

Research Study: Court-Ordered Corrections of Tobacco Industry Racketeering

National Poll Shows Strong Support for Policies and Rejection of Tobacco Industry Influences

PRELIMINARY REPORT

Background

Internal tobacco industry documents reveal that the tobacco industry has had a strong influence on public policy for more than 50 years. In 2006, a U.S. federal court found the largest U.S. tobacco companies to be in violation of civil racketeering (RICO) laws and ordered them to disseminate “corrective statements” (CS) about addiction, health effects of smoking, health effects of exposure to secondhand smoke, nicotine enhancement, and light and low tar cigarettes. Though delayed by extensive legal appeals, publication of the CS is expected to begin Sunday, November 26. Publication of the CS may present an opportunity for new efforts to prevent and remediate the effects of tobacco industry misinformation on policy.

Methods

A cross-sectional survey was administered online to 2,010 U.S. adults in May 2017. Data were collected using the web-enabled GfK KnowledgePanel, a probability-based panel representative of the U.S. population. To assess how the CS and major court findings (CF) might affect public attitudes, half of the respondents were randomly assigned to express their opinions before being exposed to the CS/CF, and half after. Using an aided awareness design, respondents were invited to read the full court-ordered CS, including preambles, prior to being asked if they were aware the information in each CS before taking the survey. Respondents were also provided an introductory statement to the CF prior to being asked if they were aware of each of them before taking the survey. The weighted data were analyzed using multiple linear regression.

Results

Survey results indicate that large proportions of U.S. adults are unaware of much of the information in the CS/CF. Due to the aided awareness design, actual levels of public awareness may be lower. Only 23.1% of respondents reported they were aware that the tobacco companies had violated civil racketeering laws; 32.1% were aware they had committed fraud; and 37.0% were aware they are likely to continue to commit fraud. Less than half were aware that “low tar” and “light” cigarette smokers inhale essentially the same amount of tar and nicotine as they would from regular cigarettes (45.5%); that Altria, R.J. Reynolds Tobacco, Lorillard, and Phillip Morris USA intentionally designed cigarettes to make them more addictive (47.4%); and that the tobacco companies denied secondhand smoke harms nonsmokers (49.8%).

Exposure to the CS/CF was significantly associated with the public being less likely to think lawmakers should trust tobacco companies as much as other companies ($p < .001$) or to think tobacco company lobbyists should be trusted to provide accurate information ($p < .05$). Those exposed to the CS/CF were also more in favor of requiring graphic warning labels ($p < .05$), requiring tobacco retailers to post a tobacco quitline sign ($p < .05$), and marginally more in favor of raising the minimum age to buy cigarettes to 21 years ($p = .07$) and prohibiting menthol in cigarettes ($p = .07$). Further, a trend was observed that exposure to the CS/CF appears to increase the intensity of support for each of the 12 tobacco control policies surveyed and for lawmakers’ rejection of each of 5 potential tobacco industry influences surveyed. After exposure to the CS/CF, only 3.3% of respondents think lawmakers should leave a law written or influenced by tobacco companies “as it is” while 31.4% think lawmakers should revise the law and 36.3% think they should remove the law and start over. Only 8.4% of those exposed to the CS/CF think tobacco companies are now taking responsibility for the harm caused by smoking.

Conclusions

These study results could inform remedial local, state and national policy initiatives and aid in the development and evaluation of public education efforts to enhance and amplify the court-ordered corrective statements.

GENERAL POPULATION ATTITUDES (n=2,010)

Exposure Sequence 1 (ES1) respondents answered attitude questions BEFORE awareness questions (n=1,004)

Exposure Sequence 2 (ES2) respondents answered attitude questions AFTER awareness questions (n=1,006)

Listed below are some examples of existing or proposed tobacco-related laws and policies. How much do you favor or oppose each one?

	Strongly Favor		Somewhat Favor		Somewhat Oppose		Strongly Oppose		Not Sure	
	ES1 %	ES2 %	ES1 %	ES2 %	ES1 %	ES2 %	ES1 %	ES2 %	ES1 %	ES2 %
Require large graphic warning labels on cigarette packs to better convey the health risks of smoking¹	50.6	56.2	23.7	20.8	12.0	7.0	6.1	5.7	6.7	8.5
Require stores that sell tobacco products to post a tobacco quitline sign¹	42.9	50.1	28.8	22.8	9.5	8.0	5.7	4.8	11.8	12.9
Raise the minimum age to purchase cigarettes to 21 ²	55.7	60.5	16.7	15.0	9.8	6.0	7.4	7.7	9.0	9.4
Prohibit menthol flavorings in cigarettes to make it harder to start smoking ²	40.6	43.3	17.8	18.4	16.4	10.7	9.7	10.0	14.3	16.2
Prohibit pharmacies from selling tobacco products	45.1	46.1	17.2	17.9	15.1	12.5	10.2	9.7	11.4	12.3
Ban smoking inside all public places and workplaces including restaurants and bars	66.8	70.5	15.8	10.0	6.9	6.1	6.2	5.7	4.2	6.3
Increase taxes on cigarettes	45.4	49.5	20.5	17.1	11.1	9.4	14.6	13.7	7.2	8.8
Ban smoking inside multi-unit housing such as apartments or condominiums	51.5	52.6	16.7	16.0	12.0	11.0	11.6	10.4	7.3	8.7
Prohibit price promotions on cigarettes such as coupons or 2-for-1 deals	44.5	47.2	16.3	14.6	13.4	12.2	14.3	12.8	10.4	12.0
Ban smoking in cars with children in them	65.9	67.8	14.9	11.6	6.7	6.6	5.7	5.3	5.6	7.2
Fund programs to help prevent youth from smoking and to help smokers quit	55.2	58.3	25.8	22.2	6.5	6.7	3.8	3.4	7.5	7.8
Reduce nicotine in cigarettes to a level that is not addictive	54.7	55.3	21.5	19.3	7.4	5.6	4.5	5.9	10.9	12.4

Note: Percentages may not total 100% due to rounding and/or a small proportion (up to 1.8%) of survey participants who didn't respond.

1. $p < 0.05$

2. $p = 0.07$

Listed below are questions about how you think lawmakers should or should not interact with tobacco companies or tobacco company lobbyists. (A tobacco company lobbyist is a person who is paid by a tobacco company to influence lawmakers.) How much do you agree or disagree with each statement?

	Strongly Agree		Somewhat Agree		Somewhat Disagree		Strongly Disagree		Not Sure	
	<i>ES1</i> %	<i>ES2</i> %	<i>ES1</i> %	<i>ES2</i> %	<i>ES1</i> %	<i>ES2</i> %	<i>ES1</i> %	<i>ES2</i> %	<i>ES1</i> %	<i>ES2</i> %
Lawmakers should trust tobacco companies as much as they trust other companies¹	11.8	10.9	20.6	13.5	21.7	18.9	32.9	41.3	12.2	14.1
Lawmakers should trust tobacco company lobbyists to provide accurate information on tobacco issues²	15.1	12.7	12.3	11.9	20.0	15.6	39.8	47.7	12.1	10.8
Lawmakers should refuse to meet with tobacco company lobbyists	33.6	38.6	20.9	15.3	21.2	19.6	10.2	10.7	13.2	14.1
Lawmakers should refuse meals or other gifts from tobacco company lobbyists	54.4	58.2	20.0	13.6	9.2	9.6	4.5	6.4	10.9	10.8
Lawmakers should refuse campaign contributions from tobacco company lobbyists	52.0	55.4	20.7	14.5	10.6	9.4	5.1	7.7	10.5	11.4
Lawmakers should refuse campaign contributions from tobacco companies	51.5	55.2	19.4	14.9	11.9	10.9	5.9	6.6	10.4	11.2
Lawmakers should allow tobacco companies or tobacco company lobbyists to help write laws	9.4	11.1	10.3	8.5	16.5	15.5	50.8	51.6	11.9	11.8

Note: Percentages may not total 100% due to rounding and/or a small proportion (up to 1.7%) of survey participants who didn't respond.

1. $p < 0.001$

2. $p < 0.05$

Listed below are a few more questions about tobacco companies, tobacco company lobbyists or related issues. (A tobacco company lobbyist is a person who is paid by a tobacco company to influence lawmakers.)

	Leave the law as it is		Revise the law		Remove the law and start over		Not Sure	
	<i>ES1</i> %	<i>ES2</i> %	<i>ES1</i> %	<i>ES2</i> %	<i>ES1</i> %	<i>ES2</i> %	<i>ES1</i> %	<i>ES2</i> %
If a tobacco-related law was written or influenced by a tobacco company or tobacco company lobbyist, what do you think lawmakers should do?	5.0	3.3	30.1	31.4	35.3	36.3	28.8	27.5

	Yes		No		Not Sure	
	<i>ES1</i> %	<i>ES2</i> %	<i>ES1</i> %	<i>ES2</i> %	<i>ES1</i> %	<i>ES2</i> %
Do you think tobacco companies are now taking responsibility for the harm caused by smoking?	10.0	8.4	64.4	68.5	24.5	22.4

	Local-level lawmakers (like members of a city council or town board)		State-level lawmakers (like State Representatives or State Senators)		National-level lawmakers (like U.S. Representatives or U.S. Senators)		Not Sure	
	<i>ES1</i> %	<i>ES2</i> %	<i>ES1</i> %	<i>ES2</i> %	<i>ES1</i> %	<i>ES2</i> %	<i>ES1</i> %	<i>ES2</i> %
In general, which of the following types of lawmakers do you think are least likely to be influenced by a tobacco company lobbyist?	41.9	40.4	6.2	5.9	9.6	10.3	41.2	42.2

	Yes		No		Not Sure	
	<i>ES1</i> %	<i>ES2</i> %	<i>ES1</i> %	<i>ES2</i> %	<i>ES1</i> %	<i>ES2</i> %
Would you approve of having any of your current or future retirement savings invested in tobacco company stocks?	8.3	8.8	68.8	72.0	22.2	17.9

Note: Percentages may not total 100% due to rounding and/or a small proportion (up to 1.4%) of survey participants who didn't respond.

GENERAL POPULATION AWARENESS (n=2,010)

Shown below is one of five court-ordered statements that will soon be published in newspapers, on television and on the internet. Please read this statement:

A Federal Court has ordered Altria,
R.J. Reynolds Tobacco, Lorillard,
and Philip Morris USA to make this
statement about the health effects of
smoking.

- Smoking kills, on average, 1200 Americans. Every day.
- More people die every year from smoking than from murder, AIDS, suicide, drugs, car crashes, and alcohol, **combined**.
- Smoking causes heart disease, emphysema, acute myeloid leukemia and cancer of the mouth, esophagus, larynx, lung, stomach, kidney, bladder, and pancreas.
- Smoking also causes reduced fertility, low birth weight in newborns, and cancer of the cervix.

Before you took this survey today, were you aware of the following information about the health effects of smoking?

	Yes %	No %	Not Sure %
Smoking kills, on average, 1,200 Americans. Every day.	41.2	40.1	17.6
More people die every year from smoking than from murder, AIDS, suicide, drugs, car crashes, and alcohol combined .	36.5	46.9	15.5
Smoking causes heart disease, emphysema, acute myeloid leukemia and cancer of the mouth, esophagus, larynx, lung, stomach, kidney, bladder, and pancreas.	82.6	9.3	7.2
Smoking also causes reduced fertility, low birth weight in newborns, and cancer of the cervix.	71.3	17.3	10.1

Note: Percentages may not total 100% due to rounding and/or a small proportion (up to 1.3%) of survey participants who didn't respond.

Shown below is one of five court-ordered statements that will soon be published in newspapers, on television and on the internet. Please read this statement:

A Federal Court has ordered Altria, R.J. Reynolds Tobacco, Lorillard, and Philip Morris USA to make this statement about the addictiveness of smoking and nicotine.

- Smoking is highly addictive. Nicotine is the addictive drug in tobacco.
- Cigarette companies intentionally designed cigarettes with enough nicotine to create and sustain addiction.
- It's not easy to quit.
- When you smoke, the nicotine actually changes the brain – that's why quitting is so hard.

Before you took this survey today, were you aware of the following information about the addictiveness of smoking and nicotine?

	Yes %	No %	Not Sure %
Smoking is highly addictive. Nicotine is the addictive drug in tobacco.	89.5	4.3	5.0
Cigarette companies intentionally designed cigarettes with enough nicotine to create and sustain addiction.	63.7	22.3	13.0
It's not easy to quit.	87.3	5.8	5.6
When you smoke, the nicotine actually changes the brain – that's why quitting is so hard.	60.8	24.5	13.6

Note: Percentages may not total 100% due to rounding and/or a small proportion (up to 1.3%) of survey participants who didn't respond.

Shown below is one of five court-ordered statements that will soon be published in newspapers, on television and on the internet. Please read this statement:

A Federal Court has ordered Altria, R.J. Reynolds Tobacco, Lorillard, and Philip Morris USA to make this statement about low tar and light cigarettes being as harmful as regular cigarettes.

- Many smokers switch to low tar and light cigarettes rather than quitting because they think low tar and light cigarettes are less harmful. They are **not**.
- “Low tar” and “light” cigarette smokers inhale essentially the same amount of tar and nicotine as they would from regular cigarettes.
- **All** cigarettes cause cancer, lung disease, heart attacks, and premature death – lights, low tar, ultra lights, and naturals. There is no safe cigarette.

Before you took this survey today, were you aware of the following information about low tar and light cigarettes being as harmful as regular cigarettes?

	Yes %	No %	Not Sure %
Many smokers switch to low tar and light cigarettes rather than quitting because they think low tar and light cigarettes are less harmful. They are not .	57.1	27.6	14.4
“Low tar” and “light” cigarette smokers inhale essentially the same amount of tar and nicotine as they would from regular cigarettes.	45.5	36.8	16.6
All cigarettes cause cancer, lung disease, heart attacks, and premature death – lights, low tar, ultra lights, and naturals. There is no safe cigarette.	82.4	8.2	8.5

Note: Percentages may not total 100% due to rounding and/or a small proportion (up to 1.0%) of survey participants who didn't respond.

Shown below is one of five court-ordered statements that will soon be published in newspapers, on television and on the internet. Please read this statement:

A Federal Court has ordered Altria, R.J. Reynolds Tobacco, Lorillard, and Philip Morris USA to make this statement about designing cigarettes to enhance the delivery of nicotine.

- Altria, R.J. Reynolds Tobacco, Lorillard, and Philip Morris USA intentionally designed cigarettes to make them more addictive.
- Cigarette companies control the impact and delivery of nicotine in many ways, including designing filters and selecting cigarette paper to maximize the ingestion of nicotine, adding ammonia to make the cigarette taste less harsh, and controlling the physical and chemical makeup of the tobacco blend.
- When you smoke, the nicotine actually changes the brain – that’s why quitting is so hard.

Before you took this survey today, were you aware of the following information about designing cigarettes to enhance the delivery of nicotine?

	Yes %	No %	Not Sure %
Altria, R.J. Reynolds Tobacco, Lorillard, and Phillip Morris USA intentionally designed cigarettes to make them more addictive.	47.4	34.4	17.1
Cigarette companies control the impact and delivery of nicotine in many ways, including designing filters and selecting cigarette paper to maximize the ingestion of nicotine, adding ammonia to make the cigarette taste less harsh, and controlling the physical and chemical make-up of the tobacco blend.	47.0	37.8	14.2
When you smoke, the nicotine actually changes the brain – that’s why quitting is so hard.	56.9	27.6	14.6

Note: Percentages may not total 100% due to rounding and/or a small proportion (up to 1.1%) of survey participants who didn’t respond.

Shown below is one of five court-ordered statements that will soon be published in newspapers, on television and on the internet. Please read this statement:

A Federal Court has ordered Altria, R.J. Reynolds Tobacco, Lorillard, and Philip Morris USA to make this statement about the health effects of secondhand smoke.

- Secondhand smoke kills over 38,000 Americans each year.
- Secondhand smoke causes lung cancer and coronary heart disease in adults who do **not** smoke.
- Children exposed to secondhand smoke are at an increased risk for sudden infant death syndrome (SIDS), acute respiratory infections, ear problems, severe asthma, and reduced lung function.
- There is no safe level of exposure to secondhand smoke.

Before you took this survey today, were you aware of the following information about the health effects of secondhand smoke?

	Yes %	No %	Not Sure %
Secondhand smoke kills over 38,000 Americans each year.	47.1	36.1	15.8
Secondhand smoke causes lung cancer and coronary heart disease in adults who do not smoke.	78.2	11.6	9.2
Children exposed to secondhand smoke are at increased risk for sudden infant death syndrome (SIDS), acute respiratory infections, ear problems, severe asthma, and reduced lung function.	73.1	15.7	10.1
There is no safe level of exposure to secondhand smoke.	70.1	16.6	12.1

Note: Percentages may not total 100% due to rounding and/or a small proportion (up to 1.2%) of survey participants who didn't respond.

A United States federal court found that major tobacco companies (including Altria, R.J. Reynolds Tobacco, Lorillard, and Philip Morris USA) have violated civil racketeering laws, that is, they have engaged in an organized conspiracy to commit fraud. As part of the racketeering verdict, the federal court ruled that these tobacco companies have marketed cigarettes to young people to replace smokers who die or quit smoking, have suppressed and concealed scientific research, have denied facts they knew to be true, have committed fraud, and are likely to continue to commit fraud. Before you took this survey today, were you aware of the following federal court findings about these tobacco companies?

	Yes %	No %	Not Sure %
Committed fraud	32.1	47.5	19.0
Are likely to continue to commit fraud	37.0	40.9	20.9
Violated civil racketeering laws (engaged in an organized conspiracy to commit fraud)	23.1	55.5	20.0
Suppressed and concealed scientific research	43.0	39.1	16.2
Denied that secondhand smoke harms nonsmokers	49.8	33.9	15.0
Marketed cigarettes to young people to replace smokers who die or quit smoking	49.7	33.1	15.8
Marketed low tar and light cigarettes as less harmful though they knew they were not	45.3	38.1	15.4
Denied that they control the level of nicotine to create and sustain addiction	40.0	42.2	16.6
Denied that smoking is addictive	53.1	31.8	13.8
Denied the health consequences of smoking	54.6	30.5	13.3

Note: Percentages may not total 100% due to rounding and/or a small proportion (up to 1.6%) of survey participants who didn't respond.