

**MINUTES**  
of the  
**Tobacco Industry Meeting on Downunder**

**March 2, 1988**  
**The Tobacco Institute Offices**  
**Washington, DC**

As meeting chairman, Tobacco Institute President Samuel D. Chilcote, Jr., called the session to order at 10:00 a.m. at The Tobacco Institute offices in Washington, DC.

Those in attendance: Ms. Taylor and Messrs. Smith, Kochevar, and Nelson from Philip Morris, USA; Messrs. Ainsworth and Ogburn from R.J. Reynolds Tobacco USA; Mr. Hager of The American Tobacco Company; Ms. Ridgway and Mr. Toti of Lorillard; Mr. Rupp of Covington & Burling. The Tobacco Institute staff was represented by Mss. Moran and Stuntz, and Messrs. Cannell, Dyer, Kloepper, Mozingo, Payne, Sparber and Woodson.

President Chilcote opened the session by thanking Philip Morris and others for their contributions to the task at hand and by asking attendees to consider the following question central to Downunder: "Should it be the industry's policy to support accommodation of smokers and nonsmokers at this time, a policy which could involve separation?"

To open the discussion, President Chilcote called upon Institute staff to present potential advantages and disadvantages of Downunder and the question of policy change.

Institute points in favor of Downunder:

... Such a change in policy would align the industry with popular, moderate public opinion and would push anti-smoking advocates to the extreme position.

... Smokers are more comfortable in separate sections, away from the negative comments and antagonistic feelings of some nonsmokers.

... State and local legislative battles are not won, but postponed. Our no-restrictions position leaves us with few allies. A new policy of separation of smokers and nonsmokers will allow the industry to defend against smoking bans and hiring restrictions from the mainstream of public opinion, thereby increasing the chance of complete victory on the restriction issue.

Institute concerns about Downunder:

... National advertising of the separation policy would shift the industry from a quiet participant occasionally in developing policies to being an advocate for their establishment.

... The definition of industry-acceptable "separation" is murky; i.e., does it mean office partitions, separate ventilation systems and bans in common work areas are acceptable?

... As outlined in Downunder, the term "accommodation" actually means segregation of smokers and nonsmokers. By advocating nationally the concept of separate sections, the legislative "ground floor" will be raised, making it more difficult to stop onerous restriction legislation. It was noted reasonable accommodation failed to stop complete bans on airlines and on the New York metro rail system.

... Concern was raised about the potential for misinterpretation of the separation message by the media, lawmakers and others.

... The loss of allies within the labor community would be likely and also make more difficult the industry's efforts at broadening the issue past ETS to ventilation and clean indoor air.

... The message of separation could be seen as "weakness" on the part of the industry respected for its tenacity.

... As constructed, the program would not put anti-tobacco leaders on the fringe and could, in fact, strengthen their hand.

After asking for comments on The Institute presentations, President Chilcote opened the question of a policy change to attendees.

During discussions, points raised by staff were reviewed and other positions were stated. Key points not specifically raised earlier by The Institute included:

... Legislative losses, perhaps many legislative losses, are an acceptable downside if the industry can, through Downunder, improve the social acceptability of smokers. It was suggested that more than 80 percent of the public agrees that separation is reasonable policy; and, if adopted, businesses need go no further in restricting smoking.

... On the other hand, a majority of the public now view ETS as a "health menace," not simply an annoyance; and, therefore, separation would not be sufficient to achieve an improved degree of smoker social acceptability.

... The question of a targeted campaign in selected locations vs. a nationwide approach was discussed. It was argued that a nationwide approach allows the industry to set, rather than react to, the agenda. A national campaign, it was said, could create a positive news flow from the media. By using quotes from business leaders in Downunder advertisements, the industry is illustrating that such leaders see smoking as socially acceptable behavior. A targeted campaign, it was suggested, does not provide these advantages.

... Downunder would allow the industry to continue to oppose legislative attempts at smoking restrictions. The argument remains, essentially, "let businesses decide for themselves."

... While shifting the focus of the current public smoking controversy is an agreed goal, perhaps the shift should be from ETS to improving indoor air quality, rather than a policy change in favor of separation. It was noted that multiple arguments could be made simultaneously; i.e., the separation position and the concept of clean indoor air.

After discussion of these points, an alternative to Downunder was offered by R.J. Reynolds. This plan also called for action to improve the social acceptability of smokers, but without a change in industry policy. The following were among the reasons RJR felt the need to present an alternative plan:

... The industry should not publicly and broadly advocate separation because (1) it is difficult to distinguish between "accommodation" and "separation;" (2) "accommodation" does not by itself have meaningful "newsworthiness."

The alternative plan was described as a multifaceted, but targeted, effort by state to (1) improve the legislative climate at all levels and (2) slow the decline of the social acceptability of smoking.

Key strategies to meet objective No. 1:

... Help smokers organize in such a way that they, not the tobacco industry, are out front going head-to-head with the media, anti-smoking proponents and others. Accomplish this strategy by creating a strong outpouring of public sentiment against government infringement on smokers' rights.

... Maintain a strong coordinated lobbying effort at all levels of government with access to immediate resources to respond to issues as they appear.

... Effective communications with the public and lawmakers to refute much of the rhetoric and unsubstantiated claims being thrust upon the public.

... An aggressive legal program to establish precedent that will act as a deterrent to discriminatory actions at all levels.

Key strategies to meet objective No. 2:

... Create an affinity and bonding among smokers, illustrating that there is power in numbers and that smokers can stop discrimination and harassment.

... Aggressively foster group and individual action against unfair restrictions and communicate that there is a growing and significant public voice demanding a shift back to tolerance and fairness. To accomplish the strategy, promote smokers' rights organizations.

A discussion of the alternative and Downunder followed. Key points:

... Many industry companies are already working with smokers in this manner and will continue to do so. That activity, however, will not improve the social acceptability of smokers among nonsmokers. Therefore, the two plans are not mutually exclusive and should be implemented in tandem, so that an impact on both smokers and nonsmokers may be achieved.

... It was suggested that the alternative plan has had a demonstrated positive effect legislatively.

... There was discussion about how best to ensure responsible activity from such groups. It also was suggested that smokers' rights groups would be more effective if first organized in targeted areas rather than nationally.

President Chilcote then put the question of a policy change to member company representatives. The question: should the industry adopt a policy of "reasonable accommodation" as outlined in Downunder, even if such a policy resulted in separation of smokers and nonsmokers? With the exception of Philip Morris representatives, company staff said their companies could not support such a change in industry policy.

President Chilcote reiterated the agreed concern that efforts must be made to improve the current state of smoker acceptability, perhaps through the theme of fairness, and called for suggestions for alternatives to achieving the industry's agreed upon goals.

... Review of extended commitment to smokers' rights groups ensued. Differing opinions on whether to approach industry goals in a targeted or national manner were offered.

... The concept of using regional Institute media staff was considered; the idea being to reach the media from the local levels as well as nationally.

... There was a suggestion that legislative plans to reach agreed goals be implemented before a national advertising campaign. The point was made that smoker social acceptability was eroding even in areas without legislative difficulties.

... It was suggested that a pooling of available research on the subject would be beneficial in determining a successful alternative plan.

... There was further discussion of several points raised previously.

As it became clear that a consensus on an alternative plan could not be reached, President Chilcote requested that Messrs. Ogburn, Smith, Mazingo and Sparber convene to develop a suitable alternative strategy to meet the agreed upon goals of improving the social acceptability of smokers and ensuring that smokers have adequate places to enjoy tobacco products in public settings. It was felt that a smaller working group would be better suited to formulate such a strategy. The group scheduled a meeting at The Tobacco Institute for March 7, 1988 at 10:00 a.m.

The meeting was adjourned.