

# Tobacco Industry Fights Spiraling Efforts to Snuff It Out

■ **Health:** Smoking bans, cigarette taxes and nicotine regulations threaten a once-powerful lobby. But the hostile climate is not new.

BY MARLENE CIMONS  
TIMES STAFF WRITER

WASHINGTON—For the tobacco industry, these are not quite the worst of times. In the middle of the last century, people in some parts of the country could be fined or even hauled off to jail for lighting up in public.

But in his 18 years of defending the industry, Walker Merryman has never seen anything like the current blitzkrieg against cigarettes and people who smoke.

"What's happened in the last month is an extraordinary, probably unprecedented confluence of events," said Merryman, who is vice president of the Tobacco Institute. "There's never been a time when there have been so many things leveled against us."

In recent weeks, many states and cities have enacted laws banning or limiting smoking in public. Several fast-food chains, including McDonald's, Taco Bell and Jack in the Box, have banned smoking.

And even more remarkably, the federal government has eagerly thrown its full force behind the assault. For at least 30 years, even as federal health officials waged an unrelenting campaign against the perils of smoking, Congress, the White House and the regulatory agencies had regarded the tobacco industry as politically untouchable.

No more:

years. "And the very fact that the President proposed a tax increase of 75 cents and the first subcommittee to consider health care reform increased it by an additional 50 cents would never have happened in the past."

Although the anti-smoking steamroller appears to have gathered momentum in recent weeks, most observers agree that it has been several years coming and is the result of a complex set of pressures and events.

For one, President Clinton is friendly to the anti-smoking movement and has tied the habit into his health care reform plan.

For another, a growing body of scientific evidence on the dangers of so-called secondhand smoke has culminated with an influential Environmental Protection Agency report declaring environmental smoke a "Class A carcinogen," meaning that it is an indisputable cause of cancer.

The FDA began looking at the issue seriously in 1991, after petitions from the Coalition on Smoking or Health had languished there for several years. The coalition had asked the agency, under its authority to regulate health claims, to act against cigarette companies that were pitching their brands as low in tar and nicotine, with the implication that they were healthier.

The FDA, going even further than the coalition had asked, concluded that it could regulate cigarettes as it does drugs because nicotine is highly addictive. The FDA believes that gives it the authority to prohibit the sale of tobacco products that contain enough nicotine to cause or satisfy addiction, although it has asked Congress for direction before that.

in public attitudes toward smoking and smokers.

"I think nonsmokers finally realize they just don't want to put up with other people's smoke in public places anymore," said Waxman, who chairs the House Energy and Commerce Committee.

a fat couch potato, they begin to say: 'I don't want to pay the price of that person's lifestyle.' And smoking is at the head of this particular parade of vices because we know so much about its impact

against ABC-TV, with a recent newsmagazine that the tobacco companies' cigarettes with nicotine increase the odds they would become addicted.

Merryman promises battles against the state ban smoking in public

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## White House Seeks Wide Smoking Ban

■ **Health:** Plan would apply to all workplaces, affecting 20 million people, labor secretary says. Meanwhile, Congress takes up issue of letting FDA regulate tobacco.

By EDWIN CHEN, TIMES STAFF WRITER

WASHINGTON—The Clinton Administration unveiled a sweeping anti-smoking proposal Friday that would ban virtually all indoor smoking wherever people work—from restaurants and bars to offices to factory canteens and nursing homes.

The unprecedented action would affect 6 million workplaces and protect "more than 20 million working men and women [who] face unnecessary health threats" from secondhand smoke, said Labor Secretary Robert B. Reich.

"Lives will be saved, health care costs reduced and unproductivity in-

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