

DON'T BUY THE VENTILATION LIE

May 2006

"Promote improved ventilation as the best solution and a better approach than smoking restriction legislation."

-- Philip Morris (1989)

(Bates No: 2022710093-0129, <http://legacy.library.ucsf.edu/tid/zdj58e00>)

Ventilation does not eliminate the health risks caused by secondhand smoke. There is consensus among public health authorities, scientists, technical experts (including those funded by tobacco companies), and air filtration companies, that ventilation cannot eliminate the death and disease caused by secondhand smoke exposure.¹ Despite this indisputable fact, tobacco companies, including Philip Morris, R.J. Reynolds, and Lorillard Corporation, have developed a number of strategies to find "comfort and balance for both non-smokers and smokers"² (coined as "accommodation"), while still keeping them together in the same smoke-filled spaces. Over the years, the tobacco industry's "accommodation" plan has developed into a variety of different forms, ranging from the separation of smoking and nonsmoking sections, to media relations programs, and separately ventilated smoking rooms.

Smokefree advocates and supporters should be on the lookout for ventilation experts and manufacturers touting ventilation as a viable solution to completely smokefree environments.

WHY DOES BIG TOBACCO PROMOTE VENTILATION?

The ventilation "solution" was created in the early 1980s in order "to defeat mandatory and voluntary smoking restrictions... [and] to slow the decline of [the] social acceptability of smoking."³ As smokefree policies have become commonplace across the country, tobacco companies have developed programs to thwart smokefree efforts, as evidenced by their own statements:

- "Opportunities remain to achieve accommodation in hospitality, workplaces and selected other public places through a combination of: Ally development, Ventilation technologies, Communications programs."⁴
- "Encourage the introduction and passage of bills and ordinances setting acceptable ventilation standards."⁵
- "Create a model indoor air quality bill to be added to suggested state legislation book published annually. Model bill will focus on ventilation, filters, inspections, etc. Smoking will not be dealt with directly."⁶
- "Conduct indoor air quality briefings with key lawmakers and existing and potential allies to encourage their support of legislative efforts concerning ventilation standards."⁷

HOW DOES BIG TOBACCO MAKE VENTILATION LOOK GOOD?

CHALLENGE THE SCIENCE OF SECONDHAND SMOKE

“Strategy: Increase awareness of the true nature of indoor air pollution. Promote improved ventilation as the best solution and a better approach than smoking restriction legislation.”

-- Philip Morris (1989)

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The tobacco industry often contracts with external engineers and scientists, who are seemingly credible individuals working for reputable institutions, to research ways to challenge the science of secondhand smoke. According to Philip Morris, there is a need to “Encourage continued participation of ETS [environmental tobacco smoke] scientists in briefings, publications, seminars and other efforts that point to environmental tobacco smoke as a minor indoor air quality factor.”⁸

These researchers are instructed by the tobacco companies to categorize tobacco smoke with other indoor air pollutants, such as mold and dust, in hopes of shifting discussion away from secondhand smoke, so that “Smoking would not be dealt with directly.”⁹ [Emphasis in original.] By lumping secondhand smoke with other indoor air pollutants, the tobacco industry seeks to project the impression that ventilation remedies the problem health risks of secondhand smoke exposure just as it does with other airborne contaminants, and therefore, it is unnecessary to eliminate the problem at its source by creating smokefree environments.

- **George Benda and the Chelsea Group**, www.chelsea-grp.com, have frequently presented themselves as independent “indoor air quality” experts when, in fact, they are consultants for Philip Morris. Chelsea Group staffers frequently show up in communities considering a smokefree law to mobilize opposition within the hospitality sector and to promote ventilation at lawmaker meetings and hearings. Benda and the Chelsea Group have appeared across the United States, from Honolulu, Hawaii, to Anchorage, Alaska. Whatever the community, the Chelsea Group’s objective is the same: to “perform services related to the Strategic Technical Support Program (‘STS’),” which include “recommending methods for accommodating smokers and non-smokers,” “identify and select...demonstration sites for the STS Project,” “supervise site visits and implementation of the STS Protocol and obtain all necessary releases to use the data collected during site visits,” “submit a paper to ASHRAE [American Society of Heating, Refrigerating, and Air Conditioning Engineers],” and “provide access to Chelsea Group representatives and subcontractors upon request of an authorized Philip Morris representative for presentation and testimony.” For these tasks, the Chelsea Group received \$200,000 in 1993.¹⁰
- **Elia Sterling of Theodor D. Sterling & Associates, Ltd.**, www.sterlingiaq.com, has ties to the tobacco industry dating back to 1968, at least. Sterling has been the recipient of \$287,000 in tobacco industry “special project” money to create studies that are used to promote ventilation as a solution to smokefree environments.^{11,12} Sterling also works with the American Gaming Association and the tobacco companies to lobby the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), an international body which creates

heating, ventilation, and air conditioning standards frequently adopted by state and local governments and given the weight of law, to tailor their indoor air quality standards to accommodate for secondhand smoke.¹³ On repeated occasions, Sterling has testified on behalf of the industry.¹⁴

- **Roger Jenkins and Oak Ridge National Laboratory (ORNL)** have well documented ties to the tobacco industry. While ORNL is a government laboratory, researchers also engage in private contracts, which do not have official government standing. ORNL consistently contracts with the tobacco industry through Roger Jenkins, an ORNL chemist who performs research on tobacco smoke and secondhand smoke exposure. In 1993, Jenkins received \$797,892 from the Tobacco Institute's Center for Indoor Air Research (CIAR).¹⁵ Michael Guerin, administrator for ORNL's analytical chemistry division, received more than \$1 million from the Council for Tobacco Research and CIAR.¹⁶ ORNL continues to conduct tobacco industry-funded studies on secondhand smoke exposure. In 2003, ORNL announced plans to conduct a study of indoor air pollution levels, including secondhand smoke, financed with \$750,000 from Philip Morris USA;¹⁷ and in June 2004, ORNL announced a new study to look at the effects of three indoor air pollutants, including secondhand smoke, on heart rate variability. The two-year study is being conducted by Dr. Jenkins and is being funded by Philip Morris.¹⁸

CREATE FRONT GROUPS

“Where necessary, identify and work with indoor air quality allies in preparing legislation establishing acceptable ventilation standards... Conduct indoor air quality briefings with key lawmakers and existing and potential allies to encourage their support of legislative efforts concerning ventilation standards... Encourage indoor air quality allies to participate in existing state ventilation study commissions and promote improved ventilation standards as an effective response.”

-- Philip Morris (1989)

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Knowing the industry lacks public credibility, tobacco companies create ventilation front groups to influence the hospitality sector and to keep lawmakers from supporting smokefree policies.

- **USA Places Programs:** In 1998, Philip Morris created the “Places Program” to organize and mobilize leaders and influential players within the ventilation and hospitality industries to act as spokespeople for ventilation on behalf of the tobacco industry. These leaders, or “USA Place Team,” are responsible for creating a ventilation demand within their respective business sectors by conducting “ventilation education for business owners.” A Philip Morris document states: “Ideally, the technical leader also works to develop PM [Philip Morris] relationships with IAQ/HVAC professional organizations, academia, standard-setting and government bodies, technology manufacturers and market leaders in ventilation delivery, such as engineers, contractors, power companies, and others that may impact the development and delivery of ventilation options and acceptance of ventilation options as an alternative to bans.”¹⁹

- **atmospherePLUS:** In 1998, atmospherePLUS was created and commissioned by Philip Morris and marketed as “a program for the National Licensed Beverage Association [NLBA]”²⁰ to “protect business owner choice.”²¹ In 1999, Debra Leach, executive director of the NLBA, issued a press release introducing the program.²² However, prior to the press release’s launch, PM recommended Leach credit the NLBA for “spearheading the effort [with the introduction of its atmospherePLUS program],” stating that “We [NLBA] are fortunate that Philip Morris USA has agreed to serve as our initial sponsor for this initiative and is lending financial and hands on support.”²³
- **Options:** In 1999, Philip Morris, in collaboration with ventilation consultants, manufacturers and hospitality industry organizations, launched *Options*, a web-based ventilation consultation resource designed to mislead lawmakers, business owners and the public; to create the perception that ventilation can address the issue of secondhand smoke; and, therefore, to advocate that smokefree air policies are unnecessary. Its stated goal was “to help businesses that choose to allow smoking find effective, practical ways to provide comfort for both non-smoking and smoking customers. [*Options*] will help you create comfortable environments, improve ventilation and learn more about industry trends.”²⁴ In 2003, the *Options* program dissolved.
- **The Hospitality Coalition on Indoor Air Quality (HCIAQ),** was a front group organized and funded by Philip Morris to carry its ventilation message.²⁵ Black, Kelley, Scruggs, and Healy – a Washington based public affairs subsidiary of Philip Morris’ public relations firm Burson-Marsteller – created HCIAQ in 1999.²⁶ The stated goal of HCIAQ was to: “Educate regulators and legislators at the local, state, and national levels, and general public, on the costs to the hospitality industry of one-size-fits-all IAQ regulations and legislative solutions.”²⁷ HCIAQ was comprised of representatives of tobacco industry-allied organizations in the hospitality, gambling, and ventilation fields. The consortium dissolved in 2005.

LOBBY ASHRAE

“ASHRAE recently approved a standard.... The hooker is that, by designating an entire building as a ‘no smoking building’, no added expense at all would be involved.... It is mind boggling to attempt to calculate the harm that this code would have done to our company and our industry had it been adopted.”

-- Bob Moore, Philip Morris (1983)

(Bates No. 1003656769-6770, <http://legacy.library.ucsf.edu/tid/bqj28e00>)

The tobacco industry has been trying to give its “ventilation solution” credibility by lobbying the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE) – the international standard setting body for indoor air quality. The tobacco companies work with the American Gaming Association and the National Restaurant Association – both former members of Philip Morris’ now defunct HCIAQ front group – to lobby ASHRAE to create separate ventilation standards, which include smoking, for hospitality venues. This effort to create a separate standard has been routinely dismissed and struck down by ASHRAE. All attempts have failed.

Tobacco companies continue to lose ground with ASHRAE. Its ventilation standard for “acceptable indoor air quality” specifies ventilation rates and procedures for smokefree environments only. In addition, the ASHRAE Board of Directors has unanimously adopted a position document on secondhand smoke that reaffirms that there is no safe level of exposure to secondhand smoke; that ventilation and other air cleaning systems cannot eliminate all the health risks caused by secondhand smoke exposure; and that secondhand smoke does not belong indoors.

If smokefree opponents advocate ventilation as a solution in your community, contact ANR for assistance.

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