smoking is primarily the gratification of an addictive craving and there is no other discernable benefit. Other products which cause injury and death, such as cars, are, on the contrary, very useful, indeed necessary for much of the country's population. Even alcohol, which is certainly too often abused, when used in moderation adds to the quality of life.

HISTORY OF INDUSTRY GIVING

Tobacco industry "philanthropy" began with medical research. Buffeted by studies showing that smoking was associated with lung cancer, the industry decided that it had to give money to

scientists.

The cigarette industry faced its first major crisis in the early 1950's. Reputable British and American studies showed that the growing epidemic of lung cancer was being caused by cigarette smoking. Press reports of the news and the comments of physicians led to the first ever drop in the number of people smoking. Business reporters foresaw the demise of the cigarette industry.

The initial reaction of the industry was fragmented and defensive. In 1953 Paul Hahn, president of the American Tobacco Company, issued a statement denouncing "loose talk on the subject". R. J. Reynolds president E. A. Darr denounced the doctors who conducted the studies, "One of the best ways of getting publicity is for a doctor to make some startling claim relative to people's health regardless of whether such statement is based on fact or theory".

Such statements were widely seen as self serving and did the industry no good. So, in January, 1954 the leaders of the major American cigarette companies met in a secret conclave in New York with the public relations firm of Hill and Knowlton. Out of this meeting came the Tobacco Industry Research Committee and eventually the Tobacco Institute. The TIRC eventually became the Council for Tobacco Research--U. S. A., Inc., which still exists and has headquarters in New York City.

Since 1954, the cigarette industry has spent through the Council on Tobacco Research over \$120,000,000 on research by "independent investigators". The CTR says that it "has supported

studies by 629 scientists for 1,009 original projects in nearly 300 medical schools, hospitals and research institutions." In addition, both Philip Morris and RJR/Nabisco have spent millions of dollars funding doctors and medical institutions. Neither company will release the exact amount spent.

Right from the beginning there were people who doubted the public value of the cigarette companies themselves funding research. On January 20, 1954 the magazine CHRISTIAN CENTURY commented, "It is impossible for any research which they set up and ultimately control, whatever the eminence of its staff and advisory committee, to convince the public that it is telling the truth, the whole truth, and nothing but the truth."

But there was no way the industry could fund studies that disproved the link between smoking and a growing number of diseases. Instead, the industry adopted a strategy of putting smoking into a group of "possible" risk factors.

The TIRC said in 1962 that it was funding studies of cancer caused by 1. viruses; 2. environment; 3. genetic influences; and 4. personality.

On January 11, 1964, Surgeon General Luther Terry issued the long awaited report linking smoking and lung cancer. This report put the U.S. government imprimatur on the anti-smoking studies of the past 15 years. It was a severe blow to the tobacco companies image and legitimacy. Both Philip Morris and R. J. Reynolds responded by instituting corporate philanthropy programs and expanding their giving beyond the medical sphere.

Philip Morris began its program to sponsor artists and museums. In 1965 PM, headquartered in New York, began its continuing support for avant garde art by sponsoring a major exhibit of Op and Pop Art, which was at the height of fashion at the time. RJR, located in Winston-Salem, North Carolina, began sponsoring rodeos and stock car races.

CURRENT PATTERNS IN GIVING

There are three main sources of cigarette company philanthropy, the Council on Tobacco Research, Philip Morris Co. and R. J. Reynolds. The Council on Tobacco Research gives money only to medical institutions for medical research. The two largest cigarette companies also give funds for medical research and to many other organizations.

There is no legal requirement that PM and RJR/Nabisco disclose to whom they give money and the companies have long refused to make public the complete list of recipients. Nevertheless, some information is available. Hamish Maxwell, the Philip Morris CEO, wrote in a forward to a booklet advertising the PM philanthropy program, entitled IN THE PUBLIC INTEREST, "In 1987 the Philip Morris companies contributed money and in-kind services valued at more than \$40 million to groups working in the areas of health and welfare, conservation and environment, education, nutrition and the arts". He went on to say "the computer printout identifying our grantees is two inches thick."

Philip Morris declined to provide a copy of the printout for this report.

Nevertheless, the recipients featured in the booklet show the range and sophistication of PM's philanthropy. In 1987 PM gave a grant to the National Urban League, a premier black organization, for a pilot project to curb crime in black neighborhoods. The nation's largest cigarette company also gave money to the Women's Research and Education Institute for women to serve on the staff of U.S. Representatives and Senators as "Philip Morris Congressional Fellows". PM also gave money to the Foreign Policy Association, the New York Public Library, and Center for Independence of the Disabled.

Among the grantees of RJR/Nabisco was Duke University, which received \$2,000,000 for a new building for its Fuqua School of Business. The United Negro College Fund received \$1,000,000, while the National Urban League got \$101,000. The Baptist Hospital Medical Center/Bowman Gray in Winston-Salem received \$1,500,000, while the Boston University School of Medicine was given about \$254,000 for medical research. RJR/Nabisco's highest priority in giving is for fundamental biomedical research. The three broad areas of funding include basic immunology research; a fellowship program for young scientists, and basic research "on the part played by the interaction of individual attributes and selected lifestyle modes in the genesis and progression of chronic degenerative diseases".

The "research scholars award" is by invitation only. Medical

schools are asked to nominate one of their best and brightest young assistant professors in pulmonary medicine or immunology for the award, which can be up to \$75,000.

Neither PM or RJR/Nabisco has disclosed exactly how much they have contributed to medical research.

Laurence Tisch and his brother Preston gave \$30 million to New York University to rename University Hospital as Tisch Hospital. The Tisch brothers own Lorillard, manufacturer of Kents, Newports and True, among other cigarettes. John Brademas, NYU's president, is a board member of Loews Corporation, the parent company of Lorillard. Laurence Tisch is the president of NYU Board of Trustees.

Philip Morris has made support of the arts the cornerstone of its philanthropy. The list of recipients includes such prestigious institutions as the Metropolitan Museum of Art, New York's Museum of Modern Art, the Corcoran Gallery of Art in Washington, D.C., La Scala Opera Company of Milan; and the New York Philharmonic. PM is also a big supporter of the avant garde in art and music, as exemplified by one of its favorite grantees, the trend setting Brooklyn Academy of Music.

A recent PM publication says "Philip Morris support now goes well beyond the visual arts and sponsorship of museum exhibitions. All told, Philip Morris has supported 57 museums, 39 symphony orchestras and music groups, 20 dance companies, 29 theater groups, and a host of others".

Philip Morris expects its grantees to be grateful. The

company gave \$30,000 to the Corcoran Gallery of Art in Washington, D.C. for an exhibition in 1987. My article critical of this sponsorship appeared some months later in the New York Observer. At the opening a person associated with the Corcoran complained to a Philip Morris official about little packets of cigarettes being distributed at the opening. Soon after, PM told Corcoran officials that they would no longer fund the museum. PM officials cited the critical story which they attributed (incorrectly) to a leak from a museum source, and the complaints about the distribution of cigarettes as the reasons for withdrawing their support.

Both PM and RJA/Wabisco give money to sports. Professional women's tennis was created with PM money. But sports promotion is funded by the companies' marketing operations and is considered brand promotion rather than philanthropy. The "Virginia Slims Women's Tennis Tournament" is a good example of the direct tie between sports promotion and brand promotion.

In addition to the two cigarette giants and the Council for Tobacco Research, there is one other more limited source of philanthropic funding. The Tobacco Institute, the lobbying arm of the industry, gives grants to many organizations including volunteer and municipal fire departments and associations of fire fighters (the tobacco industry has long fought Congressional attempts to mandate a fire safe cigarette).

In 1985, the Tobacco Institute funded the publication by the National Association of State Board of Education of a highly

controversial pamphlet entitled "Helping Youth Decide". In the multi-million dollar advertising campaign funded by the Tobacco Institute to promote the pamphlet, smoking was equated with other "practices reserved for adults". The TI wrote, "The list ranges from driving and obtaining credit to military enlistment, voting, drinking, marriage, and many more".

THE CONCEPT OF CONFLICT OF INTEREST

The concept of "conflict of interest" is familiar to some areas of our society, but foreign to others. It is probably most developed in the legal profession. Among lawyers, there are distinct and explicit rules that define what is a conflict of interest and how such a conflict is to be treated.

Lawyers are carefully governed by conflict of interest rules because their profession is adversarial in nature. An attorney must work zealously in the interest of his or her client, and if the client's interest conflicts with any one else, the client's interest must take priority. Such are the ethical rules of lawyers.

In other professions or the arts, there are usually no defined conflict of interest rules. Yet there may be ethical conflicts. The New England Journal of Medicine published an editorial on conflicts of interest in the May 3, 1984 issue. The immediate subject was the growing tendency of privately funded research and the possibility that researchers might own an equity

interest in the company funding their work. The Journal said, "One does not have to assume that researchers are venal to appreciate that they may be affected (consciously or unconsciously) by economic incentives which can influence they way they design or conduct their studies, how they interpret the results, or how and when they choose to report them."

The editorial mentioned that connections with investor owned businesses may be just another form of a preexisting problem, "We recognize that in some (emphasis in original) sense, authors may be affected by conflicts of interest even when no commercial considerations are involved. Competitive pressures and concerns about research grants, peer recognition or academic advancement may adversely influence behavior."

Because of these possible conflicts of interest, the New England Journal of Medicine began a policy of requiring their authors to disclose all the funding sources supporting the submitted work.

At least one researcher was challenged in the pages of the journal as a result of this policy. Russell Ross of the University of Washington published an article about the pathogenesis of atherosclerosis, funded in part by RJR. Drs. Paul Fisher and John W. Richards and Doctors Ought to Care (DOC) wrote to the journal charging that Ross had misrepresented the important causes of the disease, fleetingly mentioning smoking at the end of the article. "It was hardly surprising to find out that the work was supported in part by a grant to Dr. Ross from

R. J. Reynolds Industries, a company that by itself should be listed as a major cause of atherosclerotic lesions."

Ross replied that he was deeply offended by the DDC letter. He said that the funds came not from the R. J. Reynolds Tobacco Company, but from the parent corporation, which was diversified. RJR/Nabisco funds were unrestricted, he said, and "no constraints have ever been placed on anyone in our group and no permission is required for publication. Unlike most American corporations, R. J. R. Nabisco believes in providing unrestricted funds for basic biomedical research." Ross went on to point out that he was in good company. Other recipients of RJR/Nabisco largesse included: Rockefeller University, Harvard University, the University of Colorado, Washington University, the University of California at San Diego, the University of California at San Francisco, the University of Pennsylvania, Yale University, and the Bowman Gray School of Medicine.

The world of the arts has little concept of conflict of interest, yet it is possible to argue that such conflicts can exist. For example, there has been some controversy about the sale of the rights to well known songs for commercials. Gershwin's Rhapsody in Blue was used for a commercial for United Airlines recently, provoking criticism among some commentators. In most of these cases, the rights have been sold not by the composer, who is long dead, but by the trustees of his estate. The argument against such sales is that certain works of art have become so much a part of our culture that the public has earned a

moral if not legal interest in them.

The arts, painting, dance, opera, also occupy a privileged place in our culture. They are given tax exempt status by government at all levels and accorded the highest level of prestige by the media as well as the elite of society. There is an implicit "understanding" that in exchange for this high status, the purveyors of art will be primarily governed by artistic considerations. Art need not have a social message, it may refer only to itself, but it should not have a purely commercial message. The loyalty of arts institutions and artists ought to be to art itself. Accepting money from cigarette companies is harmful to the arts because it injures the reputation of the recipient and lowers the status of art in the community.

Other non-profit groups that receive money from the tobacco industry may find themselves in a conflict of interest situation. For example, women's organizations such as NOW (the National Organization of Women) and the United Negro College Fund have received grants from tobacco companies. Yet their constituencies have been specifically targeted for increased sales by the cigarette companies. The result of this marketing strategy has been a lower rate of decrease of smoking among women and blacks than among white males. As a result of this, lung cancer has surpassed breast cancer as the number one cancer killer of women.

Spokespersons assert that the value to their constituents of the money these organizations receive from the industry outweighs

any other considerations.

Yet the conflict of interests issue cannot go away. Promoting cigarettes is harmful to women and blacks, but organizations that accept money from the industry become a de facto part of the marketing strategy for the industry. One of the most blatant examples of this is the Brown and Williamson "Kool Achievers Award" for adults who are working to improve life in the inner city. Here the name of a specific brand popular among blacks is directly used.

THE EFFECT OF ACCEPTING CIGARETTE MONEY

Researchers who receive tobacco industry money are probably aware, consciously or subconsciously, of the "moral deficit" of the industry. Dr. Ross' justification that his grant came from a diversified RJR implies a recognition that tobacco funding is suspect.

There are several different types of ethical concerns relating to tobacco industry funding of medical research. The first has to do with the research itself. To what extent is it reliable? This issue was addressed in an article that examined pharmaceutical industry funding of research into new drugs.¹ The author found that there was a statistically significant association between the source of the funding and the outcome of

¹. "Source of Funding and Outcome of Clinical Trials", by Richard A. Davidson, MD, *Journal of General Internal Medicine*, v. 1, May/June, 1986, p. 155.

the study. He theorized that one cause of this was the fear on the part of researchers that they would lose their funding if they came up with results not pleasing to the funder.

In the case of tobacco industry funded research, the public assumes that it is legitimate if it does not exonerate smoking as a cause of disease. But the danger of wanting to please or at least not to displease a tobacco industry funder is more subtle. One of the most reliable ways of avoiding trouble would be to choose a topic that does not require mentioning the harmful effects of smoking.

RJR's biomedical research grants point the way. Their number one focus is "basic research on the part played by the interaction of individual attributes and selected lifestyle modes in the genesis and progression of chronic degenerative diseases". Lest there be any misunderstanding, RJR goes on to suggest the following areas for study: "stress, hypertension, personality traits, behavioral patterns, and genetic background".^a

By far the most important disease producing "lifestyle mode" is smoking. But a researcher who accepts RJR money would be well advised to stay away from that topic--if he or she wants to get any more money from RJR. This alone should give pause to researchers who contemplate receiving such money.

Accepting money directly from RJR or FM is a little different from accepting money from the Council for Tobacco

^a. "R. J. Reynolds Biomedical Research", a publication of the Medical Research Committee, R. J. Reynolds, 1100 Reynolds Boulevard, Winston-Salem, N.C.

Research. Those dispensing company money are cigarette company employees and are answerable to cigarette company executives. CTR is more insulated and operates more like a conventional foundation. Yet CTR is wholly funded by the tobacco industry and was founded to promote the interests of the industry.

Ethical considerations regarding the medical profession's accepting of money from CTR were explored in an article in the New York State Journal of Medicine written by Howard Wolinsky, a reporter for the Chicago Sun Times.² Wolinsky quotes Dr. Sheldon Sommers, the scientific director of the Council for Tobacco Research--U.S.A. who said, "Ten, 15 years ago, there were some organizations such as Rockefeller University, that didn't want CTR money, but that's all gone by. [Now] there's not a single organization, a university, a research institution, a college that turns down the money." One exception to this is the University of Sydney in Australia, which has refused cigarette tainted money since 1962.

Wolinsky indicated that the CTR has a relatively high degree of credibility. Oakland, California epidemiologist Gary Friedman, a former grantee said the CTR sponsors good studies and does not interfere. Several studies that were funded found harmful effects from tobacco. Indeed, since its founding, CTR has sponsored many studies that have found tobacco to be harmful.

Furthermore, CTR is run by a board of directors who are

². "When researchers accept funding from the tobacco industry, do ethics go up in smoke?", New York State Journal of Medicine, July, 1965, p.451

independent scientists, not employees of cigarette companies. Therefore, in formal terms, there would seem to be little ethical reason for researchers to reject CTR money. After all, CTR operates just like any reputable foundation.

But ethical considerations go beyond the considerations of form to the substance of the transaction. CTR money comes ultimately from cigarette companies. Their purpose in funding the organization is not to prove that smoking is harmful--corporate suicide has never been on their agenda. Do the cigarette companies gain anything from funding the CTR?

Molinsky addresses this point. He quotes Dr. Joanne Lucto, former director of the U.S. Office on Smoking and Health, who said that CTR money is often just part of the total funding of a research project, often an adjunct to federal money. She remarked that the CTR "is buying legitimacy when its funds are mixed with those from NCI and other agencies."

Lucto went on to explain the most important benefit CTR provides the industry, "funding research helps the industry keep alive the notion that the dangers of smoking are still in question. As long as they keep funding research and people keep doing research, even if it's into the subcellular molecular basis of carcinogenesis, John Q. Public is not going to know that distinction, so he's going to think, 'hmm, they haven't proved that it causes cancer yet'...It is conceivable that they are doing legitimate research, while they are getting illegitimate public benefits from it."

In a sidebar to Molinsky's article, noted anti-smoking activist Dr. Alan Blum points out that the Tobacco Institute uses CTR funded studies in its public relations efforts. The TI's publication, the TOBACCO OBSERVER has run stories of research linking cancer to heredity, for example.

These tobacco industry funded studies, which might not otherwise be conducted, have the effect of diffusing opposition to smoking.

CONCLUSION

Whatever good tobacco industry philanthropy does is more than offset by the vast toll in human suffering caused by smoking. Nevertheless, some say that it is better for the industry to use even a small part of its profits for good works rather than normal business purposes. But philanthropy is a business purpose, and more helpful to the industry than most of its normal activities.

Tobacco industry giving is not neutral—it is intended and actually does promote an industry whose products kill hundreds of thousands each year. And the effect can be quite direct. If a Brooklyn Academy of Music takes BM's money and lauds the corporation for its generosity and as a result hundreds of trendsetting young artists and performers begin or continue to smoke has BM made a good bargain by accepting tobacco money?

If a medical researcher cautiously omits to emphasize

smoking as the number one cause of heart attack in a tobacco industry funded study, resulting in family doctors underestimating the dangers of smoking and thus not adequately advising their patients to quit the habit, has science been served?

If black and women's organizations accept tobacco money does this not result in more blacks and women smoking than would otherwise?

Tobacco philanthropists proclaim their high motives in giving money, but it makes sense to be skeptical. When New York University renamed its hospital after the owners of Lorillard, Dr. William Cahen, a distinguished New York surgeon, wrote to the university's president, John Brademas, who had defended the donors in a previous letter. Dr. Cahen wrote, "If the Tische are as public spirited as you suggest, and if they are sincerely interested in the health and welfare of the community, they could: 1) discontinue Loew's cigarette business; and 2) subsidize youth anti-smoking campaigns. In terms of good being done for the largest numbers, these measures would be unmatched".

The greatest gift that the industry could give to mankind would be to simply liquidate the tobacco business.

Letter & Enclosures
to Beth Whelan.
I hope all went well
& you're feeling better.

Dear Beth,

Jim

We really ought to stay closer
in touch. I miss our conversations.
How is your family? ~~Massie~~ Lean still
talks about that great day when we
saw the tall ships from your balcony.

I very much admired the ^{full page} advertisement
you placed a few weeks ago. Something
was needed to put ~~the matter~~ ⁱⁿ perspective,
~~into~~ perhaps we can combine forces on a
cigarette-related advertisement sometime.

Last month I attended the annual
meeting of Philip Morris for ~~the~~ a
second time. It's the world of anti-matter.
The company is clearly using its food ~~and~~
acquisitions (and the ^{attendees} media visibility and
clout) and beer ~~and~~ company macho good
humor to insulate tobacco profits.

Clearly, the core of ~~Philip~~ the company is
just one brand: Marlboro. Get Marlboro
and you've got P.M. One of every four
cigarettes sold in the US is Marlboro.
The only "down" note from the meeting
was Maxwell's (P.M.'s chairman)
comment that 7% of the world cigarette

market outside the US (PM's share) is unacceptable.

Thank you for sending Larry's article on the ethics of accepting money from the tobacco industry. I'm glad you sent it around before ~~putting~~ publishing it officially, because it is ~~not~~ not a very good paper. Larry has been successful at enriching themes that others ~~have~~ such as you and I have ~~never~~ introduced, and I recall a particularly impressive article he wrote for you on the agricultural aspects.

This time, however, he has drawn a blank. The paper is a mishmash of preaching and pickiness, with ~~some~~ virtually no new information or insights that have not been previously published elsewhere. I was struck by your ^{cover-letter} comment that "no one has ever raised this question in any detailed manner," since it ~~over~~ appears to have overlooked several articles in the New York State Journal of Medicine that specifically and in great detail address the ethics of scientific funding, religious funding, ~~an~~ ethnic and minority funding, arts funding, and interlocking boards of directors. Also DOC has produced an "Artists as

Asttrays" lithograph and article and I personally have planned and organized "housecalls" at the Metropolitan Museum of Art in 1983, ~~and more recently at~~ Virginia Slims in 1978 (and this year), the Alvin Ailey American Dance Theater ~~this year~~ (in Utica this ~~year~~ month), ~~and have written~~ the Benson & Hedges Film Festival (1977) and The Miami Herald (1978). ~~The~~ ~~also aided several~~ in the early 1980's

the Australian group BUGA-UP, ^{in part aided} ~~was~~ by DOC, ^{was} instrumental in creating public awareness of tobacco funding of charities, art institutions, and sports bodies. In short, ~~Doc has~~ ^{for many years} many people ~~been~~ have been involved ⁱⁿ ~~trying to~~ ^{publishing} ~~make known~~ the immorality of the acceptance of tobacco industry money. Just this year DOC ~~issued a~~ ~~petition~~ was able to get ~~to~~ a major ^(children's) hospital to promise not to take tobacco industry money in the future, when we exposed the fact that it was the beneficiary of the Camel Motocross.

Another individual who wrote about the "strange bedfellows" of the tobacco industry ~~was~~ is

Myron Levin of the L.A. Times.

~~The~~ ^{one} point I'm trying to make is that we need to ~~press~~ progress beyond ~~the~~ Big Bad Wolf journalism. You and I ~~have been~~ ^{were} among the handful of pioneers in this area in the late '70's. Granted we still need to monitor the activities, ^{of the industry} (and ~~that~~ my assistant Jim Smith and I, along with our entire DOC network, are trying to do just that), and we still need to get the word out on a regular basis, but I think we now have an obligation to state what we want the public to do about it.

Larry's article falls short on every count. (Some of my articles do, too.) He is clearly out of his element in discussing the research subject, and one of the clues to this is his use of the New England Journal ^(NEJM) example. All he has done is to recapitulate the issue that we raised in a letter to NEJM. ~~The~~ A major article could ^{still} probably be written solely about the etrics of tobacco company funding

of medical research, but I think that for the time being the articles ~~stuff~~ I ^{issues} ran in the New York State Journal ^{by} (Howard Wolinsky of the Chicago Sun-Times and myself) as well as a piece by Mark Methrell of The Age in Melbourne in 1982 (which I ~~can~~ ^{could} find and send) covered the issue thoroughly.

Again, the challenge is to come up with an action plan, not more polemic. Either trash this piece or at least acknowledge that it is yet another incomplete update of sorts of ~~an~~ a nagging subject first raised by others a decade or more ago.

My own personal ~~advice has~~ ^{opinion} is to begin a serious national boycott of the General Foods, Kraft, and Nabisco logos. Nothing more (except for campaigns targeted at Marlboro, Winston, Virginia Slims, and Kool) and nothing less. At the Philip Morris annual meeting each attendee was given a discount coupon book for the company's products, included in which was a "shopping guide" to remind you of the enormous number of

(6)

brands the company now produces.
I am not sanguine about our prospects
of commingling ~~the~~ effectively that
Entenmann's Sealtest, Breyer's, Oscar
Mayer, and Seven Seas are now owned by
a tobacco company, but I do think
we can make headway with an entire
line of a major subsidiary such as
General Foods or Kraft.

Incidentally, be looking for the
new Kraft-General Foods advertising
strategy for breakfast: Tang orange
drink, Entenmann's baked goods,
Sealtest yoghurt, Kraft cream cheese and
jellies, Oscar Mayer bacon, and
Maxwell House coffee. And try to
catch the commercial for Maxwell House
in the French cafe where a couple are
smoking.

Let's stay in closer touch.

Fondly,

Alan



American College of Physicians

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Robert H. Moser, MD, MACP
Executive Vice President

Linda M. Salsinger
Director,
Department, Continuing Medical Education

August 12, 1985

Elizabeth Whalen, D.Sc.
Executive Director
American Council on Science and Health
1995 Broadway
New York, NY 10023

Dear Doctor Whalen:

On behalf of the College, it is my pleasure to invite you to organize and present a 90-minute symposium on "Smoking" at our 67th Annual Session in San Francisco, California. The symposium would be scheduled on ~~Saturday~~ ^{Thursday}, April ~~10~~ ¹⁰, 1986, from 4:00 to 5:30 p.m.

The College will pay you and your participants an amount equal to coach-class air fare, ground transportation expenses, an honorarium of \$200, and a \$200 per diem.

If you can accept our invitation, please let us know at your earliest convenience. We should like to receive the enclosed program listing form as soon as possible. Copy for handout material (typed on 8 1/2 x 11 bond paper) should be received by December 1, 1985. A 50 to 100 word description of the symposium should also be sent by December 1, 1985.

The symposium may have up to three participants (excluding the moderator). We ask that you invite your participants directly, but would appreciate receiving copies of your correspondence with them. After they have accepted, please let us know and we shall send them confirming letters outlining the symposium guidelines (enclosed), and honorarium and expense reimbursement policy.

We do hope that you will be able to participate on our program, as I am sure this session would add to the excellence of the meeting.

Sincerely yours,

Linda M. Salsinger

Linda M. Salsinger
Director,
Department, Continuing Medical Education

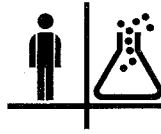
LMS:dy

Enclosures: Program Listing Form
Symposium Guidelines
Return Envelope

SYMPOSIUM GUIDELINES

1. Each symposium will be scheduled for 90 minutes, and will have a moderator and up to three participants.
2. Symposia are held in rooms large enough to accommodate 650; however, actual audience size may vary from 200 to 650, depending on the subject being presented.
3. Only 35mm (2 x 2) slides may be shown. Because of the audience size, it is important that slides be prepared so that they may be seen from the back of the auditorium. Slides should contain no more than 8 or 10 lines of type. If slides of x-rays are shown, patient names should be obliterated to maintain confidentiality. The College will furnish reimbursement for slides that need to be remade.
4. Key information on slides should be included in handout material. The College will print and distribute this information along with any other pertinent written material you provide at the symposium. All handout copy should be typed on 8 1/2 x 11 paper.
5. Symposia may be recorded for inclusion in the College's Audio-Cassette Program. An "Educational Material Release" form will be sent to all faculty in programs that have been selected for such recording.

American Council on Science and Health



Elizabeth M. Whelan, Sc.D., M.P.H.
Executive Director

Richard A. Greenberg, Ph.D.
Associate Director

Lynne P. Middelveen, M.S.
Assistant Director

August 14, 1985

Alan Blum, M.D.
New York State Journal of Medicine
420 Lakeville Road
Lake Success, New York 11042

Dear Alan:

As per our discussion this afternoon, I am inviting you to participate in the 67th Annual meeting of the American College of Physicians. The details are found in the attached letter from the Department of Continuing Medical Education.

I would like to have you talk about the stranglehold the tobacco industry has on the flow of information about the dangers of smoking, touching on the suppression of media coverage, corporate clout of the industry, pending litigation and the like. The talk you gave at our seminar a year or so ago (Surgeon General's press conference) was excellent.

I will let you know who else I line up. One other speaker will address the medical consequences of smoking. Another will look at ways physicians can intervene to get people to quit smoking, or better yet, not to start.

Sincerely,

Elizabeth M. Whelan
Executive Director

EMW:cem

*Could you pls
send me a
written acceptance*

*I invited
Dr. Koop*

*I sent the
Journal to
Tim Ferguson at
M.S.*

Please Reply to:

- 1995 Broadway 18th Floor New York, NY 10023 Telephone: (212) 362-7044
- 47 Maple Street Summit, NJ 07901 Telephone: (201) 277-0024
- 1050 17th Street, N.W. Suite 900 Washington, D.C. 20036 Telephone: (202) 659-8978

American Council on Science and Health



Elizabeth M. Whelan, Sc.D., M.P.H.
Executive Director

Edward G. Remmers, Sc.D.
Associate Director

Howard G. Maurer
Director of Development

□ 1995 Broadway 16th Floor New York, NY 10023-5860 Telephone: (212) 362-7044
Fax No. (212) 362-4919

To: ACSH Directors and Selected Advisors
From: Beth Whelan
Date: April 27, 1989

Enclosed please find for your review an ACSH white paper (appropriately, it is written by Larry White) dealing with the subject of philanthropy by cigarette companies and the ethical questions this raises.

To our knowledge, no one has ever raised this question in any detailed manner, and this is simply a first try. It is more philosophical than other ACSH publications, and our intention is simply to get readers to consider the ethical aspects of accepting money from corporations which manufacture a product which is the leading cause of premature disease and death.

We would be most pleased to have your comments on this paper. We enclosed a self addressed envelop for its return.

Board of Directors

Sidney Shindell, M.D., LL.B.
Chairman of the Board, ACSH
Professor and Chairman
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Medical College of Wisconsin

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American Council on Science
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for Cancer Research