

RESEARCH PAPER

Tobacco industry manipulation of the hospitality industry to maintain smoking in public places

J V Dearlove, S A Bialous, S A Glantz

Tobacco Control 2002;11:94-104

See end of article for authors' affiliations

Correspondence to:
Stanton A Glantz, PhD,
Box 0103, University of
California, San Francisco,
San Francisco, CA
94143-0130, USA;
glantz@medicine.ucsf.edu

Received 12 December
2001 and revision
requested 12 March 2002.
Accepted 13 March 2002

Objective: To describe how the tobacco industry used the "accommodation" message to mount an aggressive and effective worldwide campaign to recruit hospitality associations, such as restaurant associations, to serve as the tobacco industry's surrogate in fighting against smoke-free environments.

Methods: We analysed tobacco industry documents publicly available on the internet as a result of litigation in the USA. Documents were accessed between January and November 2001.

Results: The tobacco industry, led by Philip Morris, made financial contributions to existing hospitality associations or, when it did not find an association willing to work for tobacco interests, created its own "association" in order to prevent the growth of smoke-free environments. The industry also used hospitality associations as a vehicle for programmes promoting "accommodation" of smokers and non-smokers, which ignore the health risks of second hand smoke for employees and patrons of hospitality venues.

Conclusion: Through the myth of lost profits, the tobacco industry has fooled the hospitality industry into embracing expensive ventilation equipment, while in reality 100% smoke-free laws have been shown to have no effect on business revenues, or even to improve them. The tobacco industry has effectively turned the hospitality industry into its de facto lobbying arm on clean indoor air. Public health advocates need to understand that, with rare exceptions, when they talk to organised restaurant associations they are effectively talking to the tobacco industry and must act accordingly.

The tobacco industry has recognised since the 1970s that declining social acceptability of smoking is the most serious problem it faces.^{1,2} This decline has been accelerated by the evidence, which started accumulating in the 1970s, that second hand smoke endangers non-smokers.³⁻⁷ Smoke-free environments have led to a drop in cigarette consumption and loss of profits for the tobacco industry.⁸⁻¹⁵ The industry recognised that declining social acceptability also increases voluntary quitting and weakens the industry's ability to develop allies.¹⁶ The industry used this threat to its financial viability in 1978¹⁷ as part of the justification to oppose a California initiative that would have created smoking and non-smoking sections.^{18,19} In 1993, a Philip Morris (PM) analyst observed that the "Financial impact of smoking bans will be tremendous. Three to five fewer cigarettes per day will reduce annual manufacturer profits a billion dollar plus per year."²⁰ By the late 1980s and early 1990s, the industry realised that it urgently needed to address these issues in a proactive manner, rather than simply reacting to tobacco control initiatives.^{16,21,22}

The decline in social acceptability of smoking and the support for more regulatory measures on public smoking has not been an exclusive US phenomenon. Despite the fact that few tobacco control advocates in Europe have made clean indoor air a high priority, a 1989 survey conducted by PM of smokers and non-smokers in 10 European countries found that "the perception that ETS [environmental tobacco smoke] represents a danger to health is widespread" and that "annoyance levels and frequency of annoyance are as high in Europe as in the US".²³

The industry adopted two main approaches to address the problem of declining social acceptability of smoking: attacking the science demonstrating that second hand smoke was dangerous^{2,14,24-33} (as it had done with active smoking) and working to change the public's perception of smoking in public. The industry's original defence against restrictions on smoking (creation of non-smoking sections) in the 1970s was to invoke

arguments about "courtesy," "choice", and "freedom" as well as to claim that any limitations on smoking would hurt businesses that restricted smoking (without mentioning the fact that tobacco industry sales and profits would suffer).^{1,18,19,34} In the 1980s they also began to promote ventilation as a solution.³⁵ This argument eventually lost credibility because a consensus developed that workers should not be forced to breathe the toxic chemicals in second hand smoke, and business saw no need to install expensive ventilation systems (that would not solve the problem anyway).^{36,37} In addition, many employers (particularly large employers) independently concluded that smoke-free workplaces were good for business.

As a result of these pressures, the tobacco industry has increasingly focused the debate over clean indoor air and smoke-free environments in the hospitality industry (restaurants, bars, and casinos). The core message used to recruit allies in the hospitality industry has been "accommodation" of smoking and non-smoking patrons (without mentioning employees). A key element of this effort has been to commission and release studies claiming that smoking restrictions have major negative economic effects on the hospitality industry,^{38,39} a claim even a PM lobbyist reported was untrue.⁴⁰

The tobacco industry, knowing that it has no public credibility, has a well established practice of speaking through front groups.^{14,16,18,22,25,41-44} The tobacco industry's campaign has not only been directed at convincing individual restaurants to continue to support smoking, but has had a major institutional element through hospitality organisations. The tobacco industry's use of restaurant associations to protect its interests

Abbreviations: BHRA, Beverly Hills Restaurant Association, HORECA, International Association of Hotels, Restaurants and Cafes, IHA International Hotel Association; IH&RA, International Hotel and Restaurant Association; PM, Philip Morris

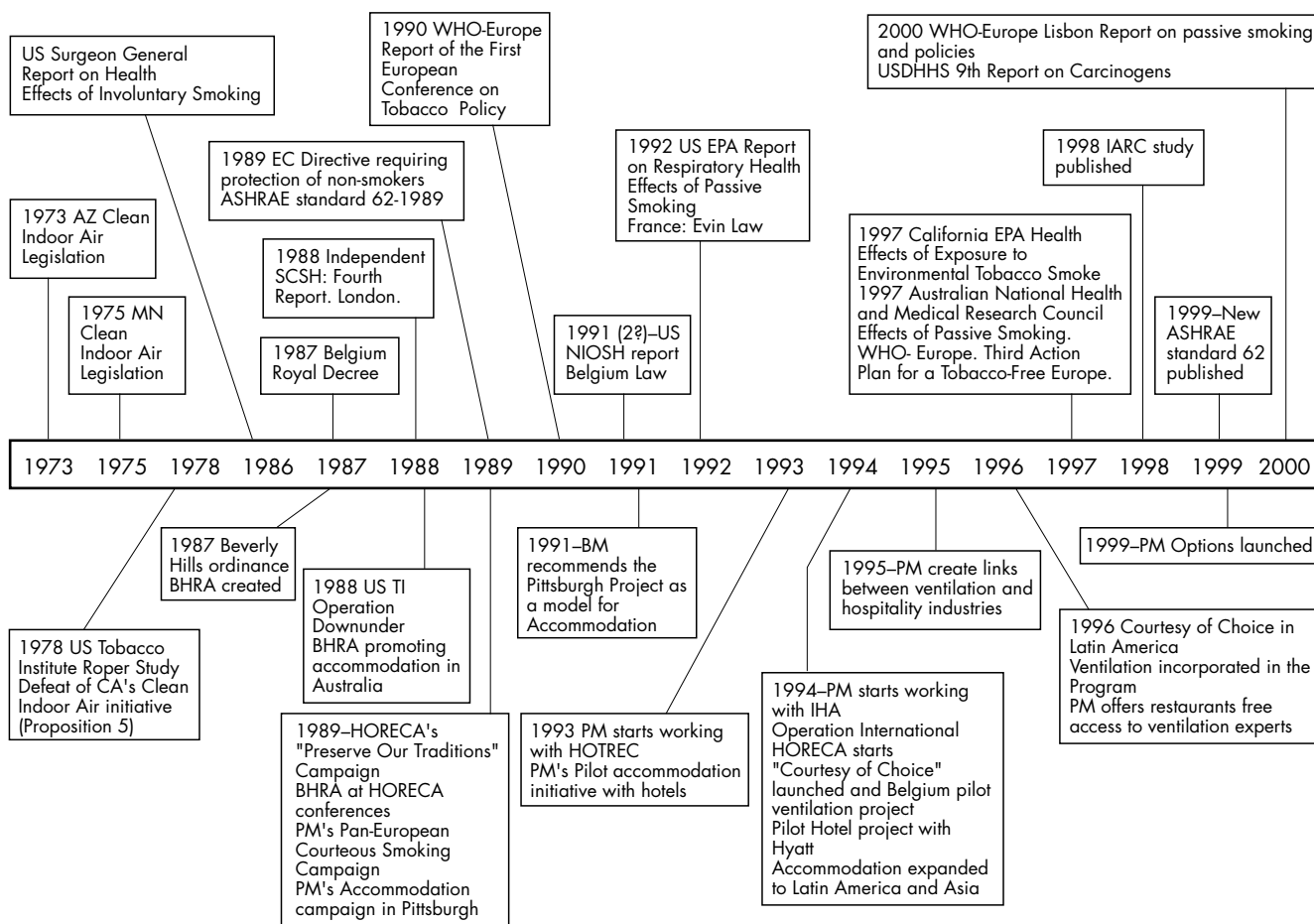


Figure 1 Time line showing developments in the relationship between the tobacco and hospitality industries.

has only been studied in Massachusetts⁴¹ and as it relates to smoke-free measures considered by states' boards of health.⁴⁵ The industry has used the "accommodation" message to mount an aggressive and effective worldwide campaign to recruit hospitality associations to serve as the tobacco industry's surrogate in fighting against smoke-free environments.

METHODS

We analysed tobacco industry documents publicly available on the internet as a result of litigation in the USA. Documents were accessed between January and November 2001. Search terms included "accommodation", "restaurant", "hospitality", "downunder", "courtesy", "ventilation", "HORECA" (International Association of Hotels, Restaurants and Cafes), "IHA" (International Hotel Association), "HOTREC" (a lobbying office for 12 national restaurant associations in the European Union), and the names of key players and organisations as identified in the initial searches. We did not search documents from the British American Tobacco depository in Guildford, England because of their general lack of availability to the research community.⁴⁶ While we searched all the industry websites, the majority of documents come from the PM website (www.pmdocs.com), probably because PM was the first tobacco company to promote the accommodation message in the hospitality industry.

RESULTS

The idea of "accommodation" emerges

Figure 1 shows how the tobacco industry developed its strategy to co-opt and manipulate the hospitality industry into opposing smoke-free public places beginning in the 1970s and that the industry's response intensified as more evidence accumulated against second hand smoke.

Arizona was the first state to pass clean indoor air legislation (in 1973),⁴⁷ followed by Minnesota in 1975. Although weak by current standards, these early measures marked the beginning of the non-smokers' rights movement in the USA. The first major industry public opposition to smoking restrictions occurred in 1978, when it defeated a proposed California law modelled on the Minnesota Clean Indoor Air Act. Ironically, the provisions to create smoking and non-smoking sections were much weaker than the current accommodation strategy the industry advocates, because it did not couple the creation of separate sections with a ventilation system that would supposedly prevent smoke from moving from the smoking to the non-smoking section.

The industry's experience in California¹⁸ and Dade County, Florida⁴⁸⁻⁴⁹ prompted it to consider changing its key message in opposing clean indoor policies to promoting "accommodation" of smokers and non-smokers. In the late 1980s, the now extinct US Tobacco Institute, the industry's lobbying and political arm, proposed "Operation Downunder" to its member companies.⁵⁰⁻⁵⁶ This project would have changed the tobacco industry's policy from unilaterally opposing all smoking restrictions to accepting weak smoking restrictions. Because weaker restrictions accommodated smokers, the tobacco industry referred to this new policy as "accommodation." The Tobacco Institute ultimately decided against this policy change⁵⁷ because it was concerned that such accommodation policies would bring the issue of smoking in public places to the forefront of public debate and would weaken the industry's ability to oppose smoking restrictions.⁵³⁻⁵⁷

PM, however, disagreed with the Tobacco Institute's decision and began its own version of Operation Downunder in 1989.⁵⁵⁻⁶¹ PM believed that the industry should be proactive in shaping the public smoking debate to preempt attempts to pass smoke-free policies, and created a public

relations campaign based on “accommodation”. Eventually, other tobacco companies developed similar programmes.

The Belgium Royal Decree

In 1987 the Belgian government passed a Royal Decree requiring that restaurants install ventilation and create smoking sections.⁶² While we were unable to determine what role, if any, the tobacco industry played in the development of this decree, we do know that PM successfully capitalised on this decree to promote its new “courtesy campaign”. PM took advantage of the fact that the 1987 Royal Decree was not accompanied by an information campaign on the part of government making it clear how to comply with the Decree. PM considered this a prime opportunity to test an accommodation campaign and promote the idea of indoor air quality and the use of ventilation systems as opposed to smoking restrictions.⁶³⁻⁶⁵

PM met its goal of preventing stricter smoking restrictions by using this project to convince Belgians that smokers and non-smokers could coexist, and by working with the Belgian national tobacco manufacturers association to help draft the text of the 1993 Royal Decree^{62 64} regarding smoking in workplaces issued by the Minister of Employment:

“[Tobacco use] must be based on mutual tolerance, respect of individual liberties, and courtesy. If necessary, the employer must take additional technical measures [ventilation systems] in order to eliminate the annoyance caused by environmental tobacco smoke.”⁶⁶

PM considered the adoption of accommodation language in the 1993 Belgian Royal Decree a major success.⁶⁶

Building the relationship with the hospitality industry

PM focused on the hospitality businesses—restaurants, bars and recreational centres—as the most promising allies to enlist in political battles to protect cigarette consumption:

“The Accommodation Program serves as link between PM and the hospitality industry. Our ability to interact effectively with the hospitality industry is critical to our ultimate objective, which is to maintain the ability for our consumers to enjoy our products in public venues such as restaurants, hotels, bowling centres, and shopping malls. *This relationship becomes even more important as legislative threats continue to mount at local, state, and federal levels.*”⁶⁷ [emphasis added]

The tobacco industry used the hospitality industry to meet its legislative goals: defeat smoke-free policies and support accommodation legislation that enacts weak smoking restrictions, thereby taking the issue of public smoking off the public agenda without doing anything to protect public health.⁶⁸

PM recognised that there were barriers in establishing this alliance because the hospitality industry did not actually have a stake in protecting the interests of the tobacco industry; it observed:

“The Hospitality Industry is our greatest potential ally . . . But not necessarily a natural partner

- PM products, for the most part, not sold in these venues
- We do not have a strong business connection to the industry . . .”⁶⁷

PM’s primary recruiting message was to promote the hospitality industry’s fear of losing money due to smoke-free policies, and offered accommodation as an alternative.⁶⁸

The industry’s efforts to use the hospitality industry have two major components. There is a proactive element in the form of an educational campaign, transmitted through national or regional hospitality associations, to familiarise individual restaurateurs and bar owners with the idea of accommodation and convince them that instituting smoke-free policies will harm their business. There is also a reactive element to fight clean indoor air laws. When faced with a specific legislative threat, the tobacco industry will send lobbyists and public relations firms to a specific locality in order to oppose legislative smoke-free proposals and offer accommodation policies as alternatives. If local hospitality and business associations do not cooperate with the tobacco industry, the industry creates its own hospitality organisation to serve as a front group and meet its legislative and strategic needs.

The Beverly Hills Restaurant Association

The first time the tobacco industry used a restaurant front group to lead opposition to a clean indoor air ordinance was in Beverly Hills, California, in 1987.^{18 43} Beverly Hills was the first city in California to pass a 100% smoke-free restaurant ordinance. The ordinance passed its first reading with little opposition. By the time of the second (and final) vote by the city council, the Beverly Hills Restaurant Association (BHRA) was vigorously opposing it, claiming that there would be a drop in business. It was not disclosed that the BHRA was created by a public relations firm for the tobacco industry.^{9 69} The council enacted the ordinance and it went into effect. Over the next several months, the BHRA loudly claimed that business was down 30% and eventually succeeded in getting the ordinance amended to create smoking and non-smoking sections. (Even so, it remained the strongest ordinance in California at the time.) Sales tax data later revealed that there was no effect on business revenues.^{10 70}

Impressed with this success, PM developed plans to use this model to promote the accommodation concept internationally⁷¹ and began to provide testimonials at hospitality industry gatherings and to oppose legislation elsewhere.^{18 69 72}

The Accommodation Program

In 1989, PM formalised the concepts of tolerance and courtesy into a US public relations campaign called the Accommodation Program. As it developed into a nationwide strategy, this programme built around three core themes: (1) harmony between smokers and non-smokers; (2) smoke-free policies are associated with businesses losses in the hospitality industry; and (3) ventilation removes second hand smoke, allowing smokers and non-smokers to share the same environment.

The Pittsburgh experience

The programme first emerged in Pittsburgh, Pennsylvania in June 1989. Just before the launch of the Accommodation Program, Pittsburgh passed a law restricting smoking in public places. Earlier analysis of the Pittsburgh events concluded that the Accommodation Program was launched to delay or obstruct the implementation of the smoking law, by causing confusion about implementation.⁷³ The crux of the programme was a symbol that restaurants and other businesses could post on their door to indicate that they accommodated smokers (fig 2). The symbol resembled a yin/yang sign implying that smokers and non-smokers could coexist in harmony. This symbol, called “The New Sign of the Times”, was half red and half green with a lit cigarette featured in the green half. Underneath this symbol was the phrase, “Smokers and Non-Smokers Welcome.”^{58 60 74-76} This logo was presented as an alternative to the international no-smoking sign, which needed to be posted in certain areas to comply with the ordinance.⁷³

Internal tobacco industry documents indicate that, in fact, PM was more concerned about testing the Accommodation



Figure 2 Logos for the original Philip Morris Accommodation Program and the IHA's Courtesy of Choice Program.

Program as a public relations campaign aimed at increasing the social acceptability of smoking than simply confusing implementation of the Pittsburgh ordinance.^{59 77 78} Before the launch of the Accommodation Program, PM arranged for one-on-one meetings and presentations to obtain the support of potential allies, and recruited parties who were interested in participating in the campaign, such as restaurants, hotels, and taxi firms.⁷⁸ The programme featured advertisements on 50 billboards and print advertisements in almost all local publications promoting the idea of accommodation as well as specific businesses that agreed to cooperate. PM was able to recruit about 100 restaurants to participate in the programme at a total cost of \$2–4 million.⁷⁵ The fact that the Accommodation Program's messages were difficult to criticize became a hallmark of the accommodation/courtesy strategy; according to Guy Smith, PM's vice president of corporate affairs:

"...this [Pittsburgh Accommodation] program seems to be working extremely well and it is widely acclaimed in the community as very reasoned and calm. It also had the satisfying result of having the anti-[tobacco control advocates] all tied up in their underwear because it is so difficult to criticize."⁷⁹

At the end of the campaign PM conducted survey research to evaluate the programme^{58 59} and deemed it a success because it "received overwhelming acceptance from both the Pittsburgh business community and the general public".⁷⁷ This success led PM to expand the programme to other US cities and to European markets.⁷⁸

Hospitality associations with tobacco ties in the USA

Since the tobacco industry's initial success in working through restaurants in Beverly Hills, it has rapidly expanded its links to the hospitality industry (table 1) in ways that have been replicated around the world. In some cases, the industry worked with existing groups and in other cases it formed groups to meet its specific political needs.

For example, in addition to the BHRA, in California the tobacco industry created the California Business and Restaurant Alliance,⁴⁰ Sacramento Restaurant and Merchant Association,^{18 42} and the California Tavern Association^{18 44} to oppose local and state smoke-free restaurant laws. (In California the tobacco industry had a particular problem because the legitimate state restaurant association, the California Restaurant Association, was supporting a state law making all restaurants and bars smoke-free, largely out of concern for legal liability associated with workers being exposed to second hand smoke.⁸⁰) In New York, the industry created the Long Island Hospitality Coalition and built the Empire State Restaurant & Tavern Association (which also called itself the United Restaurant, Hotel and Tavern Association, the New York Tavern and Restaurant Association, and the Manhattan

Tavern and Restaurant Association) from a small, non-influential group that the tobacco industry infused with cash and used as a front to lobby against local clean indoor air policies and to promote preemptive legislation in the state of New York.⁴⁴ It was also used to circumvent the lobbying disclosure and spending limits laws in the state.

In total, the tobacco industry provides funds to and works with more than 65 hospitality groups around the USA (table 1), including state restaurant associations, and national organisations including the National Restaurant Association,⁸¹ the American Beverage Institute, and the National Licensed Beverage Association.

These groups also provide the tobacco industry with a public face for opposition to clean indoor air legislation and regulation in a way that allows the industry to remain in the shadows. For example, in Ohio, the state Licensed Beverage Association was instrumental in supporting legislation that would have removed authority from all local health boards to regulate smoking.^{82 83} Restaurant groups have been very active in opposing smoke-free legislation throughout the USA, as experience from Alaska, Louisiana, New Hampshire, Ohio, and Oregon in 2001 demonstrate.^{84–87} For example, the New Hampshire Lodging and Restaurant Association, which receives funding from PM and RJ Reynolds, opposed House Bill 713 which would end smoking in all restaurants. The bill was held in the Commerce Committee, which had originally recommended passage of the bill.⁸⁴

International HORECA

The tobacco industry's alliances with the hospitality industry extend worldwide through existing hospitality organisations. In 1989, HORECA (International Association of Hotels, Restaurants and Cafes) published a newsletter with an "Alert" regarding smoking restrictions in restaurants. The "Alert" explained that public smoking restrictions resulted in conflicts at hospitality businesses and often led to the loss of revenue.⁸⁸ While HORECA is active mainly in Europe, the tobacco industry used the model developed there in other parts of the world, including Latin America and Asia, through the International Hotel Association (IHA, later IH&RA, discussed below).

An October 1989 issue of the HORECA newsletter, released as a "special report", went into detail about the measurement of tobacco smoke, relying on research conducted by Healthy Buildings International,⁸⁹ a consulting firm the tobacco industry financed to support its political agenda.^{89–91} The issue promoted the industry position that ventilation was the solution to second hand smoke.

Later in 1989, HORECA produced a pamphlet titled "Managing an evolving issue" introducing the "Preserve Our Traditions" campaign with the objective to promote accommodation and the business owners' "right" to decide on smoking policies.⁹² The "Preserve our Traditions" campaign was developed by PM for HORECA,⁹³ using the same yin/yang symbol as the campaign in Pittsburgh.⁹¹

PM anticipated that the national associations would begin their own accommodation campaigns based on this material.⁹⁴ The material contained suggestions on keeping ventilation systems clean, a model customer survey, a letter from the president and general secretary of HORECA promoting "Preserve Our Traditions", and other suggestions regarding promotion of the campaign. By 1993, PM considered "Preserve Our Traditions" a great success, not only in promoting accommodation within the hospitality industry, but also in mobilising other tobacco companies:

"The HORECA initiative was particularly successful and was adopted or adapted in several European countries. Sometimes, it had the effect of making the local national [tobacco] monopolies take up its own initiatives, if only not to be "shown up" by a foreign company."⁹⁵

Table 1 Hospitality groups with known affiliations* with the tobacco industry

Name	Date†	Tobacco industry affiliation
International and non-US associations		
Australian Hotel/Restaurant Association (NSW) ¹³⁵	1993	Hosted the 1994 IHA Annual Congress and requested a session on smoking accommodation at the 1995 congress and asked PM to be a major sponsor at \$100000
Australian Hotels Association – Western ¹³⁶	2001	PM Australia is corporate sponsor
BARS (Byward Association for Responsible Service)/PUBCO ¹³⁷ (Ottawa, Canada)	2001	The Canadian Tobacco Manufacturers Council provided a phone bank for an anti-ban campaign
HORECA (International Association of Hotels, Restaurants and Cafes) ^{93 96}	1989-?	Promoted PM's "Preserve Our Traditions" programme. Received funding from PM
HOTREC ^{101 102}	1993-96	Received funding from PM. PM contributed to the position paper on smoking issues
International Hotel Association/International Hotel and Restaurant Association ^{96 107 109}	1993- ?	Received funding from PM. PM contributed to the position paper on smoking issues. Promotes PM's "Courtesy of Choice" programme
International Society of Restaurant Association Executives ¹³⁸	1998	Conducted a study sponsored by PM
US national associations		
American Beverage Institute ¹²⁴	1998	Conducted economic impact study on California bars funded by PM
Bowling Proprietors Association of America ¹²⁴	1998	Conducted economic impact study on bowling centres funded by PM
Distinguished Restaurants of North America ^{124 139}	1999	Conducted a poll sponsored by PM
Guest Choice Network ¹⁴⁰	1998	PM on advisory panel, Tom Lauria from TI working for Guest Choice Network
Hospitality Coalition on Indoor Air Quality ¹²⁷	2001	PM Options is founding member
National Licensed Beverage Association ^{141 142}	1995, 1999-present	Received funding from TI. Starting in 1999, sponsoring AtmospherePLUS, a ventilation programme funded and organised by PM
National Restaurant Association ¹⁴³	1993	Offered educational series on Accommodation sponsored by PM
Wine and Spirits Wholesalers of America ¹⁴²	1999-present	Supporting Atmosphere PLUS, a ventilation programme organised and funded by PM
US state/local associations		
Alaska Restaurant Association ^{141 144 145}	1995-99	Received funding from TI
Arizona Licensed Beverage Association ^{141 144}	1995-97	Received funding from TI
Arizona Restaurant Association ^{141 144}	1995-97	Received funding from TI
Arkansas Hospitality Association ^{141 144}	1995-97	Received funding from TI
Beverly Hills Restaurant Association ¹⁸	1987	Created by TI's political consultant, Rudy Cole
California Business and Restaurant Alliance ¹⁴⁶		Created by the Dolphin Group, a public relations firm for PM
California Licensed Beverage Association ^{141 144 145}	1995-99	Received funding from TI
California Tavern Association ¹⁴⁶		Created by PM
Central Ohio Licensed Beverage Association ^{45 141 144}	1995-present	Received funding from TI. Collaborated with tobacco industry to pass state bill removing authority from health boards
Club Association of West Virginia ¹²⁴	1998	Conducted poll funded by PM
Colorado Lodging Association ¹⁴¹	1995-96	Received funding from TI
Connecticut Restaurant Association ^{141 144}	1995-97	Received funding from TI
Delaware Restaurant Association ^{141 144}	1995-97	Received funding from TI
Florida Restaurant Association ¹⁴¹	1995-96	Received funding from TI
Golden Gate Restaurant Association ^{141 144 145}	1995-99	Received funding from TI
Hawaii Hotel/Motel Association ^{141 145}	1995-99	Received funding from TI
Hawaii Hotel Association ¹⁴⁷	1996	Received funding from PM
Hawaii Restaurant Association ^{124 141 144 145}	1995-99	Received funding from TI. Conducted poll for PM
Idaho Restaurant Association ^{141 144}	1995-97	Received funding from TI
Illinois Hospitality and Commerce Coalition ¹³⁰	2001	PM is a member
Indiana Restaurant and Hospitality Association ¹⁴⁴	1996-97	Received funding from TI
Iowa Restaurant Association ^{141 144}	1995-97	Received funding from TI
Kansas Restaurant Association ¹⁴¹	1995	Received funding from TI
Les Benson Hotel Association of Los Angeles ¹⁴¹	1995-96	Received funding from TI
Long Island Hospitality and Tourism Association, aka the Long Island Hospitality Board ⁴⁴	1994	Organised by McCrann Public Affairs, a PM public relations firm
Louisiana Restaurant Association ¹⁴¹	1995-96	Received funding from TI
Maine Restaurant Association ¹²⁴	1998	Conducted poll funded by PM
Maryland Hotel and Motel Association ^{141 144}	1996-97	Received funding from TI
Maryland Licensed Beverage Association ^{141 144}	1995-97	Received funding from TI
Massachusetts Restaurant Association ^{141 148}	1978-present	Received funding from TI for 1995-1996. Has worked with the tobacco industry to fight state and local smoking restrictions in Massachusetts for more than 20 years.
Metro-WA Association of Restaurants ^{141 144} (Washington, DC)	1995-97	Received funding from TI
Michigan Licensed Beverage Association ¹⁴⁹	1996	Received unrestricted research grant from PM
Michigan Restaurant Association ¹⁴⁹	1996	Received unrestricted research grant from PM
Minnesota Licensed Beverage Association ^{141 144}	1995-97	Received funding from TI
Mississippi Restaurant Association ^{141 144}	1995-97	Received funding from TI
Nebraska Restaurant Association ^{141 144}	1995-97	Received funding from TI
New Hampshire Lodging and Restaurant Association ^{84 144}	1996-present	Received funding from TI, PM, and RJR
New Jersey Restaurant Association ^{141 144}	1995-96	Received funding from TI
New Mexico Hotel/Motel Association ^{141 144}	1996-97	Received funding from TI
New York Restaurant Association ^{141 144}	1995-97	Received funding from TI
New York Tavern Association ¹⁴⁴	1996-97	Received funding from TI

Table 1 continued

Name	Date†	Tobacco industry affiliation
Northern California Tavern and Restaurant Association ¹⁴⁶		Created by the Dolphin Group, a public relations firm for PM
Ohio Restaurant Association ¹²⁴	1998	Conducted poll funded by PM
Oklahoma Restaurant Association ¹²⁴	1998	Conducted poll funded by PM
Oregon Hotel Association ^{141 144 145}	1995-99	Received funding from TI
Oregon Restaurant Association ^{85 141 144 145 150}	1995-present	Received funding from TI. Hired a lobbyist representing RJR. PM Options is major sponsor of convention 2001
Restaurants for a Sound, Voluntary Policy (RSVP) ^{18, 43} (California)		Operated by Rudy Cole, political consultant for TI
Rhode Island Hospitality and Tourism Association ¹²⁴	1998	Conducted poll funded by PM
Sacramento Restaurant and Merchant Association ¹⁸ (California)	1991	A vehicle for Ray McNally & Associates, a public relations firm paid for by PM and reportable to TI
San Diego Tavern and Restaurant Association ¹⁴⁶ (California)		Created by the Dolphin Group, a public relations firm for PM
South Dakota Inn Keepers Association ¹⁴⁴	1996-97	Received funding from TI
Tennessee Restaurant Association ^{141 144}	1995-97	Received funding from TI
Texas Hospitality Coalition on Indoor Air Quality ¹²⁹	2001	PM is founding member
Texas Restaurant Association ^{141 144}	1995-97	Received funding from TI
United Restaurant, Hotel and Tavern Association (aka New York Tavern and Restaurant Association, Empire State Restaurant and Tavern Association, and Manhattan Tavern and Restaurant Association) ⁴⁴	1987-present	Funnelled money for the Tobacco Institute to bypass New York lobbying laws
Utah Hotel and Motel Association ^{141 144}	1995-97	Received funding from TI
Vermont Business and Restaurant Coalition ¹⁵¹	1993	Underwritten and organised by PM
Washington Restaurant Association ^{141 144 145}	1995-99	Received funding from TI
Washington State Hotel Association ^{141 144 145}	1995-99	Received funding from TI
Washington State Licensed Beverage Association ¹⁴⁵	1995-99	Received funding from TI
Washington State Tavern Association ^{141 144 145}	1995-99	Received funding from TI
Wisconsin Restaurant Association ¹²⁴	1998	Conducted poll funded by PM
Wyoming Hotel and Motel Association ¹⁴¹	1995-96	Received funding from TI

*It is very likely that other hospitality associations linked to the tobacco industry exist and were not included in this table.

†Period of documented involvement with the tobacco industry.

PM, Philip Morris; RJR, RJ Reynolds; TI, The Tobacco Institute.

In 1994 PM paid \$200 000 to International HORECA for support of the organisation's magazine, development of materials for HORECA's management curriculum, support for two different HORECA initiatives, and for membership dues.⁹⁶

PM's "Three year plan for 1994-1996" included plans to continue a relationship with hospitality associations and to use these groups to generate and lobby for preemptive legislation that would stop enactment of clean indoor air laws and encourage pro-industry voluntary measures that would not affect smoking:

"In order to avoid adverse national legislation affecting public places and especially [the hotels, restaurants and cafes sector] in the member states which have not yet introduced any legislation, we shall prepare together with the industry associations pre-emptive national legislation and/or voluntary measures and encourage adoption via the [the hotels, restaurants and cafes] associations. Together with the National [Tobacco] Manufacturers Associations, we should prepare and implement restaurant Accommodation Programs in all EC markets . . . [These programs] should be directed to the restaurant owners via [the hotels, restaurants and cafes] associations to promote reasonable voluntary smoking policies based on principles of accommodation and good ventilation."⁹⁷

PM saw the national hospitality associations as such an important channel that in 1996 it was ready to create one if one was not already in existence; its 1996 "Worldwide strategy and plan" included the goal: "Develop, as needed, creation of national hospitality associations where none exist and encourage their affiliation with HORECA International."⁹⁸ By influencing the publications and conferences put out by these organisations, PM was able to create alliances and influence organisations around the world to support its accommodation message and create coalitions.⁹⁹

HOTREC

HOTREC is the European Community lobbying office of 12 national hotel and restaurant associations and PM considered its relationship with HOTREC "of prime importance".¹⁰⁰ PM first approached HOTREC about contributing to their White Book in 1993. The White Book was a position paper HOTREC used to lobby for its members' interests. According to PM, "The White Book will provide an analysis of the various developments at the European level affecting the [hospitality] sector and the presentation of HOTREC's position on each issue."¹⁰¹ PM was particularly interested in the 1993 White Book because it included a section on smoking in public places. HOTREC's secretary general, Marguerite Sequaris, told PM that they would welcome the tobacco's company help in addressing the issue of smoking and the hospitality sector.¹⁰¹

PM considered this project a way to influence the organization's position on smoking in public places and contributed \$20 000 towards the printing, distributing, and promoting of the White Book.^{101 102} Although HOTREC had not expressed its own opinion on this matter, PM planned to include "studies proving that smoking policy measures imply increased cost for management in the [hospitality sector and] HOTREC position's in favor of appropriate measures to meet customers' wishes" in the "Smoking in Public Places" section of the White Book.¹⁰¹

PM was also involved in promoting the White Book and its findings. In a 1993 letter to secretary general Sequaris, PM government affairs manager Gerard Wirz stated:

"We once talked about presenting and promoting the White Book at a cocktail party for EC decisions makers and readers of Europe hotel and restaurant industry."¹⁰²

Despite its willingness to accept PM's input on their position paper, HOTREC did not want to be publicly associated with a tobacco company. Helene Lyberopoulos of PM Corporate Affairs Europe wrote to David Bushong of PM Corporate Services in Belgium:

"HOTREC and its national members do not feel comfortable with being publicly associated with PM, as the name representing the tobacco business. They underline the fact that a support from our side would be valuable for their organization but it should be either under the KJS [Kraft Jacob Suchard] company name or remain as discreet as possible (i.e. PM name should not appear on any of their materials)."¹⁰¹

Keeping PM's name off the materials also met PM's need to remain in the background and take advantage of HOTREC's seeming independence on the passive smoking issue.

Industry documents indicate that HOTREC continued to represent PM's positions to the European Union at least through 1996.⁹⁸

International Hotel Association

The International Hotel Association (IHA) represents national hotel associations, international and national hotel groups, independent hotels, training institutes, and suppliers to the hotel industry in 145 countries.¹⁰² The IHA engages in regular dialogue with intergovernmental organisations, and has "consultative status" with the United Nations, the Organisation for Economic Co-Operation and Development (OECD), the International Labor Organization, and the Council of Europe.¹⁰⁴ PM first approached the IHA for a "collaboration" in 1993.¹⁰⁴ PM wanted to deliver a presentation about the Accommodation Program during a meeting of the IHA's chief executives. The IHA agreed, and also organised a session during which the executives discussed the experiences of their national associations and the implications of the Accommodation Program. In addition, the two organisations began discussions about the PM sponsorship of the IHA's White Paper.¹⁰⁵

The White Paper is a document that serves both as a lobbying tool for the IHA and to recruit members for IHA member organisations. It includes statistics about the hospitality industry worldwide and states IHA's position on several issues.¹⁰⁶ The 16 December 1993 White Paper draft outline contained a section titled "Concerns of the Industry"; the "Smoking and Non-smoking" caption included the notation, "Philip Morris involvement."

Not only was PM able to influence the IHA's official position paper in 1993, but it was optimistic that "the contents [of the 1993 White Paper] will likely set the tone for future IHA position papers."¹⁰⁷ Furthermore, PM hoped that the national and regional hotel associations would adopt this position statement.¹⁰⁷ PM anticipated that this project would publicise accommodation worldwide:

"Essentially, our involvement in this project could reap long term and widespread benefits in terms of pro-Accommodation publicity. The White Paper is intended for use in all media, government and NGO [non-governmental organisation] contacts at national and international level by IHA worldwide."¹⁰⁷

As a result of surveys conducted by PM to demonstrate interest,¹⁰⁸ PM began working with the IHA on an accommodation programme titled "Courtesy of Choice". PM's objectives were:

"Promote self regulation of accommodating the preferences of smokers and non-smokers on a worldwide network of hoteliers, restaurateurs, and hospitality associations.

Establish a framework for self-regulation which enhances customer satisfaction and helps guard against intrusive legislation or regulations . . .

Develop a world-wide network within the hospitality sector in which PM can be involved locally, if appropriate."¹⁰⁸

A memorandum dated 23 June 1994 announced the Courtesy of Choice programme to PM executives around the world. The memo revealed that the Courtesy of Choice programme is essentially the European version of the US Accommodation Program and an extension of HORECA's "Preserve Our Traditions" campaign.¹⁰⁹

PM tested the Courtesy of Choice programme materials during August and September 1994 as part of a pilot project at the Langham Hilton hotel in London. The company anticipated releasing the materials to IHA national members in early September to formally introduce the programme and "solicit interest in PM's presentation at the IHA annual meeting in Sydney in October (presentation will consist of the London pilot project results)."¹¹⁰

A list of invoices and billing indicates that PM paid the IHA \$50 000 on 24 May 1994.¹¹¹ In addition, PM spent \$160 000 on the IHA for a pilot hotel project with Hyatt Regency for the preparation and translation of Accommodation/Courtesy materials, and \$60 000 to pay for PM membership in the IHA.⁹⁶ Documents indicate that PM planned to conduct the pilot hotel project in Hyatt hotels located in England, Germany, and the United Arab Emirates.⁹⁵

In the mid 1990s, the tobacco industry planned a worldwide expansion and implementation of the Courtesy of Choice programme.^{66 98 112} (By 1994, Courtesy/Accommodation campaigns run by PM through other third party allies were being planned or administered in several European, Latin American, and Asian countries.¹¹³) A 1995 pamphlet published by PM titled "Courtesy and tolerance: common sense solutions for smokers and non-smokers" stated that the Courtesy of Choice programme had been or would be implemented in the UK, Belgium, Ireland, Germany, and Finland.¹¹⁴

PM planned to emphasise ventilation in future Courtesy of Choice campaigns. A 1996 document titled "Ensuring reasonable smoking policies by accommodating the preferences of smokers and non-smokers" stated that PM wanted to use the IHA to "enhance rules of ventilation and other technological options with existing cooperative programs with the hospitality industry."⁹⁸ Specifically, PM wanted to "support continued application of the IAQ [Indoor Air Quality] elements of the International Hotel Associations (IHA) Courtesy of Choice program."⁹⁸

In late 1990s, the IHA changed its name to the International Hotel and Restaurant Association (IH&RA) and began to represent the restaurant industry as well. Although publicly available industry documents regarding IHA/IH&RA and the Courtesy of Choice programme end at about 1997, in late 2001 the IH&RA maintained a website¹¹⁵ that defended the continuation of accommodating smoking in the hospitality industry and perpetuated the tobacco industry claims that "inflexible and restrictive legislation on smoking in public places . . . [would] almost certainly have harmful repercussions on their business, whilst not satisfying the needs of all clients."¹¹⁵ In addition, the website "encourages self-regulation through the promotion of the 'Courtesy of Choice' program" and that "IH&RA support HOTREC's opposition to any action at the European level to impose restrictive legislation on smoking in hotels and restaurants."¹¹⁵

The IHR&A website contains a link to the Courtesy of Choice programme page (fig 2). This page displays the yin/yang symbol associated with the US Accommodation Program and the HORECA Preserve Our Traditions programme. It also lists over 50 countries worldwide where the programme is currently operating.¹¹⁶ The 1998 and 1999 IHR&A annual congress reports of the IH&RA acknowledged support from PM Management Corporation,^{117 118} suggesting that PM sponsorship is continuing.

DISCUSSION

The tobacco industry has co-opted and manipulated the hospitality industry to promote its agenda of preserving the social acceptability of smoking and preventing and opposing smoke-free restaurant policies by promoting the idea of “accommodation” of smokers and non-smokers as an alternative to creating smoke-free hospitality venues. When existing hospitality associations refuse to align themselves with the tobacco industry, the industry simply creates its own hospitality associations to promote industry arguments.^{18 41–43}

Another variation of the accommodation programme is “Red Light Green Light” laws.¹¹⁹ These laws are introduced to local level policymakers (typically by restaurateurs) in places where citizens are pressing for a 100% smoke-free ordinances. Like the Accommodation Program, “Red Light Green Light” laws only establish minimum restrictions and require signs be posted outside establishments saying whether smoking is allowed inside. These proposals have great appeal to local policymakers who feel pressured to address smoking in public places since these weak laws give the appearance of taking action without having any protective health effect. Introducing “Red Light, Green Light” laws is an industry tactic aimed at delaying and weakening popular smoke-free efforts.

For more than a decade the tobacco industry disseminated misinformation asserting that the hospitality industry will suffer financially when smoke-free environments are instituted. Despite the fact that these claims of negative impact are unfounded,^{10 38 39 46 70 120–122} this argument has been widely accepted in the hospitality business, thanks to the relationship the tobacco industry has established with organisations whose alleged purpose is to protect the interests of businesses in the hospitality sector. This situation creates problems for public health advocates because individual restaurateurs and bar owners, having heard these claims repeatedly from organisations they trust, oppose smoke-free policies out of fear.

The ventilation “solution” is another important component of the accommodation strategy because it reduces potential for conflict between smokers and non-smokers. While ventilation does not protect against toxic effects of second hand smoke,^{36 37} it may make it harder to perceive it. PM established the “PM Options” programme in the late 1990s to expand the ventilation component.^{123 124} (Long time tobacco industry ventilation consultant Chelsea Group provides technical support to the Options Program through its “INvironment” project.^{123 125 126}) Options also sponsored the creation of several other hospitality initiatives promoting ventilation, such as the Hospitality Coalition on Indoor Air Quality,¹²⁷ the “Atmosphere Plus” of the National Licensed Beverage Association,¹²⁸ and several state “Indoor Air Quality” coalitions.^{129–131} A similar programme in the UK titled, “The Atmosphere Improves Results (AIR)” initiative, launched in 1997, received funding from the national tobacco manufacturers association.¹³²

At the same time that it is promoting a ventilation “solution,” the tobacco industry is careful to avoid claiming that ventilation will resolve the health dangers caused by second hand smoke.^{126 133 134} The PM “Options” website states: “Options, Philip Morris, USA does not purport to address health effects attributed to environmental tobacco smoke.”¹²⁵ By convincing hospitality businesses to invest in expensive ventilation equipment, the tobacco industry creates a constituency to oppose smoking restrictions. Once the investment is made, hospitality businesses will probably be even more likely to oppose creation of smoke-free environments.

The irony is that the tobacco industry has convinced many in the hospitality industry to embrace expensive ventilation systems to avoid non-existent losses in business of going smoke-free.

The tobacco industry works to stay out of the public spotlight during any debates over tobacco control policies

What this paper adds

When public health advocates seek to enact clean indoor air laws, they inevitably find the opposition coming from the hospitality industry rather than the tobacco industry. This paper demonstrates that the tobacco industry has had a worldwide programme to infiltrate and coopt the hospitality industry to serve the tobacco industry’s political needs. Public health advocates, decision makers, and the media should understand that opposition to smoke-free restaurants and bars that appears to come from the hospitality industry is really being orchestrated by the tobacco industry.

because of its low credibility. In recent years, the tobacco industry, led by PM, has effectively turned the hospitality industry into its de facto lobbying arm on clean indoor air. Public health advocates need to understand that, with rare exceptions, when they are talking to the organised restaurant associations, they are talking to the tobacco industry, and act accordingly.

ACKNOWLEDGEMENTS

This work was supported by US National Cancer Institute Grants CA-61021 and CA-87472.

Authors’ affiliations

J V Dearlove, S A Bialous, S A Glantz, Center for Tobacco Control Research and Education, Institute for Health Policy Studies, Cardiovascular Research Institute, School of Medicine, University of California, San Francisco, San Francisco, California, USA

REFERENCES

- 1 **Glantz S**. Achieving a smokefree society. *Circulation* 1987;**76**:746–52.
- 2 **The Roper Organization**. *A study of public attitudes toward cigarette smoking and the tobacco industry in 1978*. Tobacco Institute. May 1978. Bates range: PM RECD790406QRH.
- 3 **California Environmental Protection Agency**. *Health effects of exposure to environmental tobacco smoke: the report of the California Environmental Protection Agency*. Bethesda, Maryland: National Institutes of Health, 1999. (NIH Publication No 99-4645.)
- 4 **US Department of Health and Human Services**. *9th Report on Carcinogens*. Research Triangle Park, North Carolina: USDHHS, Public Health Service, National Toxicology Program; 2000.
- 5 **US Department of Health and Human Services**. *The health consequences of involuntary smoking. A report of the Surgeon General, 1986*. Rockville, Maryland: Public Health Service, Centers for Disease Control, 1986. (DHHS Publication No [CDC] 87-8398.)
- 6 **Poswill DC**. *Report of the scientific committee on tobacco and health*. London: The Stationery Office, 1998. (ISBN 011322124x.)
- 7 **US Environmental Protection Agency**. *Respiratory health effects of passive smoking: lung cancer and other disorders*. Washington, DC: Office of Health and Environmental Assessment, 1992. (Publication No EPA/600/6-90/006F.)
- 8 **Pierce J**, Gilpin E, Emery S, *et al*. *Tobacco control in California: who’s winning the war? An evaluation of the California Tobacco Control Program, 1989-1996*. La Jolla, California: University of California, San Diego, 1998.
- 9 **Glantz S**. Changes in cigarette consumption, prices, and tobacco industry revenues associated with California’s Proposition 99. *Tobacco Control* 1993;**2**:311–14.
- 10 **Glantz S**, Smith L. The effect of ordinances requiring smokefree restaurants on restaurant sales [erratum]. *Am J Public Health* 1997;**87**:1729–30.
- 11 **Manley M**, Pierce J, Gilpin E, *et al*. Impact of the American stop smoking intervention study on cigarette consumption. *Tobacco Control* 1997;**6**(suppl):S12–16.
- 12 **Author unknown**. ETS World Conference. 1994. Access date March 2000. Bates range: 2054893642-3656 URL: www.pmdocs.com
- 13 **Fichtenberg C**, Glantz SA. Smoke free workplaces substantially reduce smoking: a systematic review. *BMJ* (in press).
- 14 **Colman R**. *The economic impact of smoke-free workplaces: an assessment for Nova Scotia*. Report. Nova Scotia, Canada: Tobacco Control Unit, Nova Scotia Department of Health, 2001.
- 15 **Hieronimus J**. Impact of workplace restrictions on consumption and incidence. Philip Morris; 22 January 1992. Access date 6 December 2001. Bates range: 2023914279-4284 URL: www.pmdocs.com

- 16 **Philip Morris**. Smokers issues managing the social climate for tobacco use. Philip Morris; 1989. Access date 20 February 2001. Bates range: 2501341572-1596 URL: www.pmdocs.com
- 17 **Pepples E**. [California Proposition 5]. Brown & Williamson; 23 January 1979. Brown & Williamson documents, UCSF Library. Access date 30 November 2001. Bates range: document ID: 2302.01 URL: <http://www.library.ucsf.edu/tobacco/docs/html/2302.01/index.html>.
- 18 **Glantz SA**, Balbach ED. *Tobacco war: inside the California battles*. Berkeley, California: University of California Press, 2000.
- 19 **Glantz SA**, Slade J, Bero L, *et al*. *The cigarette papers*. Berkeley, California: University of California Press, 1996.
- 20 **Author unknown**. A Smokers' Alliance (draft). 9 July 1993. Access date June 2000. Bates range: 2022839671-9727. URL: www.pmdocs.com
- 21 **Bonnier I**. ETS media relations plan Nordic area. Philip Morris; 19 October 1992. Access date 20 February 2001. Bates range: 2028398185-8194. URL: www.pmdocs.com
- 22 **Burson Marsteller**. Social acceptability program initial recommendations for Spain. Philip Morris; January 1992. Access date 27 February 2001. Bates range: 2500120636-0652 URL: www.pmdocs.com
- 23 **Philip Morris**. Tobacco Issues 890000. How today's smokers & non-smokers in Europe feel about smoking issues. Philip Morris; October 1989. Access date 13 February 2001. Bates range: 2501150000-0079. URL: www.pmdocs.com
- 24 **Ong E**, Glantz S. Tobacco industry efforts subverting International Agency for Research on Cancer's second-hand smoke study. *Lancet* 2000;**355**:1253-5.
- 25 **Ong E**, Glantz S. Constructing "sound science" and "good epidemiology": tobacco, lawyers, and public relations firms. *Am J Public Health* 2001;**91**:1749-57.
- 26 **Muggli M**, Forster J, Hurt R, *et al*. The smoke you don't see: uncovering tobacco industry scientific strategies aimed against control of environmental tobacco smoke. *Am J Public Health* 2001;**91**:1419-23.
- 27 **Hirschhorn N**, Aguinaga Bialous S, Shatenstein S. Philip Morris' new scientific initiative: an analysis. *Tobacco Control* 2001;**10**:247-52.
- 28 **Hirschhorn N**. Shameful science: four decades of the German tobacco industry's hidden research on smoking and health. *Tobacco Control* 2000;**9**:242-7.
- 29 **Drope J**, Chapman S. Tobacco industry efforts at discrediting scientific knowledge of environmental tobacco smoke: a review of internal industry documents. *J Epidemiol Community Health* 2001;**55**:588-94.
- 30 **Bero LA**, Glantz SA, Rennie D. Publication bias and public health policy on environmental tobacco smoke. *JAMA* 1994;**272**:133-6.
- 31 **Bero LA**, Galbraith A, Rennie D. Sponsored symposia on environmental tobacco smoke. *JAMA* 1994;**271**:612-17.
- 32 **Barnes D**, Bero L. Industry-funded research and conflict of interest: an analysis of research sponsored by the tobacco industry through the Center for Indoor Air Research. *J Health Politic Policy and Law* 1996;**21**:515-42.
- 33 **Barnes D**, Bero L. Scientific quality of original research articles on environmental tobacco smoke. *Tobacco Control* 1997;**6**:19-26.
- 34 **Hanauer P**. Proposition P: anatomy of a nonsmokers' rights ordinance. *NY State J Med* 1985;**85**:369-74.
- 35 **Americans for Nonsmokers' Rights Foundation**. *Don't buy the ventilation lie*. Berkeley, California: Americans for Nonsmokers' Rights Foundation, 2001.
- 36 **Repace J**, Lowrey A. An indoor air quality standard for ambient tobacco smoke based on carcinogenic risk. *NY State J Med* 1985;**85**:381-3.
- 37 **Repace J**. *Can ventilation control secondhand smoke in the hospitality industry?* Bowie, Maryland: Repace Associates, Inc, 2000.
- 38 **Scollo M**, Lal A. Summary of studies assessing the impact of smoking restrictions on the hospitality industry. website: VicHealth Centre for Tobacco Control; 24 September 2001. Accessed 30 November 2001. <http://www.vctc.org.au/tc-res/Hospitalitysummary.pdf>
- 39 **Scollo M**, Lal A, Glantz S. Why studies of the economic effects of smoke-free policies on the hospitality industry reach different conclusions. *BMJ* (in press).
- 40 **Walls T**. CAC Presentation Number 4 Tina Walls - Introduction. Philip Morris; 8 July 1994. Access date 23 July 2001. Bates range: 2041183751-3790. URL: www.pmdocs.com
- 41 **Ritch W**, Begay ME. Strange bedfellows: the history of collaboration between the Massachusetts Restaurant Association and the tobacco industry. *Am J Public Health* 2001;**91**:598-603.
- 42 **Traynor M**, Begay ME, Glantz S. New Tobacco industry strategy to prevent local tobacco control. *JAMA* 1993;**270**:479-86.
- 43 **Samuels BE**, Glantz S. The politics of local tobacco control. *JAMA* 1991;**266**:2110-17.
- 44 **Dearlove J**, Glantz SA. *Tobacco industry political influence and tobacco policy making in New York 1983-1999*. San Francisco: Institute for Health Policy Studies, University of California San Francisco, 2000.
- 45 **Dearlove JV**, Glantz SA. Boards of health as venues for clean indoor air policymaking. *Am J Public Health* 2002 (in press).
- 46 **Glantz S**. Smoke-free restaurant ordinances do not affect restaurant business. *Period. J Public Health Mgt Practice* 1999;**5**:vi-ix.
- 47 **Bialous S**, Glantz S. *Tobacco control in Arizona, 1973-1997*. San Francisco: University of California, San Francisco, 1997.
- 48 **Givel M**, Glantz S. *Tobacco industry political power and influence in Florida from 1979 to 1999*. San Francisco: Institute for Health Policy Studies, University of California, San Francisco, 1999.
- 49 **Givel M**, Glantz S. Tobacco control and direct democracy in Dade County, Florida: future implications for health advocates. *J Public Health Policy* 2000;**21**:268-95.
- 50 **Philip Morris**. Operation Downunder. Philip Morris; 1986. Access date 23 July 2001. Bates range: 2028368740-8742. URL: www.pmdocs.com
- 51 **Smith G**. The Objective. Philip Morris; 17 June 1987. Access date 23 July 2001. Bates range: 2024270522-0523. URL: www.pmdocs.com
- 52 **Philip Morris**. Downunder, Operational Plan. Philip Morris; 1988. Access date 23 July 2001. Bates range: 2025857989-7993 URL: www.pmdocs.com
- 53 **Kloepfer W**, Lewis RJ, Mazingo RL. Operation Downunder. Tobacco Institute; 1 February 1988. Access date 23 July 2001. Bates range: TIOK0031189-1197. URL: www.tobaccoinstitute.com
- 54 **Sparber PG**. Meeting to discuss Operation Downunder. Tobacco Institute; 2 March 1988. Access date 23 July 2001. Bates range: TIOK0031144-1177 URL: www.tobaccoinstitute.com
- 55 **Tobacco Institute Inc**. Minutes of the tobacco industry meeting on Downunder. Tobacco Institute; 2 March 1988. Access date 23 July 2001. Bates range: TIOK0031138-1143 URL: www.tobaccoinstitute.com
- 56 **Kloepfer W**, Sparber PG. Recommendations for Operation Downunder. Tobacco Institute; 12 February 1988. Access date 23 July 2001. Bates range: TIDN0004365-4368 URL: www.tobaccoinstitute.com
- 57 **Mozingo RL**. Operation Downunder. Tobacco Institute; 10 February 1988. Access date 23 July 2001. Bates range: TIOK0031226-1229 URL: www.tobaccoinstitute.com
- 58 **Philip Morris**. Eighty percent of Pittsburghers favor Accommodation Program, business participation doubles in less than a month. Philip Morris; 29 June 1989. Access date 9 February 2001. Bates range: 2044429481-9484 URL: www.pmdocs.com
- 59 **Philip Morris**. Status report the Accommodation Program Philip Morris U.S.A. Pittsburgh, PA. Philip Morris; 1 June 1989. Access date 8 February 2001. Bates range: 2044429485-9487 URL: www.pmdocs.com
- 60 **Philip Morris**. Smokers and non-smokers welcome. Philip Morris; June 1989. Access date 13 June 13. Bates range: 2044429372-9373 URL: www.pmdocs.com
- 61 **Philip Morris**. Accommodation. Philip Morris; 17 July 1990. Access date 23 July 2001. Bates range: 2048302288-2292 URL: www.pmdocs.com
- 62 **Philip Morris**. Courtesy campaigns. Philip Morris; 1993. Access date 27 February 2001. Bates range: 2046546479-6485 URL: www.pmdocs.com
- 63 **Philip Morris**. ETS - Horeca. Philip Morris; 16 November 1993. Access date 18 June 2001. Bates range: 2024187961-7973 URL: www.pmdocs.com
- 64 **Philip Morris**. EC - ETS smoking restrictions. Philip Morris; 11 August 1993. Access date 18 June 2001. Bates range: 2025497477-7490 URL: www.pmdocs.com
- 65 **Philip Morris**. ETS. Philip Morris; 1993. Access date 18 June 2001. Bates range: 2026304624-4634 URL: www.pmdocs.com
- 66 **Philip Morris**. Accommodating the preferences of smokers and nonsmokers worldwide strategy and plan. Philip Morris; . Access date 18 July 2001. Bates range: 2045655607-5635 URL: www.pmdocs.com
- 67 **Philip Morris**. Philip Morris and the hospitality industry. June 1995. Access date 2 June 2001. Bates range: 2045517337-7347 URL: www.pmdocs.com
- 68 **Philip Morris**. The Accommodation Program Expansion Plan '94-'95. Philip Morris; 29 July 1994. Access date 3 December 2001. Bates range: 2044316695-6750 URL: www.pmdocs.com
- 69 **Smokefree Educational Services**. Support for the Smoke Free Air Act (Intro. 232). In: Fogel B, ed. Testimony before the New York City Council. New York: Smokefree Educational Services, 1994.
- 70 **Glantz S**, Smith L. The effect of ordinances requiring smoke-free restaurants on restaurant sales. *Am J Public Health* 1994;**84**:1081-5.
- 71 **Philip Morris**. Boca Raton action plan summary report 881203-891030. Philip Morris; 3 December 1988. Access date 6 March 2001. Bates range: 2503005015-5050 URL: www.pmdocs.com
- 72 **International HORECA**. Beverly Hills smoking ordinance transcript of presentation made by David Zwaaf and Dominic De Nichilo at the HORECA International Congress, Pamplona, Spain. 16 October 1989; Zurich, Switzerland. Access date 2 June 2001. Bates range: 2501344970-4974 URL: www.pmdocs.com
- 73 **Samuels BE**, Begay ME, Russo Hazan A, *et al*. Philip Morris's failed experiment in Pittsburgh. *Journal of Health Politics, Policy and Law* 1992;**17**:330-51.
- 74 **Butler A**. District restaurants, firms adopt smoker-friendly signs. Philip Morris; 3 June 1989. Pittsburgh Press. Access date 13 June 2001. Bates range: 2044429498 URL: www.pmdocs.com
- 75 **Robertson S**. City test market for smoking plan. Philip Morris; 2 July 1989. Access date 6 February 2001. Bates range: 2044429496-9497 URL: www.pmdocs.com
- 76 **Zuke LC**. Accommodation program media briefing. Philip Morris; 1 June 1989. Access date 13 June 2001. Bates range: 2044429419-9420 URL: www.pmdocs.com
- 77 **Weiss S**. The Accommodation Program (Pittsburgh Project). Philip Morris; 6 July 1989. Access date 12 June 2001. Bates range: 2044429462-9464 URL: www.pmdocs.com
- 78 **Burson Marsteller**. Pittsburgh Accommodation Program the new sign of the times. Philip Morris; 6 June 1990. Access date 12 March 2001. Bates range: 2021181888-1889 URL: www.pmdocs.com
- 79 **Smith G**. Pittsburgh Accommodation Program. Philip Morris; 16 August 1989. Access date 13 March 2001. Bates range: 2023277213 URL: www.pmdocs.com
- 80 **Macdonald H**, Glantz S. Political realities of statewide smoking legislation: the passage of California's Assembly Bill 13. *Tobacco Control* 1997;**6**:41-54.

- 81 **Harris T.** Memo to Goodheart J, Winokur M. Re: National Restaurant Association. 25 August 1994. Access date 2 June 2001. Bates range: 2025497893 URL: www.pmdocs.com
- 82 **Bradshaw J.** Taff's veto threat sidetracks measure that would stymie smoking bans. *The Columbus Dispatch* 16 November 2000; section 01A.
- 83 **Bradshaw J.** Bill stalls that would restrict authority to ban smoking. *The Columbus Dispatch* 17 November 2000; section 07B.
- 84 **Fahey T.** Health officials urge smoking ban passage. *The Union Leader and New Hampshire Sunday News* 27 March 2001.
- 85 **Editor.** Is Oregon going up in smoke? *Ashland Daily Tidings* 2001.
- 86 **Demer L.** Group forms against smoking ban, alcohol tax. *Anchorage Daily News* 11 January 2001.
- 87 **Clanton B.** Restaurants to legislature: leave our smokers alone. *New Orleans City Business* 14 May 2001; section 16.
- 88 **International HORECA.** HO-RE-CA news alert: smoke free. Philip Morris; July 1989. Access date 8 November 2001. Bates range: 2501344989-4991 URL: www.pmdocs.com
- 89 **Healthy Buildings International.** International HO-RE-CA Special Report English. Philip Morris; October 1989. Access date 20 June 2001. Bates range: 2501199099-9107 URL: www.pmdocs.com
- 90 **Mintz M.** Smoke screen/secondhand money. *The Washington Post Magazine* 24 March 1996:11-30.
- 91 **Lee C, Glantz SA.** *The tobacco industry's successful efforts to control tobacco policy making in Switzerland.* Report. San Francisco: Institute for Health Policy Studies, University of California, San Francisco, 2001.
- 92 **International HORECA.** Managing an evolving issue. Philip Morris; October 1989. Access date 20 June 2001. Bates range: 2501199108-9116 URL: www.pmdocs.com
- 93 **Pottorff M.** Re: Worldwide Tobacco Regulatory Issues - Europe. Philip Morris; 23 July 1993. Access date 14 June 2001. Bates range: 2046235841 URL: www.pmdocs.com
- 94 **Pottorff M.** Magazine and Ho.Re.Ca. Kit. Philip Morris; 23 January 1991. Access date 14 June 2001. Bates range: 2029287382-7383 URL: www.pmdocs.com
- 95 **Spring O'Brien.** Total indoor environment: European Hotels. Philip Morris; September 1993. Access date 11 June 2001. Bates range: 2048206556-6601 URL: www.pmdocs.com
- 96 **Philip Morris.** 940000 Proposed budget: develop proactive messages / legislation / regulations / programs / science, etc. 'Reasonable alternatives'. Philip Morris; May 1994. Access date 11 June 2001. Bates range: 2041233469-3476 URL: www.pmdocs.com
- 97 **Philip Morris.** Philip Morris Corporate Affairs Europe smoking restrictions 3 year plan 940000-960000. Philip Morris; December 1993. Access date 18 June 2001. Bates range: 2025497291-7303 URL: www.pmdocs.com
- 98 **Philip Morris International.** Ensuring reasonable smoking policies by accommodating the preferences of smokers and nonsmokers worldwide strategy and plan. Philip Morris International; 14 October 1996. Access date 13 June 2001. Bates range: 2060577485-7564 URL: www.pmdocs.com
- 99 **Philip Morris.** Core Issue number 6 ETS. Philip Morris; 1994. Access date 19 June 2001. Bates range: 2046672503-2514 URL: www.pmdocs.com
- 100 **Wirz G.** Facsimile transmission. Philip Morris; 7 September 1993. Access date 12 June 2001. Bates range: 2024211051 URL: www.pmdocs.com
- 101 **Lyberopoulos H.** Meeting with Hotrec. Philip Morris; 13 December 1993. Access date 13 June 2001. Bates range: 2046538058-8059 URL: www.pmdocs.com
- 102 **Wirz G.** [Letter to Secretary General of Hotrec]. Philip Morris; 7 September 1993. Access date 14 June 2001. Bates range: 2024211052-1053 URL: www.pmdocs.com
- 103 **International Hotel Association.** Fund for the future. Philip Morris; 1994. Access date 11 June 2001. Bates range: 2024210808-0809 URL: www.pmdocs.com
- 104 **Sullivan J.** [Letter to Secretary General of the International Hotel Association]. Philip Morris; 21 December 1993. Access date 15 June 2001. Bates range: 2024210805 URL: www.pmdocs.com
- 105 **Clech C.** [Letter from International Hotel Association to Philip Morris Worldwide Regulatory Affairs]. Philip Morris; 16 December 1993. Access date 11 June 2001. Bates range: 2024210810 URL: www.pmdocs.com
- 106 **Clech C.** [Letter from International Hotel Association to Philip Morris Regarding IHA White Paper]. Philip Morris; 16 December 1993. Access date 12 June 2001. Bates range: 2024210803-0804 URL: www.pmdocs.com
- 107 **Sullivan J.** International Hotel Association. Philip Morris; 21 December 1993. Access date 15 June 2001. Bates range: 2024210802 URL: www.pmdocs.com
- 108 **Philip Morris.** The Courtesy of Choice. Philip Morris; 1994. Access date 12 June 2001. Bates range: 2029052969-2974 URL: www.pmdocs.com
- 109 **Pottorff M.** International Hotel Association (IHA) - 'The Courtesy of Choice'. Philip Morris; 1994. Access date 14 June 2001. Bates range: 2024230106-0107 URL: www.pmdocs.com
- 110 **Lyberopoulos H.** IHA/PM Partnership: 'Courtesy of Choice Programme'. Philip Morris; 11 August 1994. Access date 14 June 2001. Bates range: 2046282388-2390 URL: www.pmdocs.com
- 111 **Philip Morris.** WRA Budget Breakdown. Philip Morris; 16 August 1994. Access date 15 June 2001. Bates range: 2029376752-6753 URL: www.pmdocs.com
- 112 **Goodheart J.** London / Agenda. Philip Morris; 15 November 1996. Access date 12 June 2001. Bates range: 2063626074-6075 URL: www.pmdocs.com
- 113 **Philip Morris.** ETS activity update PMI regions and global 940800. Philip Morris; August 1994. Access date 14 June 2001. Bates range: 2500156082-6094 URL: www.pmdocs.com
- 114 **Philip Morris Europe.** Courtesy & tolerance common sense solutions for smokers and non-smokers where to draw the line? Philip Morris; 1995. Access date 18 June 2001. Bates range: 2063810492-0498 URL: www.pmdocs.com
- 115 **International Hospitality and Restaurant Association.** IH&RA Industry Affairs. Website: Patrick Saille, Jean-Luc Czaplicki, Michel JH Pouzet; 1999. Accessed 15 June 2001. URL: <http://www.ih-ra.com/industry/>
- 116 **International Hospitality and Restaurant Association.** Courtesy of Choice Locations. Website: Patrick Saille, Jean-Luc Czaplicki, Michel JH Pouzet; 1999. Accessed 15 June 2001. URL: <http://www.ih-ra.com/courtesy/view/default.html>
- 117 **International Hotel and Restaurant Association.** Creating value through people and partnership. In: *1999 Annual Congress of the International Hotel and Restaurant Association*, October 1999. Durban, South Africa: International Hotel and Restaurant Association, 1999.
- 118 **International Hotel and Restaurant Association.** One to one: marketing in the interactive age. In: *36th Annual Congress of the International Hotel and Restaurant Association*, October 1998. Manila, Philippines, 1998.
- 119 **Nixon M, Glantz S.** Tobacco industry political activity and tobacco control policy making in Washington: 1996-2000. San Francisco: Institute for Health Policy Studies, University of California, San Francisco, 2001. Accessed 12 March 2002. URL: <http://www.library.ucsf.edu/tobacco/wa2/>
- 120 **Bartosch W.** The economic effect of smoke-free restaurant policies on restaurant businesses in Massachusetts. *Journal of Public Health Management Practices* 1999;5:53-62.
- 121 **Dresser J, Boles S, Lichtenstein E, et al.** *Multiple impacts of a bar smoking prohibition ordinance in Corvallis, Oregon.* Report: Pacific Research Institute, 1999.
- 122 **Huang P, Tobias S, Kohout S, et al.** Assessment of the impact of a 100% smoke-free ordinances on restaurant sales - West Lake Hills, Texas, 1992-1994. *MMWR Morb Mortal Wkly Rep* 1995;44:370-2.
- 123 **Philip Morris USA.** [Options folder] Access to ventilation consulting. Fact sheet. Silver Spring, Maryland: Philip Morris; 3 August 1999.
- 124 **Philip Morris.** Nationwide survey finds broad support for accommodation. Philip Morris; June 1998. Access date 3 December 2001. Bates range: 2071815608-5610 URL: www.pmdocs.com
- 125 **Philip Morris.** Philip Morris Options - who we are. Website: Philip Morris; 2001. http://www.pmoptions.com/DisplayLevel3.asp?topic_id=165 Accessed 3 December 2001.
- 126 **Philip Morris USA.** *Indoor air quality handbook: ventilation options to help you comfortably accommodate non-smokers and smokers in your establishment.* Handbook: Philip Morris; no date.
- 127 **The Hospitality Coalition on Indoor Air Quality.** Labor, management, business create unique national hospitality coalition on indoor air quality to serve customers and workers. website: CompuTate; 2001. <http://www.hciaq.org/hcpr030201.htm> Accessed 3 December 2001.
- 128 **National Licensed Beverage Association.** Atmosphere Plus, a licensed beverage industry initiative. website: FORD Management Services, Inc; 2001. <http://www.nlba.org/AtmospherePlus.htm> Accessed 3 December 2001.
- 129 **The Texas Hospitality Coalition on Indoor Air Quality.** Clearing the Air, providing information on clean indoor air for hotels, restaurants and the hospitality industry. website: The Texas Hospitality Coalition on Indoor Air Quality; 2001. <http://www.clearingtheair.org/about.html> Accessed 5 December 2001.
- 130 **Illinois Hospitality & Commerce Coalition on Indoor Air Quality.** The Illinois Hospitality & Commerce Coalition - Members. website: Illinois Hospitality & Commerce Coalition on Indoor Air Quality; 2001. <http://www.illinoiscleanair.org/members.htm> Accessed 14 November 2001.
- 131 **Colorado Indoor Air Coalition.** Improving your indoor air quality could improve your bottom line. *Restaurant News of the Rockies* November 2001.
- 132 **Corporate Responsibility Consulting Ltd.** About AIR. website; 2001. <http://www.airinitiative.com/en/1/ahpaq.html> Accessed 3 December 2001.
- 133 **Philip Morris.** Philip Morris Options - frequently asked questions. Website: Philip Morris; 1999. <http://www.pmoptions.com/faq.asp> Accessed 14 November 2001.
- 134 **Philip Morris USA.** Access to Ventilation Consulting. In: 1999.
- 135 **Pottorff M.** Activities - 931029 - 931104. Philip Morris; 12 November 1993. Access date 5 December 2001. Bates range: 2046235778-5779 URL: www.pmdocs.com

- 136 **Australian Hotels Association (WA)**. AHA – Australian Hotels Association – membership information. website; 2001. <http://www.ahawa.asn.au/corporate.shtml> Accessed 5 December 2001.
- 137 **Wheeler C**. Ottawa group fighting smoking ban denies accepting money. *Ottawa Citizen* 11 April 2001.
- 138 **Sollars D**, Ingram J. *Economic impact of the restaurant smoking ban in the city of Boston, Massachusetts*. Montgomery, Alabama: The International Society of Restaurant Association Executives; 15 December 1998.
- 139 **No author**. Distinguished restaurateurs of North America consumer poll: the public calls for accommodation. *Sign of the Times* 1999:3.
- 140 **Berman R**. The Guest Choice Network. Philip Morris; July 9, 1998, 1998: Access date 5 December 2001. Bates range: 2070742826-2827 URL: www.pmdocs.com
- 141 **Tobacco Institute**. The Tobacco Institute 1996 budget State Activities Division cost center national headquarters no. 1401. Tobacco Institute; 24 October 1995. Access date 4 February 2000. Bates range: TNWL0004351-4380 URL: www.tobaccoinstitute.com
- 142 **Author unknown**. AtmospherePLUS to Freshen Air. *The Economist* 1999 7 August 1999.
- 143 **Philip Morris**. NRA Educational Foundation & the Accommodation Program address sales and service in new training series. Philip Morris; 22 May 1993. Access date 5 December 2001. Bates range: 2024136760-6762 URL: www.pmdocs.com
- 144 **Tobacco Institute**. The Tobacco Institute 1997 budget state activities division. Tobacco Institute; 9 December 1996. Access date unknown. Bates range: TNWL0004485-4538 URL: www.tobaccoinstitute.com
- 145 **Tobacco Institute**. The Tobacco Institute 1999 budget state activities division. Tobacco Institute; 16 July 1998. Access date unknown. Bates range: TNWL0004280-4290 URL: www.tobaccoinstitute.com. ANR 1004921.
- 146 **Philip Morris**. 940000 California plan status report: 940225. Philip Morris; 25 February 1994. Access date 5 December 2001. Bates range: 2022816070-6080 URL: www.pmdocs.com
- 147 **Scott T**. Disclosure report noncandidate committee. Philip Morris; 22 October 1996. Access date 5 December 2001. Bates range: 2062501105-1113 URL: www.pmdocs.com
- 148 **Phillips F**, Lehigh S. Restaurant group tied to Big Tobacco. *The Boston Globe* 3 May 1999.
- 149 **Stotz L**. Remarks of Larry Stotz, executive director, Michigan Licensed Beverage Association, News Conference, Trippers Sportsbar, Lansing, MI. In. Lansing, Michigan: Michigan Licensed Beverage Association, 1996.
- 150 **Oregon Restaurant Association**. Convention 2001. website: Oregon Restaurant Association; 2001. http://www.ora.org/events/events_convention.htm Accessed 5 December 2001.
- 151 **Dillon J**. Tobacco firm funding foes of smoking ban. *The Times Argus* 1993 22 April 1993.