

PROBE

David Zimmerman's newsletter on science, media, policy and health

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Exposé

'Journalist' Conned Colleagues For 35 Years as Spy for Tobacco

Minneapolis

A tobacco public relations man, masquerading as a journalist, spied on "anti-tobacco" science, scientists, and scientific organizations for more than a third of a century. He spied on newsmen and newswomen, too. This industrial espionage took place during the height of the cigarette wars, starting in the early '60s.

The PR man *cum* journalist is Leonard S. Zahn, of Great Neck, N.Y., a Long Island suburb of New York City. Starting in 1955, and continuing until the mid-'90s, Zahn represented the Council for Tobacco Research (CTR), an industry front group. The CTR has been dissolved, pursuant to an agreement last year with New York State, the state's attorney general says. However, CTR was still answering its phone last month.

In a key earlier trial, *Cipollone v. Liggett et al.*, in which damaging tobacco documents first began to flood into public view, U.S. District Judge H. Lee Sarokin said of CTR: "The creation of this entity, and the work [it] performed was nothing but a hoax created for public relations purposes, with no intention of seeking the truth or publishing it."

Zahn has said, to the contrary, that CTR "is a highly respected, nonprofit organization whose purpose is to support research by independent scientists at medical schools, hospitals, and research centers . . ."

Role Is Assessed

Some information on Zahn's work came to light earlier, and has already been reported. But newly released documents, including thousands of pages of his files, show that he played a far greater role in cigarette makers' efforts to denigrate and deny scientific evidence linking smoking to illness and death than has previously been known.

Much new information by and about Zahn was uncovered by the firm Robins, Kaplan, Miller & Ciresi here. This law firm subpoenaed the files, and built and litigated the landmark Minnesota case that ended successfully last spring; it led to the

subsequent national settlement between the states and the tobacco industry.

The massive document file from the case has been opened to the public as part of the settlement. It can be accessed at the Minnesota Tobacco Document Depository, located in an industrial mall here near the University of Minnesota.

Leonard Zahn is a life member of the National Association of Science Writers (NASW), as are we. A decade ago, based on court documents, we published an exposé of Zahn's use of working-journalist credentials to enter pressrooms at scientific meetings to serve his client, tobacco. (*ScienceWriters* [SW] Spring '89). This double-dealing is frowned upon by health organizations like the American Heart Association (AHA) and American Cancer Society (ACS) that run pressrooms to help science writers cover the news.

Pivotal Role Seen

The newly available court papers, however, provide a more complete picture of Zahn's work — as spy. They document, in his own words, his enormous service to this "resolute" and "unflinching" industry. They also reveal that, for decades, Zahn played a pivotal role between the tobacco industry, including its lawyers and trade organizations, on the one hand, and science, medicine, the press — and thus the public — on the other.

These documents also reveal how Zahn — a smoker — managed to influence science writers and the public at a time when

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Help Acknowledged

This investigative issue of PROBE was facilitated by a 1998 grant from the Fund for Investigative Journalism, in Annandale, Va. We are grateful to our colleagues for this support.
— D.R.Z.

NEJM Editor's Job Is in Peril

Philadelphia

Internist Jerome P. Kassirer, M.D., may soon be out of his job as editor-in-chief of the *New England Journal of Medicine (NEJM)*.

Some officials of the Massachusetts Medical Society, which owns the prestigious journal, are unhappy with his performance, according to a knowledgeable medical source in Boston.

Both the journal and the society have declined to comment, as have members of the society's committee on publications. So has Kassirer. But when the *NEJM* executive editor, Marcia Angell, M.D., was asked here if a change at the top would affect

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Letters

Pat McGrady Replies

In our last issue, we described the difficult choice that faced film-maker Henry Hampton, Jr., our brother-in-law, several years ago when he developed a deadly lung cancer. His doctors recommended an experimental treatment plan, including an autologous bone marrow transplant. A cancer care advisor, Patrick McGrady, who is a colleague of ours, suggested, instead, alternative cancer care.

Hampton chose the mainstream treatment and was cured of his cancer. He lived eight additional years, and died last autumn. In recounting this history, we recalled a conversation we had had with Pat McGrady, years earlier, in which he said the outcomes from standard care and alternative care were essentially the same: After five years, patients treated either way will have died. We invited Pat's response to our piece. Below is his letter, published in full. We're grateful to Pat for contributing to this discussion.

Dave, I was unaware of your brother-in-law's death last November, and I hasten to send you and your wife, belatedly, my condolences. I don't know why you use the occasion of his death for what appears to be a professional/personal attack on me and my efforts to find the best treatment for him. I am surprised and delighted that he had a successful experimental bone marrow transplant treatment and that it gave him several good years with his family. As you know from the literature, this is a most uncommon result. You mention Carl Sagan. Bear in mind that he died within two years of his marrow transplant for myelodysplasia.

I am not a medical doctor, as I have always stated and as you acknowledge, but you err in asserting that I give medical advice. What I do is, in effect, extend the medical journalism I've done for some 30 years to address the plight of the confused, unsophisticated individual cancer patient.

I seek out the best treatment options, the very ones that I would elect to pursue were I in the patient's shoes. It is for my clients to speak to the professionals, and to choose whom they wish to prescribe for them.

Your "memory" of our conversation about cancer end results is dead wrong. *Of course*, not all patients die in 5 years. The

National Cancer Institute's longstanding claim of 50 percent 5 year survivals is equally ridiculous. As Mike Shimkin, M.D., a founder of the NCI once remarked to me: "It's only true if you include *pimples* in the denominator."

Your title suggests that your brother-in-law's death is a touchstone to assess standard vs. alternative care. It isn't. His single (and singular) experience must be considered along with thousands of other data. The point is that *nobody* knows for sure what will or won't cure any individual cancer patient. In fact, most of the major cancer institutions, including the National Institutes of Health, are embracing alternative and complementary therapists to repair some of the *glaring* deficiencies of the conventional modalities.

Your brother-in-law bucked the odds by following his doctor's advice to try an unproven procedure with a frightening mortality risk. In retrospect he had a good, caring doctor and some good luck. I couldn't be happier for him and his family.

Sincerely, Pat

A Note To Readers

PROBE has made its newsstand debut, initially in Minneapolis-St. Paul and Southern California. To facilitate newsstand sales, we now are post-dating our issues — as most monthlies do. Specifically, while this issue immediately follows our February one, it is dated *April*. There is no issue for March, 1999. Subsequent issues will be similarly post-dated.

All subscriptions will be adjusted accordingly: You will not miss any PROBES.

Readers who keep track of PROBE should note that while our monthly datelines have been erratic — we sometimes miss an issue, or are late — the folio numbers (Vol. VII, No. 5 for this issue) have been accurate and consistent since the start.

Since, finally, PROBE is a news publication, so that time and timing are critical elements in our reports, we are going to add a single line above the Masthead in each issue, indicating when it went to press. Here is the first of these lines:

This issue closed on March 9, 1999

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Tobacco Industry: What Did It Know? When?

Even as the Council for Tobacco Research (CTR), in New York, coughed its last gasp last month, the tobacco industry continued to say the case against smoking remains unproven. This of course is dead wrong. Documents introduced in last year's Minnesota Tobacco Litigation prove the companies knew the hazards long, long ago.

Trial Exhibit 11,028, as a prime example, is a report by three British American Tobacco (BAT) scientists who came to the U.S. to assess thinking here on the links between smoking and lung cancer. They visited colleagues at the American Tobacco Co., Liggett & Myers, and Philip Morris, as well as

officials from the Council for Tobacco Research (CTR), which then had a slightly different name. They also visited NIH, Sloan-Kettering, Yale and other academic research sites. Returning home, they wrote a nine page report on their visit. Here are key excerpts:

"With one exception [at Yale] the individuals whom we met believed that smoking causes lung cancer, if by 'causation' we mean any chain of events which leads finally to lung cancer and which involves smoking as an indispensable link. In the U.S., only Berkson [not otherwise identified], apparently, is now prepared to doubt the statistical evidence, and his reason-

ing is nowhere thought to be sound."

The BAT Brits — H.R. Bentley, D.G.I. Felton, and W.W. Reid — add:

"Scientific opinion in the U.S. does not now seriously doubt that the statistical correlation is real, and reflects a cause and effect relationship."

These conclusions were widely accepted in the U.S. tobacco industry, the BAT visitors write. They add:

"Although TIRC [now called CTR] officially still takes the view that 'causation' is not proven, in practice the industry in [the] U.S. has found here a good deal of common ground with the opposition."

The date of this BAT report: June 11, 1958.

Spy...

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the evidence that cigarettes are dangerous was as convincing as the evidence that the earth is round: Zahn cultivated and coozied up to writers, editors, and pressroom managers who, like both him and his wife Hilda, smoked cigarettes. They, as he, had personal as well as professional reasons to defend themselves and their addictive behavior from fears that it might kill them.

Zahn used his press room entrée to spy on scientists surreptitiously and challenge them openly at press conferences and in corridor conversations. He was an *agent provocateur*.

"I returned a little over a week ago from the American Heart Association's science writers' forum in Tucson," he reported to his CTR bosses, in the mid '70s. "It was the third such forum, but this time, unlike the two previous years, there was little mention of tobacco . . . Last January I discussed the over-emphasis on smoking with one of the forum's chief organizers, a long-time friend, and perhaps he realized that there was little new or different . . . Or, perhaps he thought that the press was a little tired about the same invective against smoking."

Pro-tobacco Report Boosted

In a report on the AHA symposium, Zahn also bragged that with the aid of "the K.C. people" — the industry's long-time attorneys, the law firm of Shook, Hardy & Bacon, in Kansas City — "I was able to deal directly with a Pittsburgh research[er] who was about to have published a helpful article. A press release was drafted, and he had his institution issue it at the proper time."

The documents reveal, however, that Zahn was much more than a flack or a spy. He was the industry's point man with science writers, who are the narrow informational conduit through which

scientific findings for and against cigarettes reached the American public. As R.J. Reynolds executive Charles Wade wrote to Zahn's CTR boss in 1971, "Leonard proved to be invaluable" in handling a threat that had arisen at a meeting in London.

"None of us," Wade writes, "has the contacts with the press that [Zahn] has, and he used them to great advantage and with great skill . . ."

Skills Helped

Much of Zahn's success stemmed from his personality. He was outgoing, gregarious — a glad-hander.

He lunched, befriended, and played poker with press room managers and many of the era's most widely-published science writers, including a number of NASW presidents.

"Len Zahn is a friend," explained NASW president Charles Petit of the *San Francisco Chronicle* after our first exposé of Zahn's work appeared in the organization's newsletter in 1989. Many of our colleagues shared Petit's feelings.

Zahn bragged about his access to reporters in a 1970 annual report to CTR: "[My] close contacts for many years with science writers [has been] of great help — an intangible. [I'm] lucky to have entrée and access to discuss CTR (and usually the entire tobacco-health situation) . . . [T]he writers have treated

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PR Called Prime Factor

"The tobacco industry's rhetorical strategy underlies all of its other activities . . . The CTR . . . has been one of the mainstays of the industry's disinformation campaign on the health effects of smoking . . ."

—Smoke & Mirrors, a publication of the anti-smoking Advocacy Institute, Washington, D.C., 1998, pp. 2-4

Spy...

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me nicely."

Zahn's contact with science writers went beyond friendliness: He helped out. He worked. NASW, like other journalists' organizations, was — is — largely run on a volunteer basis by busy and geographically scattered writers. Getting necessary work done is a problem.

Zahn joined in 1961. In the same year, he volunteered, and was appointed editor of its quarterly newsletter. He held the job throughout that decade, during which the first Surgeon General's Report turned the governmental tide against smoking. It would be interesting to know whether, and if so how, the NASW newsletter dealt with the red-hot smoking issue during Zahn's tenure; copies are available; perhaps a J-school student searching for a thesis will decide to find out.

Tasks Accomplished

Zahn also served as NASW's program chairman in this period, sat on its executive committee, and, perhaps most important, he helped its officers and its one paid administrator when there were tasks to do, such as banquet tickets to distribute at an annual meeting. Zahn was a consistent pressroom presence for many years, we recall.

Zahn began working for tobacco when he was hired by the Hill and Knowlton (H and K) PR agency in 1955. H and K was the industry's major public relations advisor at the time. It helped create the long-range strategy in which the tobacco companies swore, in print, that their customers' well-being was their primary concern; that they would rely on science to resolve questions about smoking's alleged hazards to health; and that they would create the CTR (its original name was the Tobacco Industry Research Committee) to provide funding and leadership to speed the search for the "truth" about tobacco — which then would be swiftly conveyed to the public.

Hidden Purpose Revealed

As it has turned out, as revealed in the many cigarette papers opened to the public in the last decade, CTR was in reality a decoy — a deadly one. It was used constantly to promote the false idea that the question of cigarettes' hazards had not been resolved — It had! — in order to keep the last nail from being driven into their coffin.

"Studies Raise Questions About Smoking As [a] Health Hazard," a Zahn news release on CTR's 1970 annual report characteristically says.

Persuading smokers — whom the industry knew by the early '60s, were addicted to nicotine — that the case against smoking had not yet been proven encouraged the smokers to rationalize their addiction — and so to continue smoking (see box, p. 3). The result, over the last four decades, in terms of tobacco's profits and smokers' sickness and death, are well known.

As CTR's public relations man, Zahn did more than perhaps any other person to purvey these industry messages to the public. When he first became CTR's spokesman, in 1955, he was an account executive, and later was promoted to vice president at Hill and Knowlton's New York office. In 1969, he resigned to start his own firm, Leonard Zahn and Associates, Inc., and took the CTR account with him. He represented CTR until he retired, five years ago, Zahn said last month in a brief phone conversation. He declined at that time to be interviewed for this article, and ignored later requests for comment.

Earlier, Zahn had vigorously denied anything improper in his dual role as medical journalist and tobacco PR man:

"My work includes attending medical and scientific meetings," Zahn declared a decade ago. "[T]his is an appropriate and even necessary way for me, like others who write or report on medical developments, to keep abreast of what is going on in medicine. Also . . . public relations people have long been welcome in most pressrooms."

Zahn's modus operandi was to attend a dozen or more scientific meetings each year in the U.S. and abroad, and report back his findings. He sees this spying as a major mission, as indicated in this annual report to CTR:

I know the CTR staff and member companies appreciate the [reports], and this past year I was gratified at the number of requests from virtually every company for elaboration of certain items or additional information. I hope you will continue to find these reports, plus the other informational memos, of help in knowing who is doing and saying what in relation to our problem. Of course, at meetings and elsewhere, I try to keep the industry aware — through TI [the Tobacco Institute, the cigarette makers' trade organization] — of what I think may turn into a major news story.

Zahn used his contacts inside health organizations for this purpose. In 1980, he told CTR about an American Heart Association (AHA) task force report that "will be published

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What Did Leonard Zahn Do All Day?

"I attend a number of [scientific] meetings every year. The reports I do on the papers given at them as well as on other activities are, I believe, of interest and help to the Council for Tobacco Research (CTR), its member companies and, through the Tobacco Institute (TI), to the industry as a whole. When

events I consider important come up, or are expected to come up at a meeting, I inform TI. Of course, I remain in constant close touch with TI, advising Bill Kloefer in advance about meetings and other situations that might create a problem — or that might be of a positive nature . . .

"At [these] meetings I am able to talk with science writers — often at their instigation — about papers on the program that deal with smoking. I also am able to talk with people from the organizations running the meeting and with scientists in attendance."

— Zahn report, 1976

shortly in a scientific journal. I expect to have a copy . . . in a week or so," he bragged, "but I can give you relevant highlights now."

This spying was a routine part of his work. As Zahn explained in another mid-'70s memo: "As always, I've maintained a close liaison with TI, providing [it] with advance intelligence and copies of materials whenever possible."

He adds:

"In many cases, we're able to obtain information in advance, to give us an idea what to expect."

The Tobacco Institute is being closed pursuant to the national agreement between the states and the tobacco industry last year, according to the New York Attorney General's office.

Reporters and press room managers may not have known, or may not have wished to know, what Zahn was doing. But he is absolutely explicit, in a 1978 letter to an R.J. Reynolds vice president for example, about his assignments. He says, "I issue to the various companies two kinds of meeting memos that I believe are of some value":

1. "Advance information about what will be reported by whom.
2. "A full report on what was reported, plus other relevant information I am able to obtain."

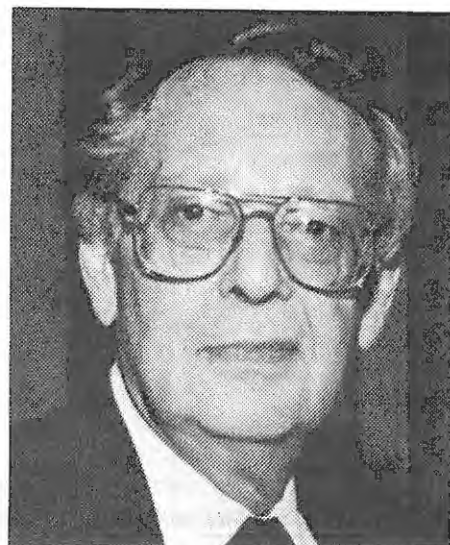
Zahn goes on to say:

"Of importance is the fact that I have access to the press-

rooms where I can obtain materials and information denied [even] to others at the meeting."

In science press-rooms, reporters can obtain the written texts of researchers' oral reports. These texts are not available to the researchers' colleagues who are attending the conference.

In another memo, PR man Zahn represented tobacco industry. Zahn writes that he has just attended an American Cancer Society science writers' briefing, in St. Augustine, Fla., and has passed on "the full package of papers given by various scientists" there to a tobacco industry associate.



Lawyers Informed

Zahn's industry alerts also went to its lawyers, Shook, Hardy & Bacon.

These reports were well received by tobacco lawyers. They "are excellent — and represent a marvelous opportunity for us to keep abreast of developments," a Lorillard lawyer wrote Zahn in 1976.

In a wider arena, Zahn also served foreign tobacco companies. In the late '70s, for example, he created a throwaway newspaper for demoralized European tobacco employees and sales personnel extolling the pleasures of smoking. People "derive something positive from the custom," the editor, a Philip Morris exec, wrote. The relief of addictive cravings was not one of the reasons given.

The documents provide some clues to Zahn's relationship with the clients — industry — he served. In his papers, there is no discernible separation between Zahn and the industry. He never quarrels with its strategic approach, nor with its tactics — though he often has ideas and suggestions on how to get its job done.

Zahn appears to identify with, one could even say love, the tobacco industry. While most of his reports and memos are fairly laconic, he concludes a 1981 annual report:

I'll end now on a personal note, if you'll permit me. Today is an anniversary of sorts for me — the completion of 26 years' association with the tobacco industry . . . It seems like last week. I look forward to many more years with this bloodied but resolute, determined and unflinching industry.

When writing to scientific conference sponsors, Zahn identified himself as a journalist, as in this 1983 letter to an organization in Belgium:

"As a freelance medical journalist, I will be in [Europe] in
continued on following page

Heart Association Was Penetrated

The organization whose journalistic programs tobacco spy Zahn penetrated most successfully may be the American Heart Association (AHA), where Zahn told his bosses "an old friend" invited him. The AHA decided in the early '70s to conduct annual seminars for science writers. Zahn reported:

I heard of [it] last year on the day it was first proposed, and informed CTR and TI An old friend at the heart association had the responsibility of organizing the affair and selecting the speakers. I proposed some present and former CTR grantees, none of whom was picked, but I hope to try again . . .

In a related document, Zahn says:

The MR FIT [Multiple Risk Factor Intervention Trial] project got its initial publicity . . . [at that] forum. I was at the session and reported to CTR TI has also been kept informed, and I'm sure it has maintained a file on this.

The first two of these forums were organized by a New York science-and-media conference impresario, Ben Patrusky, an NASW member, who was a cigarette smoker. In a recent phone interview, Patrusky said:

"He came as a journalist, that's all I can tell you. He had the credentials, and I treated him as such."

An AHA official, in its Dallas headquarters, said that after the initial exposure of Zahn's dual role, a decade ago, AHA tightened the pressroom requirements for writers attending its events. ■

Spy...

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March to attend several medical meetings. I understand that you are sponsoring a meeting on Tobacco and Cancer . . . in Brussels on March 25-26, and I plan to cover it."

In registering for these meetings, Zahn claimed over the years to work for one of two or three medical news companies.

Editor Complained

One was *Selecta*, a German weekly medical magazine. Another was the International Medical News Group, in Rockville, Md., which publishes newspapers in internal medicine, obstetrics-gynecology, and other specialties.

This reporter found no bylined stories in these or any other

medical publications in Zahn's CTR files. There were two "To Whom it May Concern" letters from William Rubin, the International Medical News Group editor, identifying Zahn and his wife as his correspondents. There is also a tart letter from Rubin to Zahn, complaining about stories he submitted on speculation, in 1981, but also, apparently, had sent to another American publication.

"This is the second time," Rubin writes, "that you sent us stuff that really wasn't what we needed, but was from meetings we might have wanted something out of."

Zahn also obtained press credentials from Bill Ingram, who was editor of *Medical Tribune*, a tabloid published in New York.

"As a long-time smoker," Ingram said recently by phone, "I was always prejudiced against people who attacked tobacco." Credentialing Zahn, the ex-editor explained, "was simply a way for Leonard to continue writing and fraternizing. And, perhaps I was helping him maintain credibility as the kind of person he used to be — a tobacco flack."

Ingram (who was once our editor) says he knew that Zahn was "using *Med Tribune* to keep his cachet with the medical community." He adds, "I knew that his regular job was to represent tobacco."

Zahn did produce an occasional "middle-run" medical story for *Medical Tribune* on non-tobacco subjects, Ingram added.

Providing freelance coverage of medical meetings pays but a pittance. Only the most frugal writer could hope to make a living this way. Zahn's work may have been more remunerative. We couldn't find any salary data in his files in Minneapolis. But there is a mid-'80s letter from a European industry group accepting his proposed fee of \$5,000 plus expenses to cover one meeting in Canada and write a report.

Reporters Called Cowards

While he cordially glad-handed reporters to their faces, Zahn was less kind in appraising them behind their backs for his tobacco clients and bosses. He says science reporters lazily accept what's dished out by anti-smoking agencies. "Few writers," Zahn says, "have the courage to question or criticize" the anti-smoking heart or cancer organizations, or similar groups.

"As a rule," Zahn said in another report to CTR, reporters "do not bother to check the accuracy of any report or study that attacks smoking. They don't often care to do that."

He adds, derisively, that the reporters will continue to be "spoon fed" by health agencies, and will "succumb to herd journalism" in attacking tobacco.

"From my continuous association with the science writers," Zahn added, "I suspect they are frequently bored with what they consider the same old stuff. On the other hand, as we know all too well, they'll . . . continue to write on what they conceive to be newsworthy topics — such as passive smoking . . ."

According to protocol, when industry flacks are admitted to pressrooms and press conferences, they are discouraged, if not forbidden, to buttonhole working reporters for promotional purposes. Zahn, however, because of his close rapport with reporters and pressroom managers, evaded this restriction.

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Activity Report

This 1974 memo to industry associates is in Zahn's files:

"I thought you would be interested in knowing how a recent situation was handled.

"On July 17, Pat McCormack, columnist for United Press International (UPI), told me she had just received a three-part series on Women and Smoking with the byline of an American Cancer Society (ACS) science writer.

"The articles were poorly written, Pat said, and she didn't want to do anything with them. But the ACS had put pressure on some UPI executives and Pat was told to do something with them. Pat wanted to know if the Council for Tobacco Research (CTR) could somehow respond; I said that was out of CTR's area but that perhaps something could be done, if she would hold off on the ACS articles. She agreed.

"I contacted Bill Kloepper of the Tobacco Institute (TI), explained the situation, and he said TI probably would respond, once he saw the ACS series. I was able to get the ACS series from Pat and sent the articles to Bill. I also arranged for Bill to deal directly with Pat.

"The upshot: a three-part series bylined by Anne Hetfield Duffin, TI vice president and science writer, has been written (cleared by the attorneys) and forwarded to Pat McCormack.

"Whether anything will appear on the UPI wire is unknown at this point, but if it does, it seems likely there will be a somewhat balanced presentation."

#

We read this memo by phone to Pat McCormack, who is now retired in Connecticut.

"It totally didn't happen!" she said emphatically. "I believe I'm being slandered," she added Zahn is "a total liar."

McCormack said she is now a nonsmoker, but had become a "social smoker" when she came to New York to work at UPI early in her career.

—PROBE's View— Individual Responsibility Is Key Issue

Tobacco arguments are usually couched in terms of opposing forces, risks, and principles. Often lost sight of is the fact that the selling of smoking also is an individual enterprise, carried out by lawyers, publicists, and marketers as well as by those colorful Southern folks who pick and process the leaves and roll the cut tobacco in papers.

This special PROBE focuses on one of the men who helped maintain tobacco's markets during the several decades in which it was proven, time and again, that cigarettes kill — in multiple ways. Leonard Zahn, in our view, is responsible for what he did — as are all of the others who made and sold cigarettes.

Tobacco is a legal product. That aside, how is selling tobacco

different from selling any other addictive drug (except that nicotine addiction may be harder to break than narcotic addiction)?

Zahn spied for tobacco. He promoted tobacco as a public relations man. It is a fair question to ask, How much of Zahn's activity in pressrooms, and in contacts with scientists and reporters, represents legitimate public relations work — work that other PR men and women, serving other clients, do every day. How much is outside the professional PR man's realm? Finally, if some, or even most of Zahn's effort is legitimate PR work, does the fact that he did it for *tobacco* affect the ethics of his efforts? Can a good PR man represent a bad product?

Should science reporters and their organization help him?

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"Often," he reported to CTR in 1980, "I am able to ask questions at press conferences, or to have questions asked [by reporters]. Certainly, I talk with writers following the conferences, and many of them frequently seek me out for my views. I discuss the smoking-health situation with media people whenever possible."

Smoking Reporters' Help Sought

Zahn spent considerable effort chatting up reporters whom he felt might either balance reports on "anti-smoking" science, or cover the "objective" pro-tobacco stories he fed them, suggesting, for example, that bird droppings may cause cancer.

His memos and reports do not say that many, if not most of his press contacts were, as we recall, smokers — who thus had their own reasons for rationalizing tobacco's risks. This minority of smokers among the science press was, in effect, Zahn's potent secret weapon.

One of Zahn's aims was to get CTR recognized as a reputable

scientific organization — "an honest organization . . . established . . . solely to obtain factual information on smoking, and 'to let the chips fall where they may.'" He tried, almost always unsuccessfully, to get reporters to write about it in a positive vein.

Article Was Too Good

In 1970, for example, he wrote to CTR to describe his effort to get Bob Plumb, a *Medical World News* reporter, to write such a piece. Plumb, we recall, was a smoker. He's now dead.

"I kept in touch with Bob," Zahn writes, "saw his first draft (which was pretty good), and made some suggestions." But, Zahn adds, when he later tried "to check on [the article's] progress . . . I was given some strange answers as to its status. I was finally told the manuscript had somehow gotten mislaid, lost, discarded, or something."

It turned out that the story was "so good in regard to CTR" that the top brass at the magazine killed it.

(We worked at *Medical World News* at about this time, and can't imagine ever showing a manuscript to a public relations source. — D.R.Z.)

In another instance, as the 10th anniversary of the first Surgeon General's Report approached, Zahn talked with *Philadelphia Bulletin* sciencewriter David Cleary, a heavy smoker, whom Zahn characterized to his bosses as "perhaps the only major newspaper science writer who believes that the case against smoking . . . is not proved."

Cleary died in 1993.

When Zahn made a similar phone call to Jane Brody at the *New York Times*, he claims he got a sympathetic ear. "But, when her story appeared, there was not a mention of any opposite scientific view or finding."

AP Writer Jaw-boned

He brags of his ability to manipulate reports coming out of scientific meetings; in the comments below, in 1976, Zahn is referring to AP science editor Alton L. Blakeslee, a former NASW president and ex-smoker, who was the dean of science writers in this era:

Objectives Listed

A memo with the above title, and no other identifier, is in Leonard Zahn's files. Here, abridged, is the text:

- To inform the public that there still exists a scientific controversy about smoking and health.
- To convince the public that the only way to resolve this continuing controversy is through scientific research.
- To inform the public of this industry's research commitment . . . and our interest . . . in the advancement of scientific knowledge.
- To provide cigarette consumers with the other side of the controversy . . . to offset their exposure to unbalanced mass media presentations.
- To develop public acceptance of our industry as a source of credible information on smoking and health.
- To foster a public policy in the consumer field which will be based on freedom of choice based on all the facts rather than behavior control through penalties, sanctions, restrictions, and manipulation of information.

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Spy...

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"Blakeslee wrote a widely-printed article on the milk-stomach cancer report by Hirayama of Japan [who was one of the first to report convincing epidemiological data linking passive smoking to cancer]. Hirayama also had considerable data on smoking in his report. I discussed this aspect with Blakeslee, who omitted smoking references from his story."

There is no indication that if Blakeslee, who is now deceased, did omit these references that he did so at Zahn's behest. But Blakeslee did have a last word of sorts on the controversy about Zahn's tobacco lobbying. In a letter to *SW* (Fall, '89), he wrote:

"From the beginning, the vast number of NASW Active Members [reporters] has not been naive. Nor the vast number of Associates [non-reporters] venal."

Lobbying Described

Zahn worked diligently in these years to discredit the findings of Hirayama and others on the hazards of environmental exposure to tobacco smoke. He advised "The Today Show" in 1977 that passive smoking "does not appear to represent a health hazard."

He lobbied scientists as well as writers. Reporting on a Heart Association meeting in Dallas, Zahn says that he had "advance information" about a paper by pathologist David Spain, M.D., on sudden heart attacks in women smokers. He adds:

"In personal discussion with Spain prior to his press conference [I] brought out the weakness of how he obtained his smoking histories. Spain himself voluntarily mentioned this weakness at opening of press conference, and also included it in actual delivery of his paper, though it was not part of his written text."

Genes Count in Cancer

Part of the "other side of the story" (see box, p. 7) that Zahn and the industry promoted to the public was the notion — which of course is true — that there are other, non-tobacco causes of cancer. To this end, Zahn became chummy with a member of the CTR scientific advisory board, preventive health specialist Henry T. Lynch, M.D., of Creighton University, in Omaha, Neb. "He's one of the most sincere and dedicated men I've ever met," Zahn told a Philip Morris executive, Elizabeth B. Hopkins, in a 1985 letter. Lynch was raising money for a Hereditary Cancer Institute at Creighton, and Zahn suggested that Philip Morris might like to help.

"Lynch's goal," Zahn explained, "is to educate the public and the medical profession to the fact that hereditary cancer accounts for at least 5-10% of all cancers — 43,000 to 87,000 new cancers this year alone. Many doctors," he added, "are truly unaware of this."

Red Herring Launched

Clearly, Lynch's project did not rule out cigarettes as a preventable cause of cancer. But focusing public interest on his work might help divert attention from smoking. Zahn

subsequently signed up Lynch's Institute as a client for his PR firm, at \$1,250 per month, and helped with its fund-raising efforts.

Zahn's papers contain warm, cordial notes from public relations reps at major private and government health agencies. Cordiality is notably absent, however, when Zahn reports on the agencies to CTR. "The war against tobacco continues unabated," he writes in 1978, and "if there is any disarray in this particular war, it is because there are three different organizations involved — the American Cancer Society, American Heart Association, and American Lung Association. But each will be trying to get in its licks — and its hands in the public's pockets."

Efforts Were Appreciated

A few years later, this "disarray" was reduced, when the three groups joined forces in a Coalition On Smoking Or Health.

It is hard to believe that press room managers and their organizations had no idea what Zahn was doing; it was certainly clear to us, from casual and overheard comments, what he was up to.

continued on following page

Science Writers Grant Parity To PR People

The National Association of Science Writers (NASW) eliminated its two-tier membership system late last year. In approving a new constitution, the nation's science journalists ended the distinction between "A" members, who are journalists, and "B" members, who are not. Like Leonard Zahn, many "B" members were PR men and women. Now, for all practical purposes, all NASW members are equal.

The change was necessary and appropriate, NASW president Richard Harrison, of NPR, in Washington, explained, because "NASW is no longer primarily composed of staff journalists." What is more, he told members, some company PR people "are also doing some journalism on the side."

As was Leonard Zahn.

This membership change will make it harder for pressroom managers to restrict PR people in science pressrooms, since NASW "B" status has been a key criterion for excluding them.

Harris says all NASW members must meet the highest professional standards:

"Members of this organization, regardless of their employer, should still be dedicated to providing information with an even hand, and with clear disclosure of any potential conflicts of interest, so readers, surfers, listeners or viewers can judge for themselves the source of their information."

#

Smoking has been the No. 1 personal health story in the U.S. for several decades. Did tobacco rep Zahn meet Harris's criteria for candor? Will it now be harder — or easier — for PR people to peddle their products in pressrooms? Is Harris naive?
— D.R.Z.

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As evidenced by his career-long tenure with their PR account, CTR's bosses liked Zahn's work. Similarly, PROBE found nothing in his files that indicates doubt or disagreement on his part with the cigarette industry's stand.

In one rare reprimand, his CTR boss, Addison Yeaman, objected, in 1977, to Zahn's proposed use of the words *risk factor* in a news release as "undesirable."

Avoid 'Risks' Boss Says

While CTR did, in fact, deal with research on risk factors, Yeaman acknowledged, "a discussion of smoking as a 'risk factor' has a connotation we should avoid."

So: Don't do it. Zahn didn't.

He wrote, for example, on the CTR's 25th birthday, in 1979,

Why Tobacco Story Is Still Important

The first Surgeon General's report on tobacco, in 1964, confirmed smoking's danger. End of story, we thought at the time.

Of course, we were wrong. The industry managed to hold most of its customers, raise its prices and profits, and even today, despite setbacks, continues to prosper:

- The national prevalence of current smoking among high school students has risen by one-third since 1991, according to recent federal statistics. Forty percent of white teenagers smoke, and black and Hispanic teens are catching up.

- R.J. Reynolds has deep-sixed Joe Camel. But new cigarette, cigar, and smokeless tobacco promotions are popping up all over. While we were in Minneapolis to research the Zahn files at the Minnesota Tobacco Document Depository, we stayed at a nearby student motel. We picked up copies of the University of Minnesota student paper; it's published on cheap newsprint. Inserted inside, however, was a thick, brilliantly colorful promotion piece for U.S. Tobacco's Rooster brand chewing tobacco. "Bolder flavor, Smoother cut, Bigger can," said the screamer headline.

- Back home in New York, meanwhile, the cigarette companies are reaching new teenage users through multi-page ads touting nightclubs and bars in teen-enticing publications like the *Village Voice*.

So. The battle is not over.

What is more, it is being fought much closer to home than many people may imagine. Tobacco is grown in Virginia, Kentucky and North Carolina. Most cigarettes are made nearby. But two of the top five companies — Philip Morris and Lorillard — are headquartered in New York City, as was the industry's Council for Tobacco Research (CTR). What is more, the marketing and promoting of smoking has long been a Madison Avenue operation — a quintessentially New York endeavor.

that the organization "exists today because the cause or causes of the constitutional diseases remain a mystery. They have been associated statistically with smoking, but such associations are not proof of cause and effect."

Zahn is a smart man, and a note in his file indicates that he was aware that individuals who smoked died of "LC." But on the same page he writes that 30 years into the campaign against tobacco, "a large part" of the case "today [is] still statistical-epidemiological data."

Why are many scientists, writers, and others "anti-tobacco"?

Because tobacco is "an easy target," a "good whipping boy" for politicians, and, for government, a "coverup" for its failure to stem the epidemic of hard drug use.

Some scientists, Zahn opined, are "sane, rational, realistic, [and] restrained." But many who work in the area of smoking and health "lie, cheat, distort, ignore, omit." Their lack of perspective is "bad for science, bad for society."

Opposition Is Total

Nowhere in these notes, or elsewhere that we could find in Zahn's files, is there any acknowledgement that the scientists and scientific findings elucidating tobacco's risk to health are credible. His is an Us vs. Them perspective.

Zahn's friends have excused some of his self-described meddling with science news as the braggadocio a PR must produce to please and hold his clients. Zahn was a braggart. In a letter to one prospective client, he brags, mainly on the basis of his work for tobacco:

"I believe I have more experience in medical public relations than any other PR practitioner in the country."

(The prospective client was Dow, which made the Vietnam defoliant Agent Orange, and, along with Corning Glass, was tooling up to be the major manufacturer of bagged liquid silicone breast implants.)

Zahn's credo, he once wrote, is: "Tell the client what I believe he should hear, not what he wants to hear."

By this criterion, he had no professional quarrel with the tobacco message he projected.

Zahn was a skillful PR man: In the tens of thousands of Zahn's pages we scanned and in the hundreds of clippings he collected, we could find only one in which a reporter reports — very accurately, as the court released Tobacco Papers have now confirmed — what Zahn and his bosses and clients were actually trying to do. This piece appeared in the *Louisville Courier-Journal*, in the late '70s; the date has been expunged from the clipping, and it is incomplete. Zahn is not mentioned, but one of CTR's scientific directors, Robert C. Hockett, is.

The reporter is Robert L. Peirce. The story, part of a series called The Tobacco War, is headlined: "Tobacco's Defenders: They fight a delaying action as evidence grows." Peirce writes:

"[T]he industry's scientific supporters . . . look for contradictions in anti-smoking research to create what a lawyer would call reasonable doubt. They argue that massive statistical evidence — and considerable evidence from the laboratory — is either mistaken or not strong enough to be 'proof.'"

That, from Zahn's files, describes exactly what Zahn did all day in the decades he represented the cigarette industry. ■

Editor's...

continued from page 2

her, she paused for a long moment, looked pained, and exclaimed: "Inevitably!"

Angell went on to say that she wouldn't comment and couldn't comment on the matter, and "doesn't know" what will happen. No decisions have been made, she said.

Angell, a pathologist, was interviewed briefly here on Feb. 27, at a conference on "Science Meets Alternative Medicine." She was a keynote speaker.

The second keynoter was pathologist George Lundberg, M.D., the recently fired editor of the *Journal of the American Medical Association* and the other AMA journals. Lundberg has since been hired as editor-in-chief of Medscape, a leading

medical web site for doctors and other healthcare professionals and consumers. He told PROBE that he, too, was aware of the "rumor" that "Jerry" is in trouble with his employers.

Reasons for this discontent have not been spelled out. But one source said that AIDS researchers remain angry at the way Kassirer and Angell handled recent allegations that AIDS prevention trials in Africa are unethical. Printing the complaint, by health activist Sidney Wolfe, M.D., was appropriate, this source says. But endorsing it, as Kassirer and Angell did, was not.

(Posted on PROBE's website on March 10.)

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Harsh criticism of the AMA after it fired its long-time, and supposedly "independent" editor, Lundgren, could persuade Kassirer's employers not to face a similar firestorm by firing him. — DRZ

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