TOBACCO INDUSTRY INTERFERENCE WITH STATE EFFORTS TO PREVENT AND REDUCE TOBACCO USE

Both visibly and, especially, behind the scenes, the tobacco industry has worked hard to minimize the amount of state funds directed to tobacco prevention and control -- and to make sure that any new state tobacco control programs are as weak and ineffectual as possible. Whenever new tobacco prevention proposals receive any serious attention, the tobacco industry quickly mobilizes its armies of lobbyists, advertisers, lawyers, and public relations personnel -- as well as its many allies, front groups, and "independent" spokespersons -- to oppose them. And these same forces also work hard to sabotage or repeal any effective tobacco reduction measures that go into effect. Reviewing the tobacco industry's past and ongoing tactics to subvert recent tobacco control efforts in California and Massachusetts (to pick two of many possible examples) reveals the cigarette companies' basic tactics.

Tobacco Company Attacks On California's Proposition 99

Despite massive opposition financed by the tobacco companies, in 1988 the voters in California passed Proposition 99, which raised the state's tobacco taxes and directed 20 percent of the new revenues to support extensive new tobacco control efforts, including a statewide anti-smoking advertising campaign.

Soon thereafter, the tobacco industry increased its political contributions to California state legislators from $790,000 per year to over $7.6 million per year -- giving more money to California's elected representatives than to members of the U.S. Congress. Not surprisingly, Governor Pete Wilson soon took steps to block the anti-smoking ads paid for by the new tax and to divert the funds to unrelated purposes (and made one of the main opponents of Proposition 99 the state's Health Services Director). The state legislature not only failed to counter these steps but became much more tobacco friendly. Among other things, the State Assembly voted to suspend California's ban on smoking in bars less than a month after it went into effect (thanks to public pressure the ban was eventually reinstated).

Secret tobacco industry documents revealed in recent lawsuits describe the other components of the tobacco industry's aggressive strategy to keep Proposition 99 from reducing tobacco use. As an internal Tobacco Institute memo shows, the tobacco companies realized that their visible opposition to Proposition 99 could backfire, so they worked aggressively behind the scenes to manipulate business groups, public health associations, minority organizations, and others into attacking the anti-tobacco advertisements paid for by Proposition 99 and diverting Proposition 99 funds to their own purposes -- and away from tobacco control.

At the same time, the tobacco industry attacked the credibility and conclusions of various tobacco reduction experts, and tried to use sophisticated marketing techniques to change public opinion. Later on, the tobacco industry even tried to pass its own "tobacco control" ballot initiative, Proposition 188. While it was presented as a pro-health measure that would prevent kids from obtaining cigarettes, it would have actually weakened existing state tobacco control efforts and forbidden any California cities or towns from passing or enforcing any stronger anti-tobacco measures. Fortunately, the voters rejected it -- but only after the tobacco industry's backing of the proposition was revealed.
Legal action by public health organizations has now restored most of the funding improperly taken away from California’s tobacco prevention efforts. Nevertheless, the tobacco industry’s efforts to subvert the state’s tobacco control efforts still paid off. Although the counter advertising and other measures put in place by Proposition 99 are still reducing tobacco use in California, their effectiveness was significantly diminished because of the funding reductions and political interference prompted by the tobacco companies.

**Tobacco Industry Interference in Massachusetts**

Despite tobacco industry opposition, in 1992 Massachusetts passed a ballot initiative to increase the state’s cigarette tax by 25 cents, with the new tax revenues directed to new state efforts to reduce tobacco use. Thanks to tobacco company interference, however, far less than half of the new tax revenues have ever gone to tobacco reduction efforts.

In the year after the ballot question passed, the tobacco industry spent more than half a million dollars to lobby the Massachusetts state legislature. As the chairman of the Senate Ways and Means Committee recalls, tobacco industry lobbyists “urged us to take all the money and spend it on anything but [anti-tobacco] advertising and smoking cessation programs.” As in California, the tobacco companies also lowered their product prices to counter and even overwhelm the anti-smoking impact of the state’s tobacco tax increases.

At the same time, internal tobacco industry documents reveal an aggressive campaign to undermine Massachusetts’ new tobacco reduction program. Among other things, the industry attacked the tobacco tax increase by raising the false specter of increased cigarette smuggling and black market sales (and even adopted pricing policies in nearby states to increase cross-border sales). The tobacco companies also diverted tobacco control funding to other publicly attractive purposes through hidden alliances with education, health, and public interest organizations that could compete successfully for the funds; and worked to ensure that those funds actually going to tobacco control would go to certain school-based programs that the industry believed were least effective.

As in California, Massachusetts’ tobacco prevention efforts have still successfully reduced tobacco use, but their funding and effectiveness have been dramatically reduced by tobacco company efforts.

Reports on cigarette company political activity in other states are available at the University of California - San Francisco Tobacco Control Archives, [www.library.ucsf.edu/tobacco/state.html](http://www.library.ucsf.edu/tobacco/state.html).

**Some Basic Statistics on Tobacco Industry Influence**

- Tobacco industry spending on advertising and promotion each year: Over $5.6 billion.
- Tobacco industry’s 1998 expenditures for a media campaign against the McCain tobacco control bill, which the U.S. Senate ultimately rejected: Over $40 million.
- Tobacco company spending to influence state tobacco-related ballot initiatives in the 1998 elections: Over $30 million.
- Tobacco industry expenditures to lobby Congress in 1998: Over $65 million.
- Annual tobacco industry contributions to federal House and Senate candidates and to the national political parties: Over $5 million.
Sources


On the tobacco companies efforts in Massachusetts, see, e.g., W.A. Ritch & M.E. Begay, The Battle to Appropriate Tobacco Tax Revenues in Massachusetts, a report issued by the University of Massachusetts School of Public Health and Health Sciences (November 1998).


For additional information on the broad range of tobacco industry tactics to subvert tobacco control efforts, see M. Kirshenbaum, et al., Smoke & Mirrors: How the Tobacco Industry Buys and Lies Its Way to Power and Profits, an Advocacy Institute report (August 1998), 202-659-8475 or info@advocacy.org.