

# FYI

**PHILIP MORRIS**  
INCORPORATED  
**CORPORATE AFFAIRS DEPARTMENT**

P.R. NOV 21 1984



Monday, November 19, 1984

Contact: S. SARRO, Ext. 3454

THE NEW YORK TIMES, SUNDAY, NOVEMBER 18, 1984

## Minnesota Doctors Begin Effort to End Smoking in the State

MINNEAPOLIS, Nov. 11 (AP) — The Minnesota Medical Association has organized a coalition to end smoking in Minnesota by the year 2000. The association hopes to accomplish that goal mainly by educating the public on the hazards of smoking and proposing laws and public policies.

"We are not talking about prohibition of tobacco," Dr. A. Stuart Hanson, the prime mover behind the Minnesota Coalition for a Smoke-Free Society 2000, said Wednesday.

**Educate, Encourage, Motivate**

Instead, the coalition proposes these steps:

¶ Educating and motivating children

not to smoke when they become adults.

¶ Encouraging the designation of smoke-free work places and public places.

¶ Motivating corporations to encourage their employees not to smoke.

¶ Persuading doctors, clinics and hospitals to promote smoke-free living among their patients and clientele and to encourage their staffs to set a smoke-free sample.

Minnesota already has a Clean Indoor Act, a pioneering law that recognizes nonsmokers' legal claim for protection against the irritating and potentially harmful effects of others' smoke.

And there have been other efforts

against smoking here. For example, MSI Insurance has banned smoking throughout its 700-employee offices in Arden Hills effective Jan. 1, except for a section of the company cafeteria.

Park Nicollet Medical Center in Minneapolis decided nearly a year ago to make all of its 16 offices smoke-free except for a single employee-only smoking site at each location.

A series of classes for family doctors is scheduled to begin in early 1985 on how to get patients to quit smoking. The classes will be taught by Dr. Thomas Kottke, a University of Minnesota cardiologist.

"In the health care industry, we have to set an example," Dr. Hanson said. "It doesn't help if you advise a patient to quit and then he sees a doctor in a white coat smoking in the doctors' cafeteria."

Dr. Kottke, who has a million-dollar grant from the National Cancer Institute to try to improve doctors' anti-smoking effectiveness, said a trained doctor could get 30 percent of his patients who smoke to quit for at least a year.

"There are studies showing that 85 percent of people say they would like to quit and that 60 percent say they would quit if their physicians told them to," Dr. Kottke said.

**Kalmanovitz Launches Formal Tender Offer For Pabst Brewing Co.**

See FYI pg.16.

**NEW JERSEY LEGISLATOR PREDICTS PASSAGE FOR ANTI-SMOKING PACKAGE—See FYI pg.3.**

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## BUSINESS Digest

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### Smoke in her eyes

Hicksville: I am sick and tired of this fanatical lunatic fringe of non-smokers who complain about their air being polluted. My smoke dissipates in a short time. They, on the other hand, drive cars, use hairspray, zap insects and use air fresheners with zealous abandon, which releases far more pollutants into the air than I do. Until they travel by horse-back and wear crewcuts, non-smokers better keep their mouths shut.

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# NOW SMOKELESS TOBACCO COMES UNDER FIRE

One of the ironies of the Surgeon General's warning label on cigarette packages and ads has been that it has helped to immunize tobacco companies from product-liability suits. But Congress has said nothing about warning labels on other tobacco products, such as pipe tobacco, cigars, chewing tobacco, and snuff. Possibly as a result of this exception, retail sales of moist snuff products—which reached an estimated \$500 million last year—have been increasing steadily, while fewer cigarettes are being sold.

Now an Oklahoma lawsuit filed on Nov. 13 may make manufacturers of these other tobacco products wish Congress had not been so considerate. The \$37 million product-liability suit, filed in the federal district court in Oklahoma City, charges U. S. Tobacco Co. with selling a "defective and unreasonably dangerous" product—its Copenhagen brand moist snuff—that, according to the plaintiff, caused the oral cancer that killed 19-year-old Marvin Sean Marsee early this year.

Marsee, a high school track star, began using Copenhagen when he was 12 because of "peer pressure," says his mother, Betty Ann Marsee, who brought the suit. "I had the gut feeling that if cigarettes are dangerous, so would be snuff. But once he was on it, it was hard to get off. He felt if these athletes were advertising it, there's no problem."

**RESPECTABILITY?** U. S. Tobacco, which last year had net sales of \$383 million and operating profits for its tobacco products of \$134 million, holds an estimated 89% of the market for moist snuff, which users place in their mouths. U. S. Tobacco features former Dallas Cowboys running back Walt Garrison and Chicago White Sox catcher Carlton Fisk in several of its moist-snuff ads. Besides Copenhagen, it sells Skoal Bandits, a new product that was launched with ads telecast during the Winter Olympic Games. A spokesman for U. S. Tobacco would not comment on the suit except to say that U. S. Tobacco believes that "smokeless tobacco has not been scientifically proven to have any health hazards."

Surgeon General C. Everett Koop told BUSINESS WEEK that "we don't have the same kind of evidence of cause and effect" for smokeless tobacco that exists for cigarettes, but "we've known for years smokeless tobacco has carcinogens that are causative relative to oral, esoph-

ageal, and laryngeal cancer." He added: "I've gone on record decrying the fact that athletes use and advocate smokeless tobacco. The advertising I've seen would lead you to believe it has health respectability. Because it's advertised directly to young people, we have to be concerned about it."

**'OPENING WEDGE.'** The forthcoming annual Surgeon General's report to Congress on smoking and health, which has "always mentioned" smokeless tobacco, according to Koop, will expand its discussion, he says. And studies of smokeless-tobacco use among young people will be added to the government's ongoing survey of U. S. smoking patterns. In one Oklahoma study, 22% of children in the 11th grade reported they were using smokeless tobacco, says Donald R. Schopland, a technical information officer at the Public Health Service's Office on Smoking & Health. Studies cited by the Public Citizen Health Research Group indicate even earlier use. The group has asked Dr. Koop to support their petition

mandating a warning label on snuff, but Koop says, "I don't want to go overboard because of one case."

A warning label might have given U. S. Tobacco an additional argument, suggests George Washington University law professor John F. Banzhaf III, an advocate of warnings on all tobacco products. Tobacco companies displaying such labels can claim a "contributory negligence" or "assumption of risk" defense, arguing the user knew of the risks and used the product anyway. A Sept. 20 ruling of the U. S. District Court in Newark, N. J.—*Cipollone vs. Liggett Group*—has weakened one of the cigarette companies' other major arguments: that Congress intended its mandated warning to protect the companies from strict liability claims. (BW—Oct. 15).

No tobacco company has lost a suit claiming smoking-related injuries, Banzhaf says. Because of the flood of actions cigarette makers could expect if they ever did lose a case, they are "perfectly willing to spend \$1 million to defeat a claim worth \$200,000," he adds. "But with Marsee's youth, and the clear absence of a warning, this is a much stronger case than previous ones. If it succeeds, it may be an opening wedge for those other suits."

By Reginald Rhein Jr. in Washington

NEWSDAY, SATURDAY, NOVEMBER 17, 1984

## BEHAVIOR

**Will baby boom help cigar sales explode?**  
The Detroit News

Cigar makers have high hopes that the baby-boom generation, at least the male part of it, will provide the match to relight the sales of cigars.

"More and more of the post World War II baby-boom generation are entering their 30s," says Norman Sharp, president of the Cigar Association of America, a trade association based in Washington. "This is the age more men take up experimenting with cigars."

Cigar sales in the United States peaked at 9 billion in 1964, the year that the surgeon general first issued his report warning of the hazards of smoking. By 1983, the number had dropped to 3.6 billion, with U. S. retail sales totaling \$720 million.

But overall sales volume has increased in recent months, and dollar sales are also rising.

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