

C O N F I D E N T I A L

"FIRE-SAFE" CIGARETTE HEARING READINESS

Primary Responsibility: Karen Fernicola

This memorandum includes information on the industry's ability to respond to legislative hearings on proposals to require the manufacture and regulation of "fire-safe" cigarettes.

Background

In late 1987, a three-year federal study on the feasibility of making cigarettes "fire safe" was completed. The Interagency (policy) Committee (IAC) reported that, although certain characteristics of cigarettes could be modified experimentally to reduce their ignition propensity, additional work was needed to assess the actual feasibility of laboratory changes and associated costs and benefits.

We expect two pieces of federal legislation on this issue in the 101st Congress, both reintroduced from the previous session. Rep. Joe Moakley's (D-MA) "Fire Safe Cigarette Act of 1989" originally was introduced before the IAC report and has not changed to reflect the report's recommendations. It calls for the development of "fire-safe" cigarette standards by the Consumer Product Safety Commission within one year of enactment and enforcement of standards by the Food and Drug Administration.

Reps. Rick Boucher's (D-VA) and Tom Bliley's (R-VA) "Fire-Safe Cigarette Implementation Act of 1989" is based on the IAC report to Congress and would implement the IAC recommendations. The Boucher/Bliley bill is supported by the tobacco industry as well as many major national and state fire service organizations.

Meanwhile, as many as 8 to 14 states may consider "fire-safe" cigarette bills in 1989.

What TI and Its Allies Must Cover

1. Progress has been made on this issue, but at this time no satisfactory way of making cigarettes "fire safe" exists.
2. Federal legislation sponsored by Reps. Boucher and Bliley would implement the IAC recommendations to Congress and is based directly on those recommendations. It has

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received endorsements from many major national, state and regional fire service organizations as well as the tobacco industry. Enactment of the Boucher/Bliley legislation, which already enjoys the support of those involved, seems the logical next step.

3. The issue of consumer acceptability is not just a matter of flavorings; it is technically complicated, including the problem of pressure drop in the most "fire-safe" experimental cigarettes, i.e., whether you can draw smoke through them. The design changes needed to reduce pressure drop also increase ignition propensity.
4. No standard test for ignitability exists yet, and therefore no basis exists on which to set a standard.
5. Public health authorities have argued that the experimental cigarettes need toxicity testing because of major changes in the way they are made compared to the current range of cigarettes.
6. The consensus approach has worked well to now. The industry has cooperated fully with the federal studies to date, contributing the time of senior scientists, research information and all of the experimental cigarettes for the lab tests. Additional work is needed on scientific research/development; we support proceeding with the IAC recommendations, as outlined in the Boucher legislation.
7. Reducing fires from careless smoking is something the industry desires. The industry continues to support comprehensive fire safety education programs and research.
8. Careless smoking should be considered in the broader context of fire safety: The long-term trend is clearly downward. In the past decade, smoking-related fires and fire deaths have decreased faster (by a greater percentage) than fires from any of the other major causes of fire.

Resources

Tobacco Institute Witnesses:
Rep. Charlie Whitley
John Rupp

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Fire Service Representatives:

Jim Monihan, Chairman, Joint Council of National Fire Service Organizations
Ron Coleman, International Association of Fire Chiefs
John Stewart, Metro Chiefs
Ed McCormack, International Society of Fire Service Instructors
Representative of IAFC State Fire Marshal's Division
Chet Henry, Pennsylvania State Fire Commissioner
Olin Greene, Oregon State Fire Marshal
Ed DiMonda and Chick Granito, Nassau County, NY, fire service
Dave Lucht, Director of Fire Center, Worcester Polytech Institute

AFL-CIO Representative:

Harold Schaitberger, International Association of Fire Fighters

Scientific and Technical Witnesses:

Philip Schaenman, TriData Corp.
Alan Kassman, consultant

Members of Congress:

Rep. Curt Weldon, chairman of the Congressional Fire Services Caucus
Other Caucus members

Materials:

TI Fire Safety Education Program materials
Barriers and international studies on fire safety practices and programs
Analysis of fire incidence data showing downward trend in cigarette-related fires over the last decade.

Actions Needed

The industry must develop a convincing way of demonstrating the consumer acceptability problem with the experimental cigarettes--via diagrams, technical papers and/or consumer tests.

Institute representatives will meet with fire service organization representatives to determine current understanding of the issue and attitudes toward legislation. Organizations may be encouraged to develop written position papers on the issue. Members and staff of the Congressional Fire Services Caucus should be kept informed of the issue as well.

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Actions Needed (cont.)

The Institute must continue to seek state fire service representatives to submit statements or to testify at federal hearings. Priority should be placed on identifying organizations and/or individuals from states and districts represented by Members of Congress who have cosponsored industry-supported legislation or who sit on the appropriate committees and subcommittees. Examples of such states are Ariz., Ky., La., Nev., Tenn., Va., Wash. and Wis.

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