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**MINNESOTA TOBACCO LITIGATION**

TO: William Kloepfer, Jr.  
FROM: Adala A. Buzoski  
RE: 1985 Surgeon General's Report  
DATE: December 19, 1985

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The 1985 Surgeon General's Report, "The Health Consequences of Smoking: Cancer and Chronic Lung Disease in the Workplace," was released at a well-attended press conference. Its major conclusions:

1. For the majority of American workers, cigarette smoking represents a greater cause of death and disability than their workplace environment.
2. In those worksites where well established disease outcomes occur, smoking control and reduction in exposure to hazardous agents are effective, compatible and occasionally synergistic approaches to the reduction of disease risk for the individual worker.

During the press conference, Surgeon General Koop pointed out this report does not consider role of "passive smoking" but added, "We do say it's an important public health concern because of the large number of people who are exposed and the accumulating evidence of health risks."

Koop advised employers to ban smoking in the workplace, rather than set aside separate areas, but said the presence or absence of smoking in the workforce should not be a factor in setting exposure levels for workplace chemicals.

Koop added, "While it is clear employers are starting to hire nonsmokers, out of concern for disability claims, they shouldn't discriminate against smokers...we can't punish the victims." He noted his office has never taken a position on hiring people...it merely reports trends.

Asked what he proposes be done in the workplace, Koop said, "We're not just talking about smoking in the workplace. We're talking about commitment to a lifestyle. Many occupations already prohibit smoking on the job. We have enough evidence that they (smoking cessation and reduced exposure to occupational substances) have to go along in tandem."

The press appeared somewhat skeptical of the report's conclusions, questioning whether the data supported the findings and asking whether smoking was, in fact, the major occupational risk.

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Dr. David Burns, an editor of the report, qualified the first conclusion, saying, "This statement is not applicable to all worksites. Some have different risks because of exposures...There is no magic number for calculating workers affected by smoking, because some disease is the result of synergy--it cannot be attributed to one agent alone."

When one reporter commented that The Tobacco Institute would probably respond to the report by saying "The jury is still out on the question of cancer and smoking," Koop said, "Even if I sold cigarettes, I wouldn't have the lack of integrity to say that. There's no doubt in the minds of any scientists about the link."

An AFL-CIO statement released to media at the conference called the report a "setback" for efforts to protect the health of American workers, because it suggests if workers stop smoking they will eliminate the risk of occupational disease.

"This report can only hurt workers by undermining efforts to control workplace hazards. It will lead to misdiagnosis of occupational disease...make it even more difficult for workers suffering occupationally-related disease to secure compensation...And it will be used by those who are responsible for poisoning workers to avoid legal liability," the union said.

Koop termed the AFL-CIO statement a "misrepresentation of the report. The report draws attention to the fact that we're dealing with two independent things--occupational exposure and smoking--where the effects are additive or multiplicative."

One reporter asked whether companies will try to avoid paying reparations to ill workers by blaming illness on smoking. Koop answered "That will have to be settled by the courts." Asked how he would testify in such a situation, Koop declined to answer, saying it would depend on the patient's history.

In a letter accompanying the report, newly confirmed Health Secy. Otis R. Bowen said, "Cigarette smoking is associated with an estimated \$23 billion in health care costs annually and over \$30 billion in lost productivity and wages. To a certain degree we all share these costs whether we smoke or not. Programs that reduce smoking, therefore, can have a benefit to all our society."

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