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MEDIA MONITORS

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Possible update

# How Tobacco Inc weeded out criticism

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Medical Writer

The tobacco industry instructed the prominent national law firm Clayton Utz to approach doctors and scientists to prepare reports it hoped would be useful to its interests, internal industry documents show.

They are set to reignite bitter controversy over a 1994 passive smoking report which found that data on passive smoking having adverse health effects was "weak and inconclusive". The report was funded by the industry but its authors have consistently defended it as independent.

The doctors and scientists who prepared the report were included on a list of experts which the Tobacco Institute of Australia suggested, in an April 1994 memo, should be considered for an "Independent Working Party" on passive smoking.

The memo, addressed to tobacco companies from the institute's then chief executive officer, Ms Donna Staunton, recommended the working party as part of a strategy for dealing with a National Health and Medical Research Council (NHMRC) report on passive smoking.

It said the working party would cost about \$200,000.

The memo, which was posted recently on the Internet by Philip Morris as part of a litigation

settlement in the US, said the industry would have no control over the content of the final report.

But it added: "However, as [Clayton Utz's] Glenn Eggleton has pointed out, all of the experts that I suggest be included in the Independent Working Party are known to us, as are their views."

The memo also said the institute arranged for several other scientists to make separate submissions to the NHMRC review on passive smoking.

One of these scientists - who wished not to be named - told the *Herald* she now "probably accepted" that this had allowed the industry to use her views in their interests: "It was probably unwise for me to do it but at the time it seemed very innocent."

Dr Julian Lee, who chaired the passive smoking working party, yesterday reiterated the independence of its report and said he had no regrets about being involved.

It was "certainly not" his impression at the time that the report was part of a deliberate industry strategy.

"I could have put anybody on that committee that I chose," he said. "I have documents that guarantee that that is the case."

But some other committee members said privately they now regretted being involved, with one saying it had been an

"opportunity to earn a lot of money" as well as to review the research literature.

Many of the researchers involved in the working party and other submissions to the NHMRC said their dealings had been with Mr Eggleton from Clayton Utz, who yesterday did not return repeated calls from the *Herald*.

Another Tobacco Institute document, addressed to Philip Morris in 1994, said the institute deliberately kept a low profile on ACT legislation on public smoking bans, but had provided assistance to the national body of the Australian Hotels Association.

"You would probably be aware that Richard Mulcahy [a former CEO of the Tobacco Institute] is now CEO of the AHA ... We will continue to offer assistance to the National Body of the AHA," said the letter, signed by Ms Staunton.

Mr Mulcahy stressed yesterday that the tobacco industry had not provided or offered assistance to the AHA's national body, and that it had not been sought. Ms Staunton, who now works with Philip Morris, was not available for comment.

The document also details how the institute aimed to influence policy at Workcover NSW and Worksafe Australia, saying it would "continue to liaise closely with its contacts" on a Worksafe working group.

Meanwhile, a document sent from Philip Morris Australia to the company's corporate office in New York in 1993 detailing its charitable donations for the year lists two payments to the Sydney Institute totalling \$16,700.

The Sydney Institute's executive director, Mr Gerard Henderson, said he had "no authority" to discuss corporate contributions.

of QTB SOA,

Tobacco Cover-Up

or new QTB.

Please let me

know ASAP.

Thanks

Sharon

x 7619.

Memos indicate:

- Independent Working Party on passive smoking was biased towards ind
- involvement with AHA
- influence over Workcover NSW & Worksafe Aus