

The Nonsmokers' Voice

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ADDRESS CORRECTION REQUESTED

PUBLIC SUPPORT FOR STRONGER SMOKING RESTRICTIONS INCREASES IN COLORADO

Workplace Concerns Grow Dramatically

A new Denver Post-News Center 4 poll conducted by Talmey Research & Strategy of Boulder indicates that most Coloradans surveyed say that the government should be doing more to discourage the use of alcohol and tobacco through laws and educational programs.

The 1988 Poll of Coloradans Indicates That:

- ☉ Eighty-four percent believe employers should be required by law to provide no-smoking areas for employees who request them.
- ☉ Eighty-nine percent think restaurants should be required to establish no-smoking sections.
- ☉ Eighty percent say the penalty for selling cigarettes to someone under 18 should be the same as the penalty for selling alcohol to anyone under 21.

A review of the 1988 results, compared to the same poll taken in 1985, shows a **ten percent** increase in the support for smoking restrictions in the workplace. Once again, the poll indicates that smoking restrictions are supported by smokers and nonsmokers. Here are the statistics GASP obtained from Talmey Research & Strategy:

- ☉ Eighty-four percent of smokers and ninety-two percent of nonsmokers agreed that restaurants should be required to provide a no-smoking section.
- ☉ Seventy-nine percent of smokers and ninety percent of nonsmokers agreed that employers should be required to provide no-smoking work areas for employees who request them.

Other General Poll Findings

- ☉ Seventy-Four percent of the people polled do not smoke, 26% do (these figures match the current national averages).
- ☉ This is a **bi-partisan issue** and the support is equally high for democrats, republicans, and independents.
- ☉ People with higher incomes and higher education levels are more supportive of smoking restrictions.
- ☉ Women are more concerned about tobacco smoke pollution than men.

NEW IMPROVED NEWSLETTER

GASP of Colorado is now using a Macintosh computer to give you a better quality newsletter. Please bear with us while we learn how to take full advantage of desktop publishing. We hope you like our new look!

WHEN YOU MOVE PLEASE LET US KNOW

Moving? Please inform GASP as soon as possible. The post office does not forward bulk mail. When members forget to send us address corrections, it costs GASP an extra \$1 to pay for the return postage and to remail pieces.

IN THIS ISSUE

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New Report Puts Nonsmoker Deaths From Passive Smoking at 46,000

32,000 from Heart Disease
11,000 from Other Cancers
3,000 from Lung Cancer

A new report in the scientific journal Environment International concludes, "the exposure to environmental tobacco smoke can have adverse long term health effects that are more serious than previously thought." It also concludes that the total adult mortality in the United States from passive smoking is 46,000 deaths per year, with 3,000 from lung cancer, 11,000 from cancers other than lung cancer, and 32,000 from ischemic heart disease.

The 17 page paper carries a great deal of weight and validity because papers submitted to Environmental International¹ undergo extensive scientific peer review before publication. To arrive at risk totals the report utilized recent scientific and medical studies that linking passive smoking to various forms of cancer. The report takes into account various misclassification errors and the reduced exposure for older ages.

CBS news carried extensive coverage of the new report on the evening news. The Denver Post² had these editorial comments about the report:

"If some other easily preventable environmental hazard were causing the deaths of even 1,000 innocent people every year... this nation would be scrambling frantically to stamp it out. And any one who tried to assert that the problem should be controlled at the local level would be shown the door as quickly as a cigar smoker in a flower shop."

"This alarming figure (46,000) should give new impetus to efforts to enact a Clean Indoor Air Act in Colorado."

"As long as state health authorities are trying to reduce the threat posed by outdoor air pollution, there is no logical reason why they shouldn't also be attempting to alleviate a similar -- but far more serious -- problem caused by indoor contamination."

The report provides a strong basis for more restrictions on smoking in public places. **Undoubtedly, it will continue to escalate the intensity of anger which nonsmokers feel about endangering their health by the involuntary exposure of tobacco smoke**

GASP MEMBERSHIP AND REVENUES DOWN

GASP of Colorado experienced a substantial decrease in revenues and memberships in 1988. Annual revenues for 1988 fell to \$30,000, a \$7,000 drop from the previous year. Expenses for 1988 totaled \$30,552, a drop of \$8,000 from the previous year. Paid membership dues fell to 800, accounting for 1,200 members.

GASP's Board of Directors speculated that the decline is primarily due to three factors:

1. The Colorado economy has forced many people to cut back on contributions and expenses.

2. New I.R.S. rules make it more difficult for people to deduct contributions unless they itemize their deductions.

3. Some people are becoming complacent or apathetic about the problem of tobacco smoke pollution. However, this reason may not be playing as large a role as the other two reasons since GASP received more calls and requests for information and assistance in 1988 than ever before.

CUTBACKS MAY BE NECESSARY

GASP has already been forced to cut back on various expenses and more cutbacks may be necessary. For instance, we will begin cutting back on the number of pages in this newsletter, from 16 to 8. We hope that use of desktop publishing will compensate for this change. In fact, GASP members will probably find the newsletter easier to read and absorb.

GASP REORGANIZES

GASP of Colorado has been busily making changes that were needed in order to streamline administrative work and in order to improve organizational efficiency. In the last four months GASP has completely reorganized our office space, reorganized our filing system, and begun transferring documents from computer to computer.

BOARD NOTES & MEETINGS

GASP's Board of Directors now meets every two months instead of every month. The Board is responsible for running the organization and discussing the decisions and actions of the group. Applications for Board positions are available year round. Board meetings are open to all dues-paying GASP members and are held on Tuesday evenings in Denver. Call us at 444-9799 if you would like to attend our next Board meeting. Here is a list of Board meeting dates for 1989: March 14, May 16, July 11, Sept. 12, and Nov. 14th.

ANNUAL MEETING

Our annual meeting will take place around the second week of May. GASP is currently contacting a number of potential speakers. More details will be forthcoming.

YOUR MAILING LABEL EXPLAINED

GASP of Colorado uses a simple coding system to keep track of expiration dates of all our members. Each mailing label contains numbers at the top for this code. The left side of the label displays a computer number we have used to help us find each member in the computer. This is followed by a month and a year. These last two numbers indicate the quarter in which memberships expire. For example, FEB 89 indicates your membership expires this quarter. We give members a little more than two months to renew their memberships before we drop them from our membership mailing list.

¹ Wells, A. Judson. An Estimate of Adult Mortality in the United States From Passive Smoking. Environment International. Vol. 14: 249-265, 1988.

² Death in a Smoke-Filled Room, The Denver Post, Dec. 7, 1988.

STATE LEGISLATION

Senator Jack Fenlon is sponsoring Senate Bill 111 which prohibits smoking in supermarkets, grocery stores, and convenience stores. The Coalition for a Tobacco-Free Colorado Public Affairs Committee has come up with twelve good reasons why smoking should be prohibited in retail food establishments (see this page).

GASP urges our members and supporters to write or call their state representatives in both the Senate and the House to express their support for the bill. Information on how to write your representatives is provided on this page. If you do not know the capitol number for your legislators, check with your local party headquarters or call the following numbers for information:

For Senators

(R) 866-4866, (D) 866-4865,

For House Representatives

(R) 866-2932, (D) 866-2904.

HOW TO WRITE YOUR ELECTED OFFICIALS

If you are concerned about the problem of smoking in public places, restaurants and at work, it is very important that you communicate these concerns to your elected officials and by writing letters to the editor to your local newspapers.

Writing Tips

- Be courteous and polite. If you are phoning, do not phone at odd hours.
- Be brief and type your letters if possible. One page is a good limit.
- Write in a simple, natural, pleasing style. Avoid personally attacking an elected official. If you are going to criticize someone, focus on the tobacco industry.
- Refer to any personal experiences that may be relevant to the issue. This is the most persuasive part of such letters. If your health is affected by tobacco smoke pollution, mention the problem and some specific experiences.
- Research the issue to show that you are well informed. Use facts that include names of people, organizations, places, etc.
- Concentrate on the health issues involved. Stay away from moral issues.
- Mention that 75% of Coloradans do not smoke and that a majority of Coloradans, smokers and nonsmokers, support smoking restrictions according to local polls.
- Mention that smoking restrictions provide a comprehensive solution to protecting nonsmokers while still providing some accommodation for smokers.
- When bills are being considered, state your support for legislation controlling public smoking in the first paragraph. Be sure to mention the name and number of the bill. Then give clear reasons why and how the legislation affects you and your community. Use a separate paragraph for each reason. Express why you as an individual are concerned about secondhand smoke (clean indoor air, personal health, children's health, etc.)
- Ask questions and request a reply. If a bill is being considered, ask your elected official how they plan to vote.
- Follow through. If you do not get a reply, write again. Enclose a photocopy of your last letter and ask why you have not received a response. When you receive a reply, follow up with a response saying why you disagree or agree with the response.
- Contact health agencies or GASP for background information.

Smoking controls are a statewide public health issue because secondhand smoke harms everyone, no matter where they live.

TWELVE GOOD REASONS TO PROHIBIT SMOKING IN RETAIL FOOD ESTABLISHMENTS

1. It is a statewide public health issue needed to protect the public. The scientific evidence is clear: secondhand smoke is harmful to nonsmokers and laws to protect them from tobacco smoke pollution are needed to protect their health.
2. When smoking is allowed in retail food stores, it creates an unsanitary health problem of ashes and cigarette butts in produce and bulk foods.
3. It is important because everybody has to shop for food to eat.
4. It is widely supported by a majority of Coloradans, smokers and nonsmokers. Every poll taken in Colorado over the last nine years indicates that a majority of Coloradans support restricting smoking in public places, restaurants, and work areas.
5. It would be basically self-enforcing. A majority of the Coloradans (75%) do not smoke and those who do should not have any trouble refraining from smoking while shopping. No-smoking signs are as effective as stop signs.
6. Major retail food establishments support it. King Soopers, Cub Foods, and the Rocky Mountain Food Dealers Association have expressed support for a statewide ban on smoking in retail food establishments.
7. Enforcement would not be costly since retail food establishments would be checked for compliance during routine sanitation inspections.
8. Nineteen other states prohibit smoking in retail food establishments.
9. It saves retailers costs in the cleanup and replacement of goods damaged by burns and ashes.
10. It establishes statewide uniformity for retail food establishments.
11. Making it a law carries the authority necessary to command compliance. The voluntary approach is not taken seriously by customers and by some retail food establishments.
12. It gives Colorado a positive image for tourists.

NEW RESTAURANT GUIDE VERY POPULAR

Phone Rings Off Hook With Requests

GASP of Colorado received non-stop calls for three straight days for our new Guide to Smoke-Free Dining. Thanks to publicity in the Rocky Mountain News, Channel 9, KOA, and several other radio stations and newspapers. GASP mailed out more than 400 guides in less than two weeks. GASP mailed out more than 1,200 guides to our members, and more than 300 to various media contacts. More than 1,000 press releases were sent out to our statewide media list. Professional distributors have been contracted to distribute 15,000 guides in supermarkets, libraries, community centers, businesses, and restaurants in the Boulder and Denver metro area.

Members Respond To Plea For Contributions, But More Contributions Are Still Needed

Slightly more than 10% of GASP's members have responded to GASP's plea for \$2.00 contributions for the new guide. GASP would like to thank the many members who contributed \$2 or more. This has generated \$650 of the \$2,000 GASP needs to raise to publish and distribute another 25,000 copies of the guide. If every member of GASP sends us the \$2.00 contribution we requested for the guide by the end of February, we will easily reach our goal of raising another \$2,000.

Corrections

We have received a number of calls from our members and supporters complaining about some of the restaurants listed in the guide. Unfortunately, several restaurants we polled gave us erroneous information about having a totally separate smoke-free area.

Please correct the phone number for **Healthy Habits** on page 7. It should be 733-2105, not 733-2015. Please cross these restaurants off in your guide, due to complaints about their supposedly smoke-free areas: **Dozens** in Aurora on page 8, **Walrus** in Boulder and **Al Fresco** in Denver on page 9, **Pearl Street Grill** in Denver on page 12, and **Swiss Bells** in Wheat Ridge on page 14.

☎ Please call GASP and notify us immediately if you encounter any other errors. We will report them in future newsletters.

Additions

The **Original Indo Ceylon** at 2010, 14th st in Boulder (449-5636) and **Stone Soup & Salad** at 151 W. Mineral #106 in Littleton (730-1827) called GASP to let us know they are totally smoke-free. A GASP member informs us that **Bennett's Pit** at 7490 W. 52nd in Arvada (424-0318) has a completely separate smoke-free area.

NEWSLETTER NOTES AND CHANGES

GASP's newsletter, The Nonsmokers' Voice will now have a new numbering system. In the past, the newsletter was dated according to seasons. The newsletter will now be classified by volume starting with this issue. This is Vol. 11, #1. This means that this newsletter is the first newsletter (#1) in the 11th year since GASP's founding. Our next newsletter this year will be Vol. 11, #2.

The Nonsmokers' Voice also has been assigned an ISSN number by the Library of Congress. This number is used to classify documents. The new number appears on our title page.

Due to three months of extensive work on our new restaurant guide, we were not able to put out a Winter 1988 issue of the newsletter.

THE FAMILY CIRCUS

By Bill Keane



"I guess that lady's holdin' her cigarette away from her face 'cause she doesn't like smoke."

WORKPLACE COMPLAINTS INCREASE

GASP received an increasing number of calls and letters from people needing help resolving problems with smoking in the workplace, and surprisingly most of them work in areas that already have laws restricting smoking in the workplace. While GASP no longer keeps a count of the exact number of complaints we receive, we estimate we received between two to three calls or letters each week about smoking in the workplace during 1988. Here is an example of a typical complaint.

Dear GASP,

"Please send me information about secondhand smoke and nonsmokers' rights as per your editorial in the Rocky Mountain News. I am severely allergic to tobacco smoke. I work for a company whose offices fall within Arapahoe county, which recently passed an anti-smoking law with so many loopholes as to be completely worthless. Under the law, the company I work for merely has to post a sign stating 'smoking permitted' on a smoker's desk, and may seat a nonsmoker directly beside a smoker. What a joke!"

F. Dalto, Castle Rock

GASP's Workplace Suggestions
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Our Workplace Suggestions

When people call GASP about help for problems with smoking in the workplace, here is what we recommend:

Check to see if your employer is located in one of the twenty cities and three counties in Colorado that have laws governing smoking in the workplace. In addition, a Governor's executive order covers state buildings. GSA buildings and postal facilities also have regulations.

If a local law or regulation exists, obtain a copy of the law, read it to see if it applies to you, and show it to your employer. Keep track of everything you say or do, times, locations, witnesses, etc. If your employer does not make changes after you show them the local law, contact the local enforcement agency and file a complaint. If this doesn't solve the problem, it might be time to consider a lawsuit. Many people have won the right to a smoke-free workplace. GASP Board member June Mercer of Golden won the right to a smoke-free workplace and a \$40,000 settlement for back pay due to work she was forced to miss due to the tobacco smoke at work.

If no local law exists, there are three possible options. First, write your state and local legislators about your problem and how a law would help you. Second, try to educate your employer and see if you can get them to voluntarily institute a policy. Third, if education does not work, you may be able to consider relief under common law, handicap laws, or other legal actions. Contact GASP for lawyer referrals and information about our legal fund.

GASP has a free booklet titled Guide To A Smoke-Free Workplace which has helpful suggestions for employees and employers. GASP's "Let's Clear the Air" video tape on how to implement workplace policies is also available for rent.

NEW POSTAL SMOKING REGULATIONS NOW IN EFFECT

Postal bulletin #21681 issued in July and now in effect, requires all postal facilities to prohibit smoking in all work areas except specifically designated areas. It also continues the prohibition of smoking in lobby areas.

The bulletin states that the new regulation was implemented because "recent medical studies indicate that smoke is not only hazardous to those who smoke, but also injurious to those passively exposed." Designated smoking areas must be away from all work sites and anywhere mail is handled. In addition, smoking is prohibited in auditoriums, class or conference rooms, corridors, rest rooms, stairways, elevators, copy or computer rooms, medical/health units, while collecting or delivering mail, and at all service windows and counters of all Colorado post offices. The regulation also provides for assistance in smoking cessation for smoking employees.

GASP has received many complaints about smoking in the workplace from postal employees. The new regulations should now help protect postal employees avoid the exposure to secondhand smoke. Complete copies of the new regulation can be obtained from our office for \$1.

TOXIC AGENTS

When comparing the toxic agent concentrations in mainstream smoke to sidestream smoke, sidestream smoke (which is breathed by everyone) has:

- ⊗ 70% more tar
- ⊗ 250% more carbon monoxide
- ⊗ 270% more nicotine
- ⊗ 7,300% more ammonia

Involuntary smokers retain these poisons 200% longer than mainstream smokers.

Dr. C. Everett Koop, MD, U.S. Surgeon General
ACAS (Arizonans Concerned About Smoking) Newsletter

OUR APOLOGIES TO BILL OWENS

Dr. Alan Blum of Doctors Ought to Care is a strong advocate of using ridicule and counteradvertising as effective tools to call attention to an industry that sells a deadly product. It was Dr. Blum who suggested that the Tobacco Institute be renamed the Klaus Barbie Institute in a speech he gave while in Denver a few years ago. Shortly thereafter, GASP began to make fun of the industry and of legislators who failed to see the need to protect the health of the majority of Coloradans. Apparently, we went a little too far, even by Dr. Blum's standards.

In our Spring 1988 newsletter, after four years of frustrations, we really came down hard on the legislators who voted against the statewide clean indoor air act. We were particularly critical of three House Representatives: Carl Bledsoe, Mary Dambman, and Bill Owens. An article in the August 88 issue of The Denver Magazine brought to light Bill Owens' concerns. We responded in the same article that all we were doing is "making fun of him." Apparently, this did not satisfy Owens, because on October 4th he wrote a letter to one of our prominent supporters -- Dr. Tom Vernon, Executive Director of the Colorado Dept. of Health -- to complain about our "sleazy tactics." He asked Dr. Vernon how he could allow his name to continue to be used on GASP's letterhead as a member of GASP's support committee. Dr. Vernon responded saying he would not remove his name from our Support Committee but that GASP would lose his support with further "ad hominem" (personal) attacks or tactics in poor taste. Meanwhile, GASP President Pete Bialick, who writes and edits this newsletter, called and discussed the issue with Senator Owens (Bill now is in the Senate).

Bill stated that he had no objection to a little satire, but that he considered the wording used in our Spring 1988 newsletter a character attack. He pointed out that several portions of the newsletter made it appear that he had said something he did not. GASP president Pete Bialick personally apologized to Senator Owens and admitted that the article was poorly written in several areas and that it had not been proofread well. In addition, Pete admitted to some deficiencies in his writing due to his background and education in South America.

To illustrate what we are talking about, the Spring 88 issue used a major theme based on the conclusions of the Report of the mayor's Committee on Smoking in Health of New York. To dramatize how serious the exposure to secondhand smoke is, we repeatedly used this quote: "Smoking is slow motion suicide. We must not let secondhand smoke become slow motion murder." In the same newsletter, we later wrote that Owens claims that the "slow motion murder of nonsmokers" should be dealt with on a local level. This was very poorly written. It would have been more to the point (according to Owen's own suggestions) if we had said: Owens claims that what we term as the "slow motion murder of nonsmokers" should be dealt with on a local level.

What Did Dr. Blum Have To Say?

When we discussed this issue with Dr. Blum, he agreed with Bill Owens that GASP used poor wording and that the satire used was too strong. However, he questioned if Owens' tactic of using his political position to put pressure on GASP through Dr. Vernon was also appropriate.

Senator Owens also objected to Bialick's quote criticizing legislators who accept money from the tobacco industry. "Since tobacco kills over 50 people in Colorado every week, I feel that anyone taking money from the tobacco industry is as bad as a person that accepts money from a mafioso killer." Senator Owens did not appreciate being compared to such a person, and we do not blame him. He pointed out that one of the companies listed by GASP as providing matching

Continued from Previous Page...

contributions to nonprofits sells napalm, which also kills. He asked if GASP was being hypocritical when GASP requests that members take their aluminum cans to King Soopers and donate the proceeds to GASP. King Soopers sells cigarettes. GASP responded by saying that taking donations from King Soopers is different from accepting money directly from the tobacco industry since a small percentage of King Soopers' business is tied to tobacco sales. The tobacco industry --on the other hand-- sells a product that when used as intended causes disease and death.

DEBATE: SHOULD STATE LEGISLATORS ACCEPT CONTRIBUTIONS FROM THE TOBACCO INDUSTRY?

Bill Owens raises some good points. Is it ethical for our state legislators to accept contributions from the tobacco industry? Is GASP being hypocritical by accepting any money from King Soopers, since they sell cigarettes? Let us hear your opinion. Write us a letter and we will reprint the best letters in our next issue.

GASP Prefers The Positive Approach

GASP's Board of Directors discussed this issue and made several recommendations:

1. GASP will apologize in this newsletter.
2. GASP will continue to emphasize that secondhand smoke is a deadly hazard to everyone.
2. GASP will continue to inform the public about legislators who vote for or against protecting the health of the majority of Coloradans. We will try to avoid name calling, personal character attacks, or anything that may be considered in poor taste.
3. GASP will continue to inform the public about the fact that many legislators accept money from the tobacco industry, because cigarettes are the number one source of preventable death in Colorado and the U.S.
4. GASP may continue to use some ridicule and satire, but we will aim it at the tobacco industry.
5. GASP prefers the positive approach. GASP of Colorado was the first GASP in the nation to alter the old acronym of *Group Against Smoking Pollution* to *Group to Alleviate Smoking Pollution* because we wanted to accent the positive.

Other Apologies

We owe an apology to Rep. Peggy Reeves. After the Clean Indoor Air Act was killed in committee last year, we had asked Peggy why Bill Owens would vote against it, and yet vote and sponsor bills dealing with outdoor pollution. She responded and we misquoted her in our newsletter. What she did or did not say is a moot point at this time; however, we erred in two ways. First, we should not have placed any of her statements in quotes since we did not record her exact words at the time they were said, and relied on our memory. Second, we should have followed up and asked Rep. Reeves if we could use her comments in our newsletter.

We owe an apology to Senator Jana Mendez because we inadvertently placed her name in the questionable column of the legislative poll we sent out just before the November elections. Senator Mendez has been a strong supporter of Clean Indoor Air and has been a cosponsor of such bills in the past.

GAVEL AMMENDMENT IN EFFECT

The GAVEL amendment supported by GASP passed by more than a 72 percent in the November election. What the new law means is that Committee Chairpersons will no longer be able to singlehandedly kill bills in committee by refusing to hear them. This practice, called the pocket veto, has been used three times in the past to kill the Clean Indoor Air Act.

ENVIRONMENTAL TOBACCO SMOKE IS ONE OF THE WORST HEALTH THREATS IN THE DENVER AREA

An 18 month federal study of a 27 member committee appointed by the *Environmental Protection Agency* has listed secondhand smoke as one of the top five Denver-area hazards that are the worst health threats facing area residents according to a January 20th story in the *Rocky Mountain News*.

"Secondhand smoke is as dangerous as radon, committee members said, and should be fought by enacting state legislation to protect nonsmokers in public and private, and by educating the public on the risks of smoke indoors," reports the News. See graph below:

TOBACCO SMOKE

The 1986 surgeon general's report documented that non-smokers are at increased risk of developing lung cancer when exposed to second-hand tobacco smoke in the environment.

RECOMMENDATIONS: Enact state legislation to fully protect nonsmokers in public places, develop widespread non-smoking policies, increase public education on the health risks of environmental tobacco smoke.

MALL ACTIONS

GASP supporter Bob Vollbracht has been working on getting Denver area malls to come into compliance with local ordinances. Many malls previously failed to post signs at entrances stating that smoking is prohibited except in designated areas. Bob complained to the enforcement agencies in Lakewood about Villa Italia and the Lakewood Mall, in Westminster about the Westminster Mall, and in Aurora about the Aurora Mall. The city of Lakewood has not taken actions, but the other two have taken actions to assure that signs are properly posted. The City of Westminster will have those police officers assigned to the Mall inform and warn individuals walking around smoking. Summons will be given in situations where warnings are ignored.

Readers who encounter problems in other malls in cities or counties with smoking restrictions should contact the enforcement agency first. If this fails to achieve any results, contact the mayor or a city councilmember. A final option is filing a "writ of mandamus." This legal action, which would come in the form of a judge's order, could possibly be used to force agencies to enforce smoking restrictions.

NEW ADMINISTRATIVE AIDE HIRED

Our recently hired administrative assistant, Leon Swartzendruber of Arvada, is learning the ropes at GASP. An ecological activist in several areas, he finds part-time work at GASP quite accommodating and appropriate.

To him ecology the economic and social balance needed among humans to harmonize with our planet's environment. For example, he'd like to discourage the growing of tobacco on choice soil while 20 to 30 of the world's children starve every minute.

He has written guest editorials on curbside recycling for both of Denver's major newspapers. He spends most of his time, including speaking engagements, in a campaign to get curbside recycling into Denver, and has cofounded Friends of Curbside Recycling. He is also an avid bicyclist, sometimes peddling as many as 5,000 miles annually.

While GASP has had to make other cuts, having Leon as a part-time administrative aide is most important to us in handling the daily administrative activities that take up so much time. Leon uses his pay to supplement his many activities and for some family expenses.

TOBACCO INDUSTRY NOW USING PACKAGE INSERTS TO PROMOTE SMOKERS RIGHTS

GASP President Pete Bialick was recently interviewed by Mike O'Keefe, a free-lance writer for the Boulder Daily Camera for a story on smokers rights. During the interview process, Bialick learned from the reporter that one new recruit to Denver's People for Smokers' Rights (PSR) found out about the group through an insert in her cigarette package. According to the Colorado Department of Health, there are 320 billion cigarette packages sold in Colorado each year. Last Spring, GASP estimated that the tobacco industry spends more than \$5 million on newsletters that promote smokers' rights. This new development could significantly increase this estimate depending on how many tobacco companies are engaging in this practice.

Why the Escalation?

Here are several reasons why various health experts believe the tobacco industry is mounting this campaign:

- 1) To incite smokers to increase confrontation and rebellion. When this occurs, the tobacco industry will point to isolated incidents to try to show that smoking restrictions go to far.
- 2) To take advantage of its financial might to mobilize smokers. The industry knows that if just 1% of the 50 million smokers in the U.S. get active, they can make a difference.
- 3) To develop a mailing list of smokers for the future time when cigarette advertising is banned.
- 4) To help smokers justify an addiction.
- 5) To stave off growing support for smoking restrictions and slow down declining sales as much as possible.

The Nonsmokers' Voice is reprinting portions of the Daily Camera article titled "New Group Asserts Its Right to Blow Smoke." We challenge the tobacco industry to reprint both sides of the argument in their six glossy publications circulated in Colorado.

PSR

"A new mentality has developed that says it's OK to intimidate smokers. It is very unfair and very Un-American. I thought our country stood for civil liberties, for freedom of the individual."

Smokers, says Cronan, are tired of hiding in the basement. Nonsmoking militants have waged an unholy war that has left people who choose to smoke cornered, with just one option: to strike back. *Smokers, Cronan says, are mad as hell and they aren't going to take it any longer.* "It is no longer acceptable to use us as your whipping boys and girls," he says.

Cronan says that the group with the biggest whip is the Boulder-based Group Against Smoking Pollution (the tobacco industry purposely distorts GASP's acronym despite our letters), better known as GASP. GASP, he says, has sensationalised the issue. It has "Fed people a lot of emotionally charged information," he says.

GASP

"This whole smokers' rights thing is not generated by individuals, but by the tobacco industry," counters GASP President Peter Bialick, "They're spending at least \$5 million in Colorado alone" to counter his group's efforts. "It's a dangerous threat to nonsmokers' rights."

Bialick admits that nonsmokers can be obnoxious, just as smokers can be obnoxious with their cigarettes, cigars, and pipes. But he denies charges that GASP is out to get smokers. **The anti-smoking backlash, he says, simply represents a change in public opinion:** "It's inappropriate to say GASP is responsible for this. We're just a small group. We have been effective because we have strong public support."

"Our philosophy is that we don't mind if people smoke, as long as it's in a well segregated area (or in private) that won't affect nonsmokers. This is a health question, not a rights question. The right to breathe clean, smoke-free air will always supersede the right to smoke because smoking is optional. Breathing is not."

PSR & GASP

"We've been nice for a long time," says Cronan. "We let a lot of restrictions through we should have fought. Smokers are tired of it, and they want protection for themselves."

Enter PSR, founded last fall by Cronan and a small core of supporters to combat what they call the excesses of militant anti-smokers... The group remains relatively small: Cronan, a secretive man who seems to be constantly clearing his throat, would only say there are between "35 and 50 members." But to GASP's Bialick, PSR represents a "dangerous development. **Even though only 25 percent of the population smokes, if only 1 percent does something, it could damage our efforts.**"

According to the Camera story, PSR says it receives **no money** from the tobacco industry. This is a typical of the way the tobacco industry responds to questions: **deny, distract, and deceive.** Cronan simply is deceiving the public by saying PSR gets no direct money from the public, because we know from tobacco industry publications that PSR receives a lot of free publicity and materials. The Smokers' Alliance group in Arizona is another smokers' rights group that continues to say they get no funding from the industry. However, the group just circulated a multicolored package to promote smoking in airplanes. The publication is slick, well-written, and professionally produced. The group also has an 800 number.

The Camera article also quotes one PSR member as denying the scientific evidence on smoking, saying he is more likely to die of an automobile accident (smoking related diseases are the number one killer in the U.S.)

But Bialick says, according to the article, that PSR members are merely deluding themselves. **"Smoking is an addictive drug, and addicts will do anything to justify it, especially since it's a legal drug. To me, groups like this are like a Flat Earth Society."**

LETTER GENERATES MANY CALLS

A letter to the editor in the Rocky Mountain News responding to a letter from PSR President Steve Cronan generated more than 50 calls and letters to GASP. Most of the people who contacted us wanted information about how to deal with smoking in the workplace. GASP is reprinting both letters without editing. *Again, we challenge the tobacco industry publications to do likewise.*

POINT

Let's Protect Everyone's Rights

Editor: I believe that most nonsmokers believe that smokers have rights too. Unfortunately, there is a small but vocal group of avid nonsmokers in this state who believe otherwise. They have tried to ban smoking in as many public places as possible, without any consideration for the rights of the smoker.

I have seen many antagonistic "letters to the editor" in the past few years on this subject. I believe many people are missing the real issue: care and concern for the rights and feelings of both nonsmokers and smokers. We should busy ourselves ensuring that everyone's choices and freedoms are being protected, so that our individual freedoms are being protected at the same time.

I believe that smokers and nonsmokers can coexist peacefully in this country, and can work out their differences through negotiation, courtesy and respect. We don't need to have government interfere and create laws to control our behavior, whether it be smoking, or any other important facet of our lives.

For more information about our organization, please contact People for Smokers' Rights, Box 10672, Denver, CO 80210, or call (303) 757-0980.

Steve Cronan, President (PSR)

Rocky Mountain News, Sept. 25, 1988

THE THREE D'S USED BY THE TOBACCO INDUSTRY:

Denial, Distraction, Deception

DENIAL: Deny the scientific evidence, even though there are more than 50,000 scientific studies on smoking and more than 600 on passive smoking.

DISTRACTION: Distract the public attention from the health issue by bringing up other issues.

DECEPTION: Deceive the public by using half-truths, leaving out vital information, quoting out of context, quoting conferences that are meaningless because papers are not peer-reviewed, or using questionable studies or outdated studies.

TAR WARS CONTEST

GASP President Pete Bialick helped judge more than 60 posters drawn and designed by fifth graders from Aurora and Denver schools and submitted to the Coalition for A Tobacco-Free Colorado. Prizes were awarded to the top ten finalists. GASP's counteradvertising fund donated \$250 for prizes.

A futuristic poster with a cigarette floating in space and the slogan "Tar Wars, Death of the Body...The Butt Stops Here" won top prize. The contest will be repeated again in January 1990 and include more area schools.

THANKS TO RESTAURANT POLLERS

GASP would like to thank the many GASP members who helped us poll over 3,000 restaurants listed in the Denver yellow pages. Without their assistance GASP could not have put together our new restaurant guide. The volunteers included Roberta Nielsen, June Mercer, Sharon Furst, Barbara Burdick, Pam Scooros, Else Huber, Jane Swartley, Julie Golden, Gwen McCloud, Diane Mantey, Viva Kellog, and Kathy Tomsich-Evans.

COUNTERPOINT

The Right To Breathe Comes First

Editor: Steve Cronan's Sept. 25th letter about smokers' rights failed to mention the important fact that smoking is hazardous to everyone's health. Cronan's assertion that only a small minority of Coloradans support smoking restrictions is just a wishful fantasy. Every public poll taken in Colorado since I founded GASP in 1977 has found that a majority of smokers and nonsmokers favor smoking restrictions. When placed on local ballots in Colorado, smoking controls have passed 2 to 1.

The 1986 Surgeon General's report on secondhand smoke states, "Involuntary smoking is a cause of disease, including lung cancer, in healthy nonsmokers." The report was reviewed by more than 60 scientists. Tobacco smoke contains more than 3,800 chemical compounds that include poisons, irritants, and carcinogens that are emitted into the air. There is no safe exposure level for many of these toxic substances.

Smoking restrictions are necessary to protect the health, welfare and safety of those who do not smoke. We would not need any laws at all if courtesy were enough to protect people. Laws do not interfere with people who are courteous: they only interfere with people who plan to be discourteous and inconsiderate. We don't allow people to poison our water if we can avoid it: the same thing should be true of our air. *Freedom of choice is no longer the best choice when the choice endangers other people.*

Most nonsmokers have no objection to people smoking in private or in well-segregated areas. The right to breathe clean smoke-free air will always supersede any "right" to smoke because smoking is optional; breathing is not.

For more information about nonsmokers' rights or secondhand smoke, write: GASP of Colorado, Box 12103, Boulder, CO 80303, or call 444-9799.

Pete Bialick, President, GASP

Rocky Mountain News, Oct. 13, 1988

TOO MUCH IS TOO MUCH

Surgeon General C. Everett Koop issued a point by point reply to the Tobacco Institute full page ads titled "Enough is Enough."

To respond to complaints that smokers are assaulted and harassed, Koop said, "Every day in this country two-thirds of this population is assaulted by the one-third that smokes, and that assault can be lethal."

The Nonsmokers' Voice

Published quarterly by GASP of Colorado

Annual subscriptions with tax-deductible membership contributions of \$20 or more.

GASP is Working to Assure Clean Smoke-Free Air For Everyone

Printed portions may be copied or reprinted.

Credit to GASP of Colorado appreciated.

GASP of Colorado

Group to Alleviate Smoking Pollution

Box 12103

Boulder, CO 80303

(303) 444-9799

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ADDRESS CORRECTION REQUESTED

GASP'S EFFORTS LEAD TO BAN ON SMOKING INSIDE BOULDER MALLS

Tobacco Industry Makes Personal Calls To Area Smokers

Despite an aggressive eleventh hour appeal by the tobacco industry, the Boulder City Council voted eight to one to clean up various loopholes GASP pointed out and to ban smoking inside Boulder's Crossroads Mall except in designated smoking areas of all food courts or restaurants in the mall. The ordinance will allow ashtrays and signs on ashtrays only at main entrances and every 200 feet. **The Mall restrictions will set a national precedent since very few ordinances ban smoking inside indoor malls.** Because tobacco smoke has no barriers and is hazardous to everyone's health, the only way tobacco pollution can be effectively controlled inside an indoor mall is to ban it or set up fully-enclosed separate smoking areas (which would be much more costly).

Other changes made in the ordinance were:

- **Requiring small restaurants under 30 to provide no-smoking areas.** GASP felt that all restaurants should be required to provide no-smoking areas regardless of size.
- **Prohibiting smoking in areas adjacent to a cash register or service line.** GASP requested this change due to a loophole which allows people to smoke in their own private offices. Some service station owners were claiming that the area where one pays for gas was a private office they could designate as a smoking area and force customers to breathe smoke against their wills. Now, smoking will be prohibited at cash registers and in service lines.
- **Prohibiting smoking in hallways and lobbies.**
- **Requiring proprietors to ask smokers to refrain from smoking in any no-smoking area or upon request.** GASP lobbied for this change which makes proprietors more responsible for helping enforce the local ordinance. Previously, proprietors only had to act if someone requested it. But proprietors aren't always around and finding a proprietor when one is in large areas -- such as a mall -- is impractical. This new change should resolve the problem.

The city is also implementing two suggestions GASP made to improve enforcement and insure that enforcement and education continue on an ongoing basis. This is important because businesses come and go on a regular basis. The city now provides information about the ordinance to all new business license applicants through the sales tax office. In addition, the fire department will soon begin to check businesses for compliance with the law during its annual routine inspections.

More on Boulder and the tobacco industry's aggressive campaign on page 5.

VOLUNTEERS NEEDED FOR

PEOPLE'S FAIR

We need about a dozen volunteers to sit at the GASP booth during the Capitol Hill People's Fair to be held June 3rd and 4 (rain dates June 10-11). The fair will once again be held at the Civic Center Park in Denver at the intersection of Colfax and Broadway (across from the Denver Art Museum). Each volunteer will be asked to sit at the booth for a three-hour shift. GASP will be passing out our new brochure and restaurant guide, and selling buttons, bumper stickers, and other materials. GASP purchased a canopy last year, thus making things much more pleasant. Nearly 250,000 people visit this fair each year. Various GASP materials are being marked down for liquidation, so stop by and visit our booth!

CALL GASP TODAY AT 444-9799 IF YOU WANT TO VOLUNTEER. WE NEED YOU!

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 AIRLINE UPDATE

New federal legislation has been introduced which would ban smoking on all domestic airline flights, regardless of length. Senator Frank Lautenberg, one of the sponsors of the current smoking ban on airlines said the ban is necessary because new "scientific evidence shows that as long as anyone's smoking on a plane, everyone suffers." The longest domestic flight in the U.S. lasts 5 1/2 hours. In addition, Rep. Richard Durbin has introduced legislation to extend the "Durbin Amendment" which bans smoking on domestic flights of two hours or less.

If you are concerned and affected by tobacco smoke on airplanes, write your House representative and Senators William Armstrong and Tim Worth. For House legislators write: U.S. House of Representatives, Washington D.C. 20515. For Senate legislators write: U.S. Senate, Washington, D.C. 20510.

Smoke Found As Bad Near Smoking Section As In It

According to a February 9th article in the *Wall Street Journal*, a new study confirms what many nonsmoking airline passengers have long asserted: **"Sitting near the smoking section of a plane can be just as bad as sitting in the midst of smokers."**

According to the *Smoking and Health Review*, published by ASH, the new study by the National Cancer Institute clearly demonstrates that nonsmokers are being exposed to the toxins in tobacco smoke, because a significant amount of nicotine -- a deadly poison -- was found in their blood. The study shows that as airlines restrict the amount of fresh air being introduced in an effort to cut costs, passengers will be exposed to even higher levels of toxins in the no-smoking sections. *The study concludes that some passengers in the nonsmoking sections "attained nicotine exposures comparable to or higher than those in the smoking section."*

A new study shows that passengers seated in the nonsmoking section of an airplane are exposed to almost as much smoke as those seated in the smoking section, and that the toxins remain in our bodies up to three days."

Smoking & Health Review, ASH (Action on Smoking & Health)

According to a story in *American Medical News*, the study examined the nicotine exposure of five passengers and four flight attendants on four routine commercial flights, each lasting approximately four hours. Exposures were measured by personal monitors carried by the subjects and by measuring the nicotine, metabolite, and cotinine secreted in the urine for 72 hours after each flight. Smoking activity was estimated by a study field coordinator who periodically recorded the number of persons smoking.

Perhaps the most startling revelation of the study is the fact that the study indicates that the tobacco toxins breathed by the subjects **remained in the bodies of the subjects for up to three days.**

This new study once again points out that the only way to effectively protect nonsmokers from other people's smoke is either to prohibit it entirely or limit it to areas that are fully enclosed and independently ventilated. Although the study applied to airlines, the information gathered could be used to help document the need for more extensive smoking restrictions in restaurants, workplaces, and other public places shared by smokers and nonsmokers.

Northwest Airlines Benefitting From Policy

Northwest Airlines is reaping in the benefits from going to a smoke-free policy for all its U.S. flights according to an article in the October 1988 issue of *Travel Agent Magazine*. The article, titled "Northwest Filters Tobacco Claims", was written by Redmond Tyler, the Director of media relations for Northwestern Airlines. Tyler writes that within a week after Northwest announced that it was banning smoking on all flights throughout North America, tobacco interests began a nasty attack on the airline, relating every operating problem to the smoking ban. Northwest received more than 7,000 computer generated letters signed by tobacco company employees. The letters championed smokers rights and condemned the airline's decision to provide clean air and a smoke-free environment for its passengers.

"Northwest has been unswayed by the rhetoric and tactics of the tobacco industry," reports Tyler. "Since introducing the ban, the airline has received accolades from both old and new passengers. The tobacco industry continues its vigorous tirade against Northwest. Each time there is a deviation in the airline's passenger traffic, a news release from the tobacco industry attributes the change to passengers shunning Northwest because of its smoke-free policy. This however, is inconsistent with the facts. In June, Northwest recorded a 70.1 passenger load factor -- the best June in 32 years. July produced the second highest monthly traffic in Northwest history. August passenger traffic set a dual all-time record, the highest traffic and best load factor, with more than three of every four seats filled by paying passengers. **Northwest is emphatic that its decision to ban smoking has attracted this increased passenger support. Northwest says that the numbers speak for themselves. Clearly, the healthy, comfortable environment of smoke-free planes appeals to all air travelers.**" (Taken from a Miami GASP newsletter)

Smokers Accepting Ban Gracefully

A March 20th *Denver Post* story reports that smokers have gotten used to the two-hour ban of smoking on airlines. The story reports that Northwest Airlines continues to receive correspondence running 9-1 in favor of their policy of no-smoking on all U.S. flights. The policy was reinforced with a \$5 million advertising campaign explaining the ban. Bob Gibbons, a spokesman for Northwest says, "While we may have lost some committed smokers, we have certainly gained a greater number of nonsmokers." The *Post* article also says that the company instituted the ban after a poll of frequent fliers found that 90 percent prefer sitting in no-smoking sections, including 30 percent who identified themselves as smokers.

NEW GASP BROCHURE AVAILABLE

GASP of Colorado has improved and updated its two-color brochure explaining the purpose of the organization, the rights of nonsmokers', and information about secondhand smoke. The new simplified brochure also contains membership information and a form for joining or contributing to GASP.

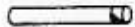
The brochure is the best way for GASP to inform the public about the hazards of secondhand smoke and the need for an organized effort to protect nonsmokers' rights. Readers who would like to have the new brochure may obtain it by sending a business size self-addressed envelope to GASP Brochure, Box 12103, Boulder, CO 80303 or by stopping by our office in Boulder at 2885 Aurora, Suite 16C during office hours (9:00-1:00, 2:00-4:30). Be sure to affix the right amount of postage if you write. We can mail up to five brochures for each ounce of weight.

**GETTING
SMOKED OUT
AT WORK,
IN
RESTAURANTS,
OR IN PUBLIC
PLACES?**

JOIN

**GASP OF
COLORADO**

**GROUP TO ALLEVIATE
SMOKING POLLUTION**



Working To Assure Clean Smoke-Free
Air For Everyone

Box 12103
Boulder, CO 80303
(303) 444-9799

A New GASP Brochure Is Out

CIGARETTES AND FIRES

Cigarettes are the single-largest yearly cause of fire fatalities, causing 1,500 deaths and 3,400 serious injuries in 46,000 fires annually, according to the National Fire Protection Association. Most of these fires are caused by careless smokers when they drop lighted cigarettes on bedding, upholstery, or while camping. Fire-safe cigarettes have been developed in other countries. A 1987 federal study concluded that it is economically and technologically feasible for manufacturers to make cigarettes that do not cause fires. *Colorado Daily, Feb. 1989*

PRESIDENT'S CORNER

by Peter Bialick

Apathy is one of the most dangerous concerns for GASP and other nonsmokers' rights groups. The tobacco industry isn't letting up and is becoming even more aggressive when it comes to state and local legislation.

When the city of **Parker** began working on its new ordinance, GASP mailed out 40 fliers to local members and supporters. Out of those, **only one GASP member** wrote the city council. In **Boulder**, GASP mailed out 550 fliers asking people to come to hearings or write their councilmembers. **About 35 people did.** The tobacco industry turned on the burners to try to get the Boulder ordinance watered down or killed. **R.J. Reynolds** sent out over 1,000 flyers and called many other people personally. The city manager's office fielded 61 calls on the two days before the vote, with 44 people opposing the regulations and 17 supporting them, according to the *Daily Camera*. Fortunately, GASP had done its homework and provided the council with solid documented information which offset this campaign.

We can expect the tobacco industry to continue their aggressive tactics. Your letter or call to your elected officials when legislation is being introduced in your area is important and can make a difference.

VOLUNTEER OPPORTUNITIES

Due to the fact that GASP members live all over the state, it is often difficult to find volunteer activities for everyone. However, there are some activities volunteers can do that require a visit to our office. Watch this column for volunteer opportunities and call us at 444-9799 for further information.

Guide Distribution

GASP needs some volunteers to help us place copies of the *Guide to Smoke-Free Dining* in more places in the metro area from Castle Rock to Brighton, from Aurora to Evergreen, and in Boulder. Volunteers are needed to place guides in their neighborhood and concentrate on libraries, supermarkets, community and recreation centers, health clubs, hospitals, health food stores, and in other businesses and public places.

Brochure Distribution

Volunteers are needed to place GASP brochures in doctors offices, health clubs, health food stores, hospitals, libraries, community centers, etc. We will provide volunteers with the brochures and a self-standing holder for each establishment covered. Volunteers will need to ask for permission before placing the brochures. This volunteer activity can be done anywhere in Colorado and neighboring states.

ANNUAL MEETING SCHEDULED FOR SEPTEMBER 19TH, 1989

Due to all the activity in the last few months, GASP has had to postpone our annual meeting till September 19th. Speaker and reservation information is on page 8.



NEW RESEARCH ON SECONDHAND SMOKE



Breathing Cigarette Smoke May Cause Cervical Cancer

An article in the March 27th issue of *Time* magazine says that a new study confirms the link between smoking and cancer of the cervix, but also concludes that women who breathe smoke from others' cigarettes are equally at risk for cervical cancer. The report, which was published in the *Journal of the American Medical Association* found that "women who inhaled passive smoke for three of more hours a day were not only more likely to have cervical cancer than those that did not but were as much at risk as active smokers," says *Time*. The researchers also found that the risk when passive smoke occurred in the home then in other locations, possibly because it is often more constantly present when nonsmokers live with smokers.

Tobacco Smoke Pollution Contributes To Anti-Social Behavior

A new study by Russell Bennett, a psychology professor at Bemidji State University in Minnesota shows that cigarette smoke can now be added to the list of everyday stresses that cause "people to be less attentive to many things happening around them." In general, the study indicates that people tend to be less helpful to people when tobacco smoke was present.

In one experiment, an assistant pretending to be blind would drop a glove. People helped pick up the glove 62% of the time when nobody was smoking nearby, but only 42% of the time when someone was smoking nearby. Another experiment involved a woman asking for directions. Sometimes she smoked, sometimes she did not. When she smoked, people would only spend a half-minute talking with her. This held true even when the passers-by themselves smoked. When the woman did not smoke passers-by spent an average of two minutes talking to her.

Rocky Mtn. News, Dec. 2, 1989 and the Minnesota-St. Paul Tribune

"One hour spent in a smoke-filled room is equivalent to smoking a cigarette."

U.S. Surgeon General, January 1989

Children and Passive Smoking

The Association for Nonsmokers' Rights of Scotland has just released a six-page summary on the affect of passive smoking on children. The booklet highlights some of the most important studies by scientists in recent years and concludes that a child's health is at risk when they are exposed to tobacco smoke.

The group also has published a summary on the hazards of secondhand smoke titled *Exposure to Other People's Tobacco Smoke Pollution*. The paper has been printed in several different languages and distributed all over Europe and other countries.

Readers who would like to obtain copies of either report should write: ANSR, 82 St Stephen St, Edinburgh EH3 5AQ, Scotland, England. GASP suggests a \$5 contribution to help offset expenses, but check with your bank on the best way to send money to England before you act.

Grapes and Secondhand Smoke

Grapes from Chile were recently impounded because two had traces of sodium cyanide. A single cigarette contains more than 100 times as much cyanide in an even more dangerous form, which is inhaled by smokers and nonsmokers according to the March 89 issue of the *Smoking and Health Review* published by ASH. Cigarettes contain hydrogen cyanide, a poison that attacks respiratory enzymes and has a toxic effect on the lining of the respiratory airways. Long term exposure above 10 ppm (parts per million) is considered dangerous. Tobacco smoke contains 1600 ppm.

Body Attracts Smoke

"People are sometimes amazed and disturbed by the fact that sidestream smoke drifts in their direction for no apparent reason. The low electrical potential of the water-filled human body attracts iron filings. Therefore, tobacco smoke gravitates and clings to a person with its resulting odor which is acrid and unpleasant to smell and which will linger on for hours after exposure. Smokers are not aware of the stink they create because their sense of smell is dulled due to the destructive effect of mainstream smoke on the inner linings of their noses."

Don Long, *Hazards of Sidestream Smoke*.

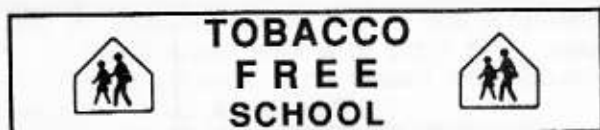
GASP UPDATES EDUCATIONAL PAPERS ON SECONDHAND SMOKE

GASP of Colorado has just updated a number of popular educational papers on secondhand smoke and nonsmokers rights.

On the subject of secondhand smoke, GASP has updated *The Health Effects of Secondhand Smoke* (paper #26) -- a four-page summary about the hazards of secondhand smoke. GASP also has a new one page brief overview on secondhand smoke titled *Facts About Secondhand Smoke*.

On the subject of nonsmokers' rights and smoking GASP has improved paper #27, now titled *How to Answer Arguments About Smoking*. Our paper explaining the need for no-smoking ordinances, *Answers to Frequently Asked Questions About Laws Protecting Nonsmokers in Public Places* has also been revised. GASP also updated our paper on how to lobby for local smoking controls, *Passing Local Smoking Controls*.

All five papers are now available from GASP. A \$5 tax-deductible contribution is appreciated if you would like to order all five, or send \$1 per paper. Mail and make checks out to: GASP of Colorado, Box 12103, Boulder, CO 80303.



This sign is available to schools that prohibit smoking.
Contact the American Lung Association at 388-4327.

Boulder continued from page 1.

The only changes that received opposition were the ones affecting small restaurants and the mall. The objections mimicked the tobacco industry line that such restrictions will cause businesses to lose 30% of their smoking customers (the tobacco industry uses outdated figures, less than 25% of Americans smoke). This argument is simply another diversionary tactic used by the tobacco industry to divert legislators' attention away from the health issues. **"The exposure to secondhand smoke is an important health issue and should take precedence over any economic concerns. The bottom line is that if you don't have your health, you can't enjoy your wealth,"** said GASP President Pete Bialick.

GASP expects to continue to see these arguments brought forth. Here are some of GASP's major points that helped persuade the council that smoking restrictions would not hurt restaurants or malls.

1. We know from the experience of other cities and counties that there is no concrete evidence that smoking restrictions hurt businesses. Any loss of smokers will be offset by a gain of nonsmokers, who consist of two-thirds of the population. Many seniors and people who are very sensitive to tobacco smoke and avoid Crossroads may now start using it. If anything, the news of the ban may even draw nonsmokers from other malls in nearby cities.
2. If smokers can refrain from smoking on two-hour flights, or at a two-hour movie, they can refrain from smoking in restaurants at malls for two hours.
3. If the tobacco industry is so business oriented and concerned about revenue losses, why isn't it taking out full-page ads and promoting ordinances that require restaurants to have no-smoking areas? Those restaurants without such areas stand to lose 75% of nonsmoking customers who want to eat in a healthy atmosphere. Outside of the 31 Colorado cities and counties with smoking restrictions only 20% of restaurants voluntarily provide no-smoking areas.
4. Research shows that smoking restrictions save businesses money by reducing absenteeism, health and fire insurance premiums, ventilation costs, interior cleaning, and maintenance costs. Worker morale improves because employees appreciate clean and healthy working conditions. Productivity improves because nonsmokers show an increased work efficiency when they are not forced to work in a smoky environment.
5. The government has an obligation to protect the public health and to take positive steps to eliminate health hazards. Voluntary programs are not used to control other health problems, such as toxic wastes, sanitation, asbestos, or radioactive exposure, and therefore should also not be used to control the exposure to secondhand smoke.

The council did not act on GASP's suggestion to prohibit smoking in restaurants or require that designated smoking areas be physically separated and

independently ventilated. **A no-smoking area in a restaurant is not necessarily a smoke-free area.** GASP feels that a total ban would be easiest to enforce and the least expensive alternative. It would not give anyone in a community a competitive edge since it would apply to all. GASP will continue to work on banning smoking in restaurants or limiting it to completely enclosed areas.

R. J. REYNOLDS TACTICS

According to an article in the April 18th edition of the *Daily Camera*, the R.J. Reynold's Tobacco company mailed out 1,000 action alerts to Boulder county residents and made numerous long distance calls to people who have expressed an interest in protecting their rights to smoke. GASP of Colorado was able to obtain a copy of the misleading action alert. The flier mislead smokers into believing that there was no place in the mall they would be able to smoke (they can smoke in food courts). Because GASP feels that such actions will affect the way some elected officials vote, we are reprinting portions of the flier so that our supporters may be aware of the industry tactics.

• URGENT • BOULDER BAN OUTRAGEOUS • URGENT •

Smokers are about to get kicked in the teeth again. Anti-smoking groups have pushed Boulder City Council to vote on severe smoking restrictions -- even more outrageous than the current ones.

The new proposal virtually denies your right to smoke at indoor public places in Boulder. Smoking would be banned at Crossroads Mall and restricted in restaurants no matter how small.

If you think these restrictions go too far, you can help stop them. Attend the City Council meeting...and speak out against these unreasonable restrictions. Also, call your mayor and city council members today to express opposition. They are: (gives list).

Smokers in other cities have spoken up and stopped tougher smoking restrictions. You and your fellow smokers can make a difference in Boulder, but you must take action -- **Immediately!**

-- R.J. Reynolds Tobacco USA

Choice Action Alert, R.J. Reynold's Tobacco USA

The R.J. Reynolds Hotline

The R.J. Reynold's tobacco company has created a toll-free action alert hotline. A flier about the hotline says smokers should call it to report anti-smoking activity in their community.

"Give us a call as soon as you hear of proposed anti-smoking laws in your city or state. Then we'll pass this information on to other smokers in your area. In order to defeat anti-smoking laws, smokers have to know about Them! That's why we set up this hotline."

R. J. Reynold's Flier

You can call the hotline toll-free at 1-800-333-8683. Ask to be placed on the mailing list. You can help GASP keep tabs of RJR's activities by pretending to be a smoker. Then, notify GASP at once and send copies of any mailings sent to you after you read them.

TOBACCO INDUSTRY PHONE TACTICS REVEALED

See Story Next Page

I WAS CALLED BY R.J. REYNOLD'S

To help GASP keep track of the devious tactics of the tobacco industry, some members masquerade as smokers. Here is the account of one of those masqueraders whose identity we are not revealing. The letter was sent to GASP and members of a city council.

"I received a telephone call today from a man representing the Smokers Rights Action line. He asked me to appear at the City Council hearings later that week in Blank city. I was urged to express my opinion regarding this unfair ordinance (according to the caller). I was also requested to report toll-free to 1-800-333-8683 following the hearing. I also received an action alert in the mail.

I receive the publications of the R.J. Reynolds company *Choice* and *Regulatory Watch*. However, I receive these as a nonsmoker who has worked for many years for the interests of the nonsmoker, and for good health for all persons.

The attached materials are examples of the kind of misleading information being sent all over the country to incite action on the part of smokers.

In essence, the tobacco industry is "spoon feeding" its customers as to what to do and how to do it, and then asking them to report what has been done. This kind of effort is very costly and, in my opinion, much of the information is not factual and is highly prejudiced."

PARKER

The town of Parker unanimously passed an ordinance limiting smoking in public places, restaurants, and at work. The ordinance is modeled after the Littleton ordinance with a few exceptions and improvements. GASP assisted sponsor Dale Brinker with the ordinance and provided educational materials that helped persuade the council to vote for the law.

Brinker said, according to the *Parker News Press*, that he is concerned that the state Legislature has been unable to deal with the issue on a statewide basis. Brinker lobbied for the law to protect the health of nonsmokers.

"Lack of action at the state level leaves a lot of people unprotected from a hazard that has become general knowledge."

Councilman Dale Brinker

DENVER

GASP will soon begin an educational campaign aimed at convincing the Denver City Council of the need for improving the Denver ordinance on smoking. The Denver ordinance is **one of the weakest** smoking controls in the state because it does not cover retail stores, the restaurant provision has various loopholes, and the workplace provision is an atrocity. The workplace provision requires employees to obtain petitions signed by 50 percent of full time employees before an employer must take action to control smoking. **Exposure to secondhand smoke at work over a 20 year period is 90 times worse than exposure to passive smoking according to two of Britain's leading experts on medical statistics, Richard Poll and Julian Peto.**

"Denver's law is one of the weakest in the state. The right to a safe workplace shouldn't be based on a majority vote."

Pete Bialick, GASP President

The Denver Post, January 29, 1989

GIVING THANKS

GASP would like to remind our supporters that it is important to express your appreciation to people who implement or support smoke-free policies. This should include businesses, reporters, legislators, restaurateurs, etc. When was the last time you thanked the owner of a restaurant for having a smoke-free dining area? How about the owner of that smoke-free store, or that councilman who just voted for a no-smoking ordinance?

Thanking people for providing a healthy smoke-free business is as important as criticizing and complaining when they do not, especially with the growing tobacco industry campaign to get smokers to harass people and businesses implementing such policies. We recommend to our supporters the art of thanking and urge you to extend your thanks in writing or by phone.



NONSMOKING ORDINANCE GUIDE

The *Nonsmoking Ordinance Guide* is a free 66-page booklet created to help guide communities in the development of local ordinances designed to limit smoking in public places. It provides suggested methods for accomplishing the community's objective, from organizing a steering committee to conducting a media campaign. Community organizers who have worked on local ordinances contributed to the booklet. For your copy write: Texas Office of Smoking & Health, 1100 W. 49th St. Austin, TX 78756. Let them know you read about it in *The Nonsmokers' Voice*.

SUPERMARKET BILL DIES IN COMMITTEE

The proposed statewide ban on smoking in grocery stores, supermarkets, and convenience stores (Senate Bill 111) died on a 6-5 vote in the House State Affairs Committee after narrowly passing the Senate by 18 votes. The Senate had watered it down by removing most penalties.

The hearing date for the bill in house committee was announced four days prior, giving GASP and other health agencies little time to contact constituents and the legislators on the committee. Supporters were never able to get the one vote we needed to get the bill through the committee. Representatives *Mutzebaugh, David Owen, Ratteree, Irwin, Ulvang, and Dan Williams* voted to P.I. (kill) the bill. Representatives *Rupert, Duke, Fagan, Knox, and Sam Williams* voted to save the bill.

A long-time observer who has been around the state legislature for 11 years told GASP that it is clear that Representative Carl Bledsoe is sending us a message that says that as long as he is Speaker of the House no smoking controls will get out of the House.

How They Voted In the Senate

Voting Against Senate Bill 111: Allard, Allison, Bird, Bishop, Brandon, McCormick, Norton, Pastore, Powers, Rizzuto, Sandoval, Schaffer, Schroeder, Tebedo, Traylor, Wattenburg, and Winkler.

Voting For Senate Bill 111: Considine, Denier, Fenlon, Gallagher, Groff, Hopper, Hume, Martinez, McCauley, Meiklejohn, Mendez, Owens, Pascoe, Peterson, Strickland, Trujillo, Wells, and Wham. Surprisingly, Senator Bill Owens signed on the bill as a cosponsor.

WHY IS IT SO DIFFICULT TO PASS STATE LEGISLATION?

Lobbying for smoking controls at the city or county level is often more effective than lobbying at the state level because:

- In general local politicians tend to be more responsive to their constituents than state politicians.
- The tobacco industry is not as effective on the local level. The tobacco industry has seven lobbyists working for them at the state capitol. The health agencies do not have any.
- You have less time to rally constituent support. On the local level you generally have a two-week period before a vote is taken.
- You have more people to convince. There are 100 state legislators. City councils have between 5 to 12 members.

From GASP's experience with state and local legislation, the most effective way to obtain smoking restrictions and beat the tobacco industry is through local legislation.

Tobacco Industry Clout

According to the December 1988 *Tobacco Observer*, the tobacco industry successfully helped defeat 9 out of 10 of the 181 public smoking measures introduced in state legislatures last year, and more than half of the 296 anti-tobacco measures introduced on the local level. That says a lot about how hard it is to beat the industry on the state level!

TRAVEL TIPS

If you are traveling this summer and want to find smoke-free dining or lodging, GASP suggests you contact other nonsmokers' rights groups because many publish restaurant guides. There are about 100 nonsmokers' rights groups in the U.S. and Canada, and several more overseas. Call us for addresses and information.

Also, there is a new book out titled *Smoke-Free Travel Guide*, a guide to planning smoke-free travel, lodging, dining, cruises and tours. It also lists the addresses of nonsmokers' rights groups in the U.S. It is available for \$12.95 including postage from Americans For Nonsmokers' Rights, 2054 University Ave. Suite 500, Berkeley, CA 94704. Let them know you read about it in *The Nonsmokers' Voice*.

Speaking of travel, the people who run the **Durango-Silverton train in Colorado** have received a lot of flack from smokers' rights groups for not allowing any smoking on the train. If you take the train this summer, be sure to put in a word of thanks.

CIGARETTE TAX INITIATIVE

Last November, the tobacco industry lost its first statewide initiative. Unfortunately, the ballot issue did not deal with smoking in public places, but raised the cigarette tax. Despite spending a whopping \$20 million to defeat the bill, Californians voted strongly to increase the cigarette tax. Funds for the tax will help pay for education on smoking, health care for those who cannot pay, research, fire prevention, and environmental restoration.

After several months of working with other health agencies and the Colorado sponsors, GASP's Board of Directors has unanimously agreed to support this year's Colorado initiative campaign to increase cigarette taxes.

GASP and other health agencies had criticized the previous initiative because too little money was being allocated for anti-smoking prevention and education programs. Under the new compromise, 24% of the cigarette tax (which could range from \$15 to \$18 million) will go to prevention, education, and research for tobacco caused health problems. Lab research funds will be limited to 33% of this amount. The other 76% of the tax will go to improve health care for the medically indigent.

GASP supports the initiative because we feel that the funds for education and prevention will be most helpful in counteracting the \$2.5 billion the tobacco industry spends on advertising and promoting cigarettes each year.

IF YOU WOULD LIKE TO VOLUNTEER TO HELP CIRCULATE PETITIONS, CONTACT THE GASP OFFICE.
CALL 444-9799.

MAD HUMOR

MAD magazine runs spoofs of cigarettes and smoking from time to time. One smoker didn't like the spoof on warning labels and wrote:

"Since you've joined the anti-smoking bandwagon (*New Cigarette Warning Labels You May Have Missed* #280), you surely won't miss a smoker like me not buying MAD." Mike Farina, Stamford, CT

MAD responded, "Au contraire, Mikey! We'll miss your tobacco stained fingers rifling through our pages, your cornish yellow teeth smiling at our jibes, and your hysterical laughter which quickly turns to a persistent, hacking cough! Thanks for writing, and goodbye!- Ed"

Here are the spoof warnings which the smoker objected to:

SURGEON GENERAL'S WARNING

Stopping Smoking Now Greatly Increases The Need For Tobacco Farm Subsidies. What'll It Be, Clean Lungs or Lower Taxes?

SURGEON GENERAL'S WARNING

Since Cigarette Smoke Contains Carbon Monoxide, You Could Probably Save Lots of Money By Sucking On Your Car's Exhaust Pipe.

SURGEON GENERAL'S WARNING

Athlete's Foot Is About The Only Thing You Can't Catch From Smoking.

SURGEON GENERAL'S WARNING

Smoking By Fetuses May Result In Injury To Pregnant Women

SURGEON GENERAL'S WARNING

Contrary to Popular Belief, You Cannot Determine The Age of A Smoker by Counting The Layers Of Nicotine Stains On His Fingers.

SURGEON GENERAL'S WARNING

Smoking Causes Lung Cancer, Emphysema, Arteriosclerosis, Heart Disease, Tuberculosis, Black Lung, Asthma, Tumors, (list continued on next pack)

SURGEON GENERAL'S WARNING

People Who Walk Around With Cigarettes Behind Their Ears Look Like Schmucks.

SURGEON GENERAL'S WARNING

Smoking in A Crowded Restaurant Greatly Increases Your Chances Of Getting Soup Poured On Your Head.

MAD Magazine #280

GASP'S FIRST ANNUAL GARAGE SALE

If you are cleaning up the attic, moving, or just want to get rid of some furniture or appliances, **SAVE IT FOR THE GASP GARAGE SALE.** Your contribution to the sale is tax-deductible and will help GASP raise funds to continue educating people and fighting for nonsmokers' rights.

We can use: tools, desks, dressers, irons, bowls, serving spoons, scales, book shelves, glasses, frying pans, lamps, stools, sporting goods, jewelry, jugs, vases, trunks, suitcases, lamps, hairdryers, tables and chairs, or any piece of furniture or household item. Please no clothes or items that can't be identified.

SALE WILL TAKE PLACE IN BOULDER ON SATURDAY & SUNDAY AUGUST 26TH AND 27TH.

Additional information on where you can drop off goods will be sent to all members later this summer. So, hold on to any saleable items that others could use and you would like to donate to GASP. We also need volunteers!

GASP'S ANNUAL MEETING

"What We Can Do To Reduce Illegal Sales of Tobacco to Kids"

A smoke-free dinner with a special slide and video presentation by David Altman of STAT (Stop Teenage Addiction to Tobacco) and Stanford University's School of Medicine
Tuesday, September 19th at 6:15 p.m.

Holiday Inn of Boulder, Aspen Room

\$18 for GASP members, \$23 for nonmembers.

Please reserve and pay in advance.

David Altman's presentation will focus on the techniques he coordinated and used in Santa Clara County, California to cut in half the illegal sale of tobacco to minors and how they could be applied in Colorado. STAT helps increase public awareness of the problem of youth smoking, exposes tactics used by the tobacco industry to lure children into nicotine addiction, and publishes the *Tobacco and Youth Reporter* newsletter.

Awards to be given to Representative Dorothy Rupert, Dr. Thomas Vernon, and U.S. West.

Make your reservations NOW! Clip or copy the coupon on this page and return it to GASP today. 

GASP ANNUAL MEETING

Reservation Form

TUESDAY, SEPTEMBER 19th
Dinner and Special Guest Speaker
Mr. David Altman PHD

6:15 p.m., Boulder Holiday Inn
800 28th Street

☐ \$18 for GASP members ☐ \$23 for nonmembers
Please reserve _____ (number) seats.

Dinner Choice:

☒ Please mark how many orders of each for parties of more than one.
____ Baked Chicken ____ Baked Fish ____ Vegetarian

Name _____

Address _____

City State Zip _____

Phone _____

Return this coupon and make checks payable to:
GASP ANNUAL MEETING

Mail to: Box 12103, Boulder, CO 80303.

*** CONFIRMATIONS AND MAPS WILL BE SENT OUT STARTING IN SEPTEMBER.**

The Nonsmokers' Voice

Published quarterly by GASP of Colorado

Annual subscriptions with tax-deductible membership contributions of \$20 or more.

GASP is working to assure clean smoke-free air for everyone.

Printed portions may be copied or reprinted. Credit to GASP of Colorado is appreciated.

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SPECIAL ISSUE

GASP of Colorado

Group to Alleviate Smoking Pollution

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ADDRESS CORRECTION REQUESTED

GASP Considering Legal Action Against Mall

After receiving several complaints from area residents, GASP recently sent a letter to the manager of the Crossroads Mall in Boulder asking the management to remove ashtrays which are being placed in the mall in violation of the newly revised Boulder ordinance.

The law states, "Locate any ashtray provided in a no-smoking area at a public entrance or immediately adjacent to a designated smoking area or two hundred feet or more from any public entrance or designated smoking area." Sec. 6-4-7 (g)

GASP President Pete Bialick wrote: "As we have stated numerous times, ashtrays are simply an invitation to smoke. They are like having a go sign next to a stop sign. Therefore, GASP cannot accept the placement of ashtrays or any other receptacle that can be interpreted to be an ashtray in any areas of the mall other than allowed by law. In fact, if this practice continues and is not rectified in the next three weeks, GASP of Colorado would consider the option of filing a lawsuit for injunctive relief."

GASP also informed the mall that sign placement is insufficient, unclear, and easily missed because of the size of the no-smoking symbols at mall entrances and asked the mall management to rectify this problem.

GASP Advisor Macon Cowles volunteered to help file the case. GASP's Legal Fund will cover the legal costs.

If you have been to the Crossroads Mall since the ordinance went into effect in the middle of May and witnessed people smoking (smoking is prohibited except in the food courts) and the rampant use of ashtrays, please call us. GASP may need you as a witness.

GASP TO PROMOTE MORE ORDINANCES

In the next two years, GASP's goal is to obtain smoking controls in all cities and counties in the metro Denver area, and improving the weak Denver ordinance.

GASP has already begun a campaign aimed at educating the Denver City Council about the need for more stringent restrictions. GASP is working with Denver Public Health, the Coalition for a Tobacco-Free Colorado, and other Denver agencies to help draw up an improved comprehensive ordinance that will help better protect the health of those who do not smoke.

GASP is also currently working with the Coalition on promoting an ordinance in Adams County, the largest metro area county without a no-smoking ordinance. One other large county outside the metro area without an ordinance is El Paso County. If you live in either of these counties and would like to see smoking restricted by law, contact GASP.

Make your reservations now for:
GASP'S ANNUAL MEETING
Tuesday, September 19th at 6:15 p.m.
Holiday Inn of Boulder

A smoke-free dinner with a special slide and video presentation by David Altman of STAT on
**"What We Can Do To Reduce
Illegal Sales of Tobacco to Kids"**
Please make your reservation in advance,
no tickets are available at the door.
RESERVATION FORM ON BACK PAGE

★ ★ ★ Exclusive ★ ★ ★

"Environmental Tobacco Smoke (ETS) is one of the most widespread and harmful indoor air pollutants"

United States Environmental Protection Agency, June 1989

The E.P.A. has just released a three-page paper outlining its official position on environmental tobacco smoke. The paper makes it clear that environmental tobacco smoke (ETS) is the **most harmful indoor pollutant** for which there is **no safe exposure level**, that ETS causes lung cancer and heart disease in nonsmokers, that ventilation or segregated smoking areas will not provide adequate protection for nonsmokers, and that ETS is **very dangerous for children**. Because of the importance of this paper, GASP is reprinting the main text in its entirety. The EPA paper clearly states the case for banning or limiting smoking in public places except in completely enclosed areas that are independently ventilated. The paper (pages 2 and 3) should be copied and widely circulated. Our readers are welcome to copy this special issue of *The Nonsmokers' Voice* and pass it on to others.

Tobacco Smoke (ETS) is one of the most widespread and harmful indoor air pollutants. ETS comes from secondhand smoke exhaled by smokers and sidestream smoke emitted from the burning end of cigarettes, cigars, and pipes. ETS is a mixture of irritating gases and carcinogenic tar particles. It is a known cause of lung cancer and respiratory symptoms, and has been linked to heart disease. Breathing in ETS is also known as "involuntary" or "passive" smoking.

What's The Big Deal About A Little Smoke?

In the United States, 50 million smokers annually smoke approximately 600 billion cigarettes, 4 billion cigars, and the equivalent of 11 billion pipesful of tobacco. Since people spend approximately 90 percent of their time indoors, this means that about 467,000 tons of tobacco are burned indoors each year. Over a 16-hour day, the average smoker smokes about two cigarettes per hour, and takes about ten minutes per cigarette. Thus, it takes only a few smokers in a given space to release a more-or-less steady stream of ETS into the indoor air.

In 1985, three major bodies were independently convened to consider the public health implications of passive smoking. Commissioned by the U.S. Public Health Service under the Surgeon General, by the National Research Council (NRC) at the request of EPA, and by the congressionally-mandated Interagency Task Force on Environmental Cancer, Heart, and Lung Disease, the three bodies arrived at a consensus: passive smoking

significantly increases the risk of lung cancer in adults. In the words of the Surgeon General, "a substantial number of the lung cancer deaths that occur among nonsmokers can be attributed to involuntary smoking." Moreover, there was agreement that passive smoking substantially increases respiratory illness in children and the NRC recommended eliminating ETS from the environments of small children.

Why ETS Is Harmful

Because the organic material in tobacco doesn't burn completely, cigarette smoke contains more than 4,700 chemical compounds, including: carbon monoxide, nicotine, carcinogenic tars, sulfur dioxide, ammonia, nitrogen oxides, vinyl chloride, hydrogen cyanide, formaldehyde, radionuclides, benzene, and arsenic. These chemicals have been shown in animal studies to be highly toxic. Many are treated as hazardous when emitted into outdoor air by toxic-waste dumps and chemical plants.

There are 43 carcinogenic compounds in tobacco smoke. In addition, some substances are mutagenic, which means that they can cause permanent, often harmful, changes in the genetic material of cells. EPA research has shown

that ETS is the major source of mutagens indoors when smoking occurs. Higher levels of mutagenic particles are found in homes with ETS than in homes with wood stoves or outdoor urban environments with numerous diesel trucks and buses.

Many studies have shown that nonsmokers absorb ETS components in their body fluids. The effect of ETS on nonsmokers depends on the duration of exposure. According to the National Research Council, short-term visitors to a smoking area are most likely to be annoyed by the tobacco smoke odors, whereas nonsmoking occupants of the area are more likely to complain about irritating effects to the eyes, nose or throat. Long-term exposure to ETS may lead to more serious health effects.

Impact On Children

Passive smoking induces serious respiratory symptoms in children. Wheezing, coughing and sputum production among children of smoking parents increase by 20 percent to 80 percent depending on the symptom being assessed and the number of smokers in the household. Asthmatic children are particularly at risk.

Children of smokers have significantly higher rates of hospitalization for bronchitis and pneumonia, and a number of studies report that chronic ear infections are more common in young children whose parents smoke.

Also, lung development is slower in children exposed to ETS. Lung problems caused by ETS exposure in childhood can extend into adult life.

"Since people spend approximately 90 percent of their time indoors, this means that about 467,000 tons of tobacco are burned indoors each year."

ETS And Cancer

The U.S. Surgeon General and the NRC agree that ETS can cause cancer. The NRC estimates that the risk of lung cancer is roughly 30 percent higher for nonsmoking spouses of smokers than for nonsmoking spouses of nonsmokers. In 1986, an estimated 23,000 U.S. nonsmokers died from lung cancer, and the Surgeon General attributes a substantial number of those deaths to passive smoking.

ETS And Heart Disease

The Interagency Task Force on Environmental Cancer, Heart, and Lung Disease Workshop on ETS concluded that the effects of ETS on the heart may be of even greater concern than its cancer-causing effects on the lungs. ETS aggravates the condition of people with heart disease, and several studies have linked involuntary smoking with heart disease.

ETS's Contribution To Indoor Air Pollution

There are many potential sources of indoor air pollution, including chemicals emanating from building materials, furnishings, and consumer products; gases from combustion appliances like space heaters and furnaces; and biological contaminants from a variety of sources.

Because cigarettes, pipes, and cigars produce clouds of tar particles when smoked, ETS is a major contributor of particulate indoor air pollution. ETS also contributes numerous toxic gases to indoor air, including carbon monoxide, formaldehyde and ammonia.

Field studies, controlled experiments, and mathematical models show that, under typical conditions of smoking and ventilation, ETS diffuses rapidly throughout buildings and homes, persists for long periods after smoking ends, and represents one of the strongest sources of indoor-air particulate pollution in buildings where smoking is permitted. Studies of indoor air quality in commercial and public buildings show that particulate levels in areas where smoking is permitted are considerably higher than in nonsmoking areas. Studies using personal air monitors have shown that a single smoker in a home can double the amount of particulate air pollution inhaled by nonsmoking members of the household.

Evidence Of Nonsmoker Exposure

Nicotine, a chemical unique to tobacco, has been found to be a widespread air contaminant in buildings where smoking occurs. Nicotine breaks down into cotinine as it passes through the body. Cotinine can be detected and measured in the saliva, blood, and urine of nonsmokers, indicating they have absorbed tobacco smoke from the air. Concentrations of cotinine have been found in body fluids of infants of smoking parents, and of adults who were unaware they had been exposed to ETS.

Removal Of ETS From Indoor Air

Environmental tobacco smoke can be totally removed from the indoor air only by removing the source (cigarette smoking). Separating smokers and nonsmokers in the same room may reduce, but will not eliminate, nonsmokers' exposure to tobacco smoke. Placing smokers and nonsmokers in separate rooms that are on the same ventilation system also may reduce nonsmokers' exposure to tobacco smoke; this approach, however, will probably not eliminate exposure to tobacco since most pollutants readily disperse through a common air space and since, in public or commercial buildings, most HVAC systems recirculate much of the contaminated indoor air.

In 1981, the American Society of Heating, Refrigeration, and Air-Conditioning Engineers (ASHRAE), in its standard "Ventilation for Acceptable Indoor Air Quality" recommended five cubic feet of outside air per minute per occupant (cfm/occ) in smoke-free office buildings and 20 cfm/occ in buildings where smoking is permitted. These recommendations were not designed to reduce health risks (for example, limiting cancer incidence or eye irritation); rather, the recommendations were intended to control the odor from tobacco smoke so that 80 percent of visitors (smokers and nonsmokers combined) to the building find it acceptable.

A proposed revision of this standard recommends a minimum of 15 cfm/occ in all buildings.

Research indicates that total removal of tobacco smoke through ventilation is both technically and economically impractical. The effectiveness of air filters for removing ETS particles from the indoor air is generally dependent on the type and efficiency of the air cleaner used; the effectiveness of air cleaners in removing the gaseous components of tobacco smoke and other air pollutants requires further research.

Since there is no established, health-based threshold for exposure to environmental tobacco smoke and since EPA generally does not recognize a no-effect or safe level for cancer causing agents, the Agency recommends that exposure to environmental tobacco smoke be minimized wherever possible. The most effective way to minimize exposure is to restrict smoking to smoking areas that are separately ventilated and directly exhausted to the outside, or by eliminating smoking in the building entirely.

The Public Reaction To ETS

People are becoming increasingly sensitized to the issue of ETS. Numerous surveys have documented that the majority of both smokers and nonsmokers support restrictions on smoking in public, particularly in the workplace. In a 1987 Gallup

National Opinion Survey, 55 percent of all persons interviewed (including smokers and nonsmokers) were in favor of a total ban on all smoking in public places.

As a result, thousands of businesses and hundreds of cities, as well as over 40 states and the District of Columbia restrict smoking in various settings. The number continues to grow rapidly.

Conclusion

EPA shares the recommendations of the 1986 Surgeon General's Report:

- Adults should protect the health of children by not exposing them to environmental tobacco smoke.
- Employers and employees should ensure that the act of smoking does not expose nonsmokers to environmental tobacco smoke by restricting smoking to separately ventilated areas or banning smoking from buildings.
- Smokers should ensure that their behavior does not jeopardize the health of others.
- Nonsmokers should support smokers who are trying to quit.

Additional copies of this fact sheet (Indoor Air Facts #5) are available from the EPA by writing:

Public Information Center, U.S. Environmental Protection Agency,
Mail Code PM-211B, 401 M Street SW, Washington, DC 20460

Reprinted as a public service by GASP of Colorado,
the Group To Alleviate Smoking Pollution.

(303) 444-9799

"Environmental tobacco smoke can be totally removed from the indoor air only by removing the source (cigarette smoking)."

Bill the Tobacco Industry

Dear GASP:

Recently I sent a telegram to my state legislators asking them to vote for an increase in my state's cigarette excise tax. Do you know who paid for my telegram? PHILIP MORRIS!!! I am on several smokers' rights mailing lists, all of which are financed by the tobacco industry. Membership is FREE. To get your name on these mailing lists, all you have to do is call a toll-free number and give your name and address. They also ask for your phone number, but you don't have to give it.

You will be amazed at the luxurious mailings these organizations produce. You will receive instructions on how to write effective letters. You will receive the names of your elected officials. You will receive an 800 number which you can call to dictate a telegram at Philip Morris' expense on different tobacco issues. Both you and your elected officials will receive a copy of your telegram in the mail. The telegram operators do not work for the tobacco industry. They do not care if your message is for or against tobacco issues. They simply get paid by Philip Morris for each telegram sent. You will receive personalized letterhead and envelopes to use for mailing letters to your elected officials. You will receive newsletters telling you about proposed tobacco legislation in your state. You will receive a beautiful color packet, "Passport to Smokers' Rights" with the names and addresses of all U.S. airlines. "Passport to Smokers' Rights" even includes pre-addressed postcards to the Department of Transportation and other organizations. You will receive a copy of the "Philip Morris Magazine."

The tobacco industry is trying to encourage smokers to take action, but most smokers will only take action if it is done for them. So the tobacco industry pays for everything and makes taking action as easy as possible. Wouldn't it be great if half their mailing list was comprised of nonsmokers taking advantage of the tobacco industry's generosity? I hope you will put your name on their mailing lists by calling their toll-free numbers.

1. Smoker Hotline: 800-225-1984. Ask to receive "Smoker" newsletter. They will ask you, "What state?" Give the name of your state. There is a different newsletter for each state to target proposed legislation in that state. A new operator will then ask for your name, address, and phone number (optional). Telegram info will arrive when tobacco issues come up for a vote before your state officials.

2. Smokers' Caucus: 800-222-5995. Ask to receive everything they offer. They will send you information about federal legislation, along with your own personalized stationery. They will also send you the "Philip Morris Magazine."

3. The Tobacco Institute: 800-424-9876. Ask to receive "Passport To Smokers' Rights," a packet about smoking on airplanes. Also ask for "The Great American Smoker's Manual," a colorful book with the names and addresses of all major newspapers and transportation companies. "The Great American Smoker's Manual" also teaches how to write effective letters and gives key arguments on most tobacco issues.

4. Smokers' Rights Alliance: 800-562-7444. Ask to receive information about their organization. They will send you a newsletter and a copy of "Passport To Smokers' Rights." This organization claims to receive no funds from the tobacco industry, but sometimes operators mistakenly answer the phone, "Tobacco Institute."

Sincerely, Joseph W. Cherner
Smokefree Educational Services, New York

Editor's Note: R.J. Reynold's also has a hotline and two newsletters. Call 1-800-333-8633. GASP has just learned that R.J. Reynold's has hired William J. Fox, Jr of Team America in Littleton "to help smokers get involved in smokers groups throughout Colorado." You can find out if there

is any activity in your area by calling and pretending to be a smoker.

"Keep up the good work! You are the one organization that shows us concrete results for our money."

Cary and Nancy Wolfson, Boulder

Counteradvertising Update

GASP would like to thank the many members who have contributed to our counteradvertising campaign. We raised a little over one-half of our goal of raising \$5,000 and hope to purchase ads starting this Fall. More details in our next newsletter.

Garage Sale

Don't forget our garage sale in Boulder on August 26 and 27th. Donated items can be brought to our offices in Boulder at 2885 Aurora.

GASP'S ANNUAL MEETING

"What We Can Do To Reduce Illegal Sales of Tobacco to Kids"

A smoke-free dinner with a special slide and video presentation by David Altman of STAT (Stop Teenage Addiction to Tobacco) & Stanford University's School of Medicine

Tuesday, September 19th at 6:15 p.m.

Holiday Inn of Boulder, Aspen Room

\$18 for GASP members, \$23 for nonmembers.

Please reserve in advance, tickets are not sold at the door.

David Altman's presentation will focus on the techniques he coordinated and used in Santa Clara County, California to cut in half the illegal sale of tobacco to minors and how they could be applied in Colorado. STAT helps increase public awareness of the problem of youth smoking, exposes tactics used by the tobacco industry to lure children into nicotine addiction, and publishes the *Tobacco and Youth Reporter* newsletter.

Lobbying for Lives, a video tape about the campaign that accomplished a ban on tobacco advertising in Canada will be shown after the dinner. Awards will be presented to Representative Dorothy Rupert, Dr. Thomas Vernon, and Jack MacAllister of U.S. West.

GASP ANNUAL MEETING

Reservation Form

TUESDAY, SEPTEMBER 19TH

Dinner and Special Guest Speaker

Mr. David Altman PHD

6:15 p.m. at the Boulder Holiday Inn
800 28th Street

☐ \$18 for GASP members ☐ \$23 for nonmembers

Please reserve — (number) seats.

Dinner Choice:

☒ Please write how many orders of each for parties of more than one.

— Baked Chicken — Baked Fish — Vegetarian

Name _____

Address _____

City State Zip _____

Phone _____

Return this coupon and make checks payable to:
GASP: Box 12103, Boulder, CO 80303.

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Group to Alleviate Smoking Pollution

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ADDRESS CORRECTION REQUESTED

GASP FILES SUIT AGAINST MALL IN BOULDER

GASP of Colorado recently filed an injunction against the Crossroads Mall in Boulder for continued and flagrant disregard of an ordinance passed by the Boulder City Council in April 1989. Macon Cowles, the lawyer representing GASP, said during a press conference that the presence of 62 ashtrays, lack of enforcement, and poor sign posting demonstrate that the mall management and its California owner, Macerich Management Company, has displayed little interest in making sure the city's law is being followed. The City Attorney has given the mall management a summons; however, GASP has decided to go ahead with the lawsuit as a form of protecting all lung breathers. The suit asks the mall to: 1) Forbid children from smoking anywhere in the mall, 2) Remove all ashtrays except those at each public entrance, 3) Post appropriate signs required by the law, 4) Asks smokers to refrain from smoking and affirmatively direct smokers to designated smoking areas as required by the law, 5) To train mall employees to better enforce the law, and, 6) Use any other means which may be appropriate to further the intent of the ordinance.

At the press conference, GASP President Pete Bialick noted that the mall management had not responded to a letter sent in July nor to any compromise attempts by the City. The conference was interrupted by Martha Arnold, a member of a smokers' rights group in Boulder.

The Boulder ordinance currently prohibits smoking anywhere inside the mall except in the food courts, requires that no ashtrays be placed inside the mall except at entrances and every two hundred feet, requires signs at all entrances, and additional signs in all other areas which are defined as a public place by the law.

Counteradvertising Campaign Starts

GASP recently designed an ad based on the recent U.S. Environmental Protection Agency's new paper on environmental tobacco smoke. Upon completion of the ad, GASP placed the ad (see the ad on page 8) in the *Rocky Mountain News* on September 25th, in the *Denver Post* on Sept. 24th, and in all twelve *Sentinel* papers during the same week (this includes Arvada, Aurora, Broomfield, Commerce City, Englewood, Highlands Ranch, Lakewood, Littleton, Northglenn, Thornton, Westminster, and Wheat Ridge).

The Canadian Nonsmokers' Rights Association has used a variety of counteradvertising campaigns very effectively. The Canadian's told GASP that their advertising campaigns played a big role in changing attitudes, achieving political action, and bringing forth new allies and new people with special skills or talent. In terms of financial return, the Canadians told GASP that they were able to get up to one-quarter of their advertising investment back.

GASP was pleased with the results of our first ad campaign even though it yielded a 13% return on our investment. Our phone was ringing off the hook for an entire week. Many people wanted information or assistance and had never heard about GASP. Peter Boyles of KBX radio saw the ad and invited us to be on his early morning talk show. The Regional Vice-President of Texaco was one of the VIPs that responded to the ad. Perhaps the biggest surprise to us was the number of nasty calls and letters we received from smokers!

For the next phase of the campaign, GASP will be using the remaining funds to pay for ads on the top radio stations in the area. Contributions to the campaign can be made by filling out the coupon in the ad on page 8 of this newsletter.

GASP has raised nearly \$6,000 in contributions for the counteradvertising campaign program. It has generated some of the most generous individual contributions GASP has ever received from our members, an indication that there is a keen interest in the campaign. A list of people helping contribute to this important campaign appears on page 8.

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PRESIDENT'S CORNER**by Peter Blalick**

I always welcome comments or suggestions from GASP members and the public; however, when I receive an unsigned and unaddressed letter of complaint I do not take it seriously. This will always be my policy and is the policy approved by GASP's Board of Directors. I recognize that there will always be times when confidentiality is necessary, especially with problems with smoking in the workplace. In these situations we will be discreet. However, GASP will not respond to a complaint when we have no means of contacting the individual for verification purposes.

Complaints about smoking in the workplace out-number any other complaints these days. Many state agencies now refer any questions about smoking in the workplace or smoking restrictions to GASP. This includes OSHA, the Department of Labor, and various Health Departments.

GASP's Board of Directors meets every two months. Meetings are held in the evening in Denver and are open to all members of GASP. The Board is responsible for helping make decisions regarding the operation and actions of GASP. Positions on the Board are open to all dues-paying members of GASP. Applications are accepted anytime, call us at 444-9799 if you are interested.

Praise Macintosh computers. The computer has helped me cut the administrative workload by about 30%. I bought the computer with my own money since GASP couldn't afford it. I use it daily for all correspondence, keeping the membership and support base current, and for other tasks. Desktop publishing has helped improve all of GASP's materials, brochures, and correspondence, and gives GASP a more professional look. GASP recently received *PageMager*, one of the best desktop programs, as a donation from the Aldus corporation and will be using it for future newsletters.

GASP's reorganization process is about complete. Over the last six months I have simplified tasks, reorganized our office in Boulder, and eliminated some materials and supplies. We sold most of our old catalog supply except for our posters.

Twenty-two percent of GASP's 1988 budget was used for management, general, and fund-raising. The other 78% was used for program services. GASP reports these figures annually to the IRS. They are necessary for GASP to participate in the Combined Federal Campaign. This campaign allows government employees to contribute to nonprofit organizations like GASP. This year, GASP will be receiving \$1,200 from the campaign.

There are about 100 nonsmokers' rights groups and activists in the United States. Some are more active than others. GASP of Colorado exchanges newsletters with about 40 other groups. Many of these are run on a volunteer basis. Less than a dozen can afford to compensate their directors. I started working on this issue on a voluntary basis. In 1982, I quit my other job and started working for GASP full-time on a commission basis. After several months, GASP's increased revenue made it possible to justify drawing a regular salary.

I am currently the only paid staff member of GASP. My monthly salary is \$1,000. My salary varies depending on GASP's annual revenue (reported in the first volume of this newsletter each year). I work more than 40 hours a week. The compensation is enough to make ends meet. I have a real dedicated concern about protecting the public from exposure to

environmental tobacco smoke, one of the most widespread and harmful indoor air pollutants.

King Soopers, Recycling, and GASP

GASP members can take aluminum cans, plastic, glass, and newspapers to any King Soopers and donate the receipts to GASP. Simply ask for a donation form at the service counter. Then write in: GASP of Colorado, Box 12103, Boulder, CO 80303. This is a good way to help GASP and help reduce outdoor pollution.

SKIES COULD SOON BE SMOKE-FREE

The U.S. Senate voted to ban smoking on all flights in the middle of September by a strong majority. However, since the House had voted only to extend the current two-hour ban, the bill had to be ironed out in a conference committee. GASP of Colorado contacted all members of the conference committee and all Colorado congress representatives.

GASP stressed that the ban was very important to Coloradans because most of the flights to the major cities in the East and the West last more than two hours. GASP urged Colorado's congressional delegation to take steps to lend their support to the Senate version.

The conference committee met and agreed to ban smoking on all nonstop flights of six hours or less in the U.S. and to all U.S. possessions except Guam. This means smoking would be banned on about 99% of all U.S. flights except long nonstop flights such as ones from New York to Hawaii. Passengers could still fly smoke-free by splitting up any nonstop flights lasting more than six hours. The ban is part of an appropriations bill which must be approved and signed by the President. The new regulations would go into effect 95 days after they are signed into law.

The American Association for Respiratory Care surveyed 27,677 people in 66 US airports in April and found that 84% of the public (93% of nonsmokers, 58% of smokers) favored the current ban, and that 52% of smokers and 91% of nonsmokers favored a permanent ban.

Airline flight attendants in Colorado and elsewhere played a key role in this dramatic victory over the tobacco industry. A recent article in *Skyworld* magazine indicates that many attendants "are suffering serious respiratory illness from chronic exposure to secondhand smoke in the airline cabin." Nonsmokers' rights groups and health agencies around the U.S. also worked hard on this important issue to protect the health, welfare, and safety of the majority of the American public.

A Friendly Reminder From GASP...**WHEN YOU MOVE PLEASE LET US KNOW**

Please inform GASP when you move to a new address. The post office does not forward bulk mail, so it costs GASP an extra \$1 to pay for the return postage, the address correction, and to re-mail the newsletter to you.

No-Smoking Signs To Be Posted at CU

GASP's President sent a letter to University of Colorado officials and campus newspapers in August to complain about the poor compliance of a Governor's Executive order and the State law regarding smoking in state buildings.

The Governor's Executive order covers all state-owned buildings and offices. It prohibits smoking in all lobbies, foyers, elevators, restrooms, shops, cafeterias, snackbars, and waiting rooms. It allows the designation of smoking areas in dining areas if there is adequate ventilation and separation from the majority of nonsmoking occupants. The state law prohibits smoking in all elevators, museums, galleries, libraries, theatres, classrooms, corridors, and restrooms. It also prohibits smoking at public meetings except in designated smoking areas. **Both regulations require the clear posting of "No-Smoking" signs.**

GASP wrote: "How are CU students and staff going to know the smoking regulations unless prominent signs exist at all entrances and throughout each building? Based on the experience of other universities, smokers and nonsmokers get along quite well when everyone knows the rules. The need for regulations requiring the posting of no-smoking signs can be compared to the need for traffic lights and stop signs. Most drivers obey stop signs, but if there were no lights or stop signs, drivers would not know where to stop. Just as drivers do not usually stop at an unmarked intersection, smokers do not usually refrain from smoking unless there is a sign indicating that smoking is not permitted."

At first, officials balked at complying by saying that the attorney general has stated that figuring out whether state laws and regulations apply to CU is difficult because the University operates under the authority of the Board of Regents. GASP then contacted former Regent Hugh Fowler (a GASP supporter) and discovered that the Regents had passed a resolution in April 1986 ordering that both the Governor's Executive order and the State law on smoking should be followed, and that signs should be posted in appropriate places.

Meanwhile, numerous articles appeared in the Colorado Daily -- the CU paper. Letters were sent to the Governor, the Chancellor, CU's President, and student government representatives. On September 27th the Chancellor responded to our complaint. Chancellor James Corbridge wrote, "By copy of this letter, I am asking the Vice Chancellor for Administration to assure, as soon as is reasonably possible, that signs are posted at campus building entrances and at other prominent places in buildings advising users of the University's smoking regulations."

GASP sought the action to help better protect the health, safety, and welfare of the majority of CU students and staff (75% of Coloradans do not smoke).

A Thoughtful Thing to Do... Memorial Gifts to GASP

If you would like to honor someone with a donation to GASP or if you would like to make memorial gifts to GASP in a published obituary, GASP will gratefully send an acknowledgement of each gift.

Gifts should be sent to:
GASP of Colorado, Box 12103, Boulder, CO 80303.

GASP FILES COMPLAINT AGAINST THE R. J. REYNOLDS TOBACCO COMPANY

Colorado requires the reporting of lobbying expenses on state laws when a bill is being considered. R. J. Reynolds sent out a special alert in its *Choice* newsletter during the time the legislature was considering a bill (SB-111) to prohibit smoking in grocery stores, supermarkets, and convenience stores. GASP also believes that the tobacco company made several long-distance calls through the company's new smokers' rights hot line. GASP asked the Secretary of State to investigate if R. J. Reynolds has reported these expenses.

The Secretary of State then sent a letter to Walter Stealey, the lobbyist who represents the R. J. Reynolds Tobacco Company in Colorado. The letter said:

"This office is in receipt of a complaint regarding unreported expenditures by your client 'R.J. Reynolds Tobacco Company.'

The circulator submitted to this office indicates that your client did ask readers to contact legislators regarding S.B. 111, therefore they have made an expenditure on behalf of proposed legislation.

All expenditures involving S.B. 111 whether direct or indirect (i.e. secretarial time, research, printing, staff time, general office overhead) shall be reported.

Since this is a March, 1989 expenditure which should have been reported by April 15, 1989, you shall have seven days from receipt of this letter to file the requested disclosure statement."

Shortly thereafter a report was filed indicating that R. J. Reynolds paid the FCB/LKP Integrated Communications Group in New York City a total of \$3,615 for the one-page *Choice Action Alert* insert (this one-page alert is usually included with a four-page multi-colored newsletter, a reply envelope, and a survey). By contrast, GASP will probably spend less than one-third as much this entire year publishing and distributing this quarterly 8-page newsletter.

GASP's complaint and action was featured in an article in the *ANR Update* (published by Americans for Nonsmokers' Rights, a national group). ANR encouraged others who receive tobacco industry mail which lobbies for or against legislation to follow suit. ANR says we accomplish two things: finding out how much the tobacco industry is spending, and making them work for their meddling.

☉ SMOKE SIGNALS ☉

Here are some new smoke-free discoveries that GASP has not listed previously. This column reports on smoke-free restaurants, bars, businesses, and other establishments.

Pablo's New Mexican Restaurant in Boulder is completely smoke-free including it's bar. **The Golden Buff** in Boulder, which is owned by the same owner, has also gone smoke-free. **Cleaver's Trail** is Vail's only smoke-free restaurant according to a poll by a town newspaper, *The Vail Trail*. See article on Vail on page four.

The Country Dinner Playhouse in Englewood will be smoke-free for all shows as of November 1st.

U.S. West adopted a smoke-free policy in May that covers 400 offices in Colorado, 13 other states, and 70,000 employees. The *Herald Dispatch* newspaper in Denver is going smoke-free.

LOCAL LEGISLATION

Snowmass Village: Recently passed a strong comprehensive ordinance prohibiting smoking in most public places modeled after the Aspen ordinance. In Aspen and Telluride restaurants may designate 50% of the restaurant as a smoking area only if such an area is completely walled-off and independently ventilated. If this isn't possible, smoking must be prohibited in the restaurant. Snowmass has 1,200 people.

Weld County: The County has banned smoking in all buildings and vehicles under the control of the county. This includes the county jail (see article this page).

Lakewood: The city will limit smoking in all city buildings except relegated areas as of January 1st, 1990. Then in June 1990, smoking will be banned completely. The council adopted an ordinance in 1986 allowing designated smoking areas, but found that it was receiving many complaints about smoke permeating into work areas from both smoking rooms and smoking areas.

SMOKE-FREE ACTION ALERTS

Douglas County and Castle Rock: Are currently working on comprehensive no-smoking ordinances. The Castle Rock ordinance is based on the recently passed Parker ordinance. The Parker law is a good comprehensive ordinance.

✳ If you live in any of these areas please write letters of support or call the following:

Castle Rock:

Councilwoman Joan Osthoff (Key Sponsor)
680 N. Wilcox, Castle Rock CO 80104

For Douglas County Contact Commissioners:

Suzy McDanal (Key Sponsor), Jim Sullivan, Robert A Christensen
301 Wilcox, Castle Rock CO 80104

Vail: GASP member Reggie O'Brien is working on urging the city council to enact a comprehensive no-smoking law. She is getting some stubborn opposition from some restaurateurs who feel the issue of smoking in restaurants should be left up to proprietors.

GASP knows from experience that voluntary efforts to correct this problem simply have not worked. Owners and managers of local businesses and restaurants have often indicated that they will not initiate smoking restrictions on their own unless they are required by law. Besides, the government has an obligation to protect the public health and to take positive steps to eliminate health hazards. Voluntary programs are not used to control other health problems, such as toxic wastes, sanitation, asbestos, or radioactive exposure, and therefore should also not be used to control the exposure to secondhand smoke.

Even the Colorado/Wyoming Restaurant Association, which used to send letters asking for support of a tobacco industry lobbying group, now supports legislation requiring restaurants with more than 50 seats to provide no-smoking areas. This new policy is reflected in a position paper written and distributed by the group. It was revised in June 1988.

✳ Members who live or visit Vail can write to:
Mayor Kent Rose and the City Council
75 S. Frontage Rd
Vail CO 81657

Denver: A draft ordinance is currently being circulated to various city departments. The process is going very slow and it may not be till December before council sees the draft.

NOW AVAILABLE FROM GASP



GASP is now making available, free of charge, these self-sticking 5 by 8 "No-Smoking By City Ordinance" signs.

JUDGE UPHOLDS SMOKING BAN IN WELD COUNTY JAIL

Weld County Jail inmates have no constitutional right to smoke according to a ruling by a federal judge in District Court.

Judge Sherman Finesilver stated that, "The restriction protects the rights and health of nonsmoking guards and inmates, eliminates potential fire hazards, provides for a clean living environment, and is therefore reasonably related to the county's goals."

The inmates had sought to overturn the county regulation by stating that it was cruel and unusual punishment. The inmates countered that "withdrawal of smoking privilege has a greater effect on persons in jail since they are already under a great deal of stress."

Finesilver cited a litany of evidence that smoking is a leading cause of death and that secondhand smoke can be harmful or fatal to nonsmokers. He cited a 1979 Supreme Court ruling that jail or prison policies that aren't intended to punish are constitutional and stated that the "no-smoking policy is not a punishment."

The county also faced "potential liability to nonsmoking inmates if the risk to health caused by cigarette was not removed," said the judge.

GASP of Colorado provided some assistance to the county with information on secondhand smoke as well as information from our file on prisons and smoking.

PASSING LOCAL SMOKING CONTROLS

Is a two-page paper that briefly outlines some of the key methods of lobbying for local clean indoor air ordinances. The paper is now available free of charge to any GASP member who is interested in working on local smoking restrictions.

Call or write us for your copy.

REDUCING THE ILLEGAL SALES OF TOBACCO TO KIDS

David Altman, the Vice-President of STAT (Stop Teenage Addiction to Tobacco), spoke at GASP's annual meeting in Boulder on September 19th. The speech focused on the techniques used in Santa Clara County, California to cut in half the illegal sale of tobacco to minors and how they could be applied in Colorado. **It is against the law to sell or give cigarettes to children under 18 in Colorado; however, many stores continue to sell cigarettes to minors illegally.** GASP is concerned about this problem because GASP wants to encourage young people not to use tobacco products.

The annual meeting drew thirty-two people. Special awards of recognition were be presented to Representative Dorothy Rupert, Dr. Thomas Vernon, and U.S. West at the meeting.

• Here are some of the key points of Altman's speech:

To replace the 2.5 million people that quit smoking or die of smoking-related diseases each year, the tobacco industry must recruit 5,000 kids a day to replace them.

• The teen smoking rate has not changed since 1981. One-third to two-thirds of all kids who start smoking will do so before the age of 14.

• Convenience stores receive 30% of their profits from cigarette sales. Most people who buy cigarettes make the decision before entering a store.

• The Santa Clara effort (where selling tobacco to minors is illegal) began with a survey that showed that 74% of stores sold tobacco to underage kids and that kids were able to obtain cigarettes in vending machines 100% of the time. The survey also found that pharmacies and grocery stores were the worst culprits; but convenience stores, liquor stores and gas stations were not far behind.

• Results of the survey were released to the media and local retailers to alert them and get them involved. A video tape message featuring the Surgeon General and radio spots were made and circulated to help reinforce the program. STAT also met with retail store corporate officers and got resolutions from elected officials urging better education and better sign placement.

• After six months, a follow up survey revealed over-the-counter sales of cigarettes were reduced to 39% in the stores surveyed. After one year, 59%. There was no decrease in sales of tobacco in vending machines.

• Some of the key elements to reducing illegal tobacco sales is to obtain good sign posting near the cash registers and at the main entrances of stores, and to improve enforcement and education.

• The first step toward reducing the illegal sales of minors in Colorado is underway with a survey of stores. (see center box)

SURVEY SHOWS KIDS BUY CIGARETTES WITHOUT ANY TROUBLE IN COLORADO

Dr. Thomas Vernon revealed the results of a preliminary survey conducted by the Coalition for a Tobacco-Free Colorado at GASP's annual. The survey is designed to gauge how well Colorado stores are complying with the state law prohibiting the sale of cigarettes to minors.

The survey was conducted in eight different cities. It indicated that volunteers of ages 11 to 15 had no problem using cigarette vending machines. In addition, the children met no opposition when they asked clerks to sell them cigarettes 44 of 83 times (or 53% of the time).

Since it is against the law for kids to buy cigarettes in Colorado, the kids did not take cigarette packs after they were dispensed in machines. In the case of face-to-face sales, the children were told to say, "Oh, I only have a dollar," when the cigarettes were placed on the counter or rung up on the cash register.

In one case, a sales clerk chipped in his own money to help two underage girls buy a pack. And in a vending machine incident, a restaurant worker offered help in operating the machine.

The Coalition plans to continue the survey and needs the assistance of kids under the age of 18.

For more information call Snip Young at 331-8301.

HELP SCHOOLS GO TOBACCO FREE

The Colorado School Health Council (CSHC) needs your help in encouraging school districts throughout the state to adopt tobacco-free policies. CSHC defines "tobacco free schools" as those schools, K-12, that prohibit the use of all tobacco products on schools grounds and in school sponsored activities by all students, faculty, staff, and visitors.

A 1988 fall survey of all 176 school districts by the Colorado Department of Health indicated that only eight school districts in are tobacco free in Colorado.

GASP members can help with this project by writing or calling their local school board member and asking them to work on making the school or district tobacco free. Send a copy of your letter to CSHC. The group can also provide information, assistance, and expertise with the process of designing and implementing a tobacco-free policy.

 Write or Call Connie Acott 

The Colorado Tobacco-Free Schools Project
3409 Terry Ridge Rd, Fort Collins, CO 80524
(303) 490-4417

GARAGE SALE RAISES \$450 FOR GASP Plan Now For Next Year!

GASP's first annual garage sale was a success thanks to donations of furniture and appliances from GASP members. We plan to repeat the sale again next August.

To improve the success of the garage sale, think about GASP all year round...

If a neighbor moves and leaves behind a pile of goodies, think of GASP. If you get married and have two sets of something, consider donating the extra one to GASP. Most importantly, keep GASP in mind and hold on to any saleable items. Please no clothes (except baby clothes).

GASP took out several ads in the local papers and found that many people came to the sale looking for the items mentioned in the ads. Therefore, it is helpful if we know what items you plan to donate in advance.

Housewares, kitchenware, and furniture were our best-sellers. Next year we would like to receive more children's toys. The sale takes place the last week in August. This is when CU begins fall classes, so any item that students need sells quickly (bookcases, desks, file cabinets, kitchen appliances, lamps, and stereos).

GASP would like to thank the Association for Nonsmokers in Minnesota for the idea for the sale. The group raised \$2,000 with their 1989 sale. We also want to thank June Mercer and Roberta Nielsen for their help on the day of the sale.

LETTER ABOUT EPA PAPER SENT TO ALL COLORADO NEWSPAPERS

GASP of Colorado sent out letters about the EPA paper on environmental tobacco smoke to the editors of every newspaper in Colorado, including all high school and college newspapers. More than 500 papers were contacted and more than 50 published the letter. As a result, GASP received more than 300 requests for the EPA paper (which we offered free of charge). In addition, more than 50 people having questions or problems with environmental tobacco smoke called GASP.

MEMBERSHIP BONUS

All GASP members will soon be receiving a special bonus for their support. GASP has made arrangements for all members to receive the newsletter of STAT (Stop Teenage Addiction to Tobacco). Watch for it in your mail soon.

GASP INVITED TO NONSMOKERS' RIGHTS CONFERENCE

GASP President Pete Bialick will be attending a conference for nonsmokers' rights groups and activists in Washington, D.C. on November 7th. The conference, which is being hosted by the Americans for Nonsmokers' Rights, will allow groups to compare and discuss strategies, and formulate effective strategies for working together to achieve a smoke-free society.



SHOE



Jeff MacNelly



SUIT ASKS OSHA TO BAN WORKPLACE SMOKING

Action on Smoking and Health (ASH) has sued the Occupational Safety and Health Administration (OSHA) in U.S. District Court, seeking to require the agency to ban or severely limit smoking in workplaces across the country. More than a year ago, ASH filed a similar legal petition with OSHA.

ASH is advising the court that new studies have shown that the effects of ambient tobacco smoke are not limited to lung cancer and that it can cause several different kinds of cancer in nonsmokers. Even more serious, environmental tobacco smoke can cause heart disease, and may be responsible for over 45,000 deaths each year among nonsmokers.

OSHA is the federal agency charged by Congress with promulgating rules to keep workplaces safe. However, OSHA has refused to act against the most dangerous and also the most common form of workplace pollution, says ASH.

ASH's petition also notes that, of all the forms of air pollution in the workplace, tobacco smoke is the easiest and the least expensive to eliminate. While eliminating dangerous industrial chemicals from the workplace can often cost millions of dollars in pollution control equipment, tobacco smoke can be eliminated simply by posting no-smoking signs, and enforcing the restrictions, as many companies already do.

• Condensed from the *ASH Smoking and Health Review*, May-June 1989.

TAR WARS POSTCARDS BEING SOLD

Two of the drawings submitted to the Tar Wars contest sponsored by the Coalition for a Tobacco-Free Colorado are available as postcards. One card with colorful hearts says, "Kiss a nonsmoker...Taste the difference." The other card with penguins in snow says, "Be Cool...Don't Smoke." The cards are 25¢ each or \$20 for 100. They can be ordered through the American Lung Association, 1600 Race St, Denver CO 80206 (call 388-4327). * GASP President Pete Bialick came up with idea for the "Tar Wars" name for this multi-school contest.

SURVEY INDICATES 25% OF COLORADANS SMOKE

A 1987 survey by Colorado Action for Healthy People titled *Coloradans and Their Health Habits 1987* indicated that 25% of Colorado's population smokes.

The survey also showed that smoking rates between males and females were not statistically significant, although the survey showed slightly more females (26.2% than males (23.6%) smoked. Age did not play much of a role until ages of 65 or more, when smoking drops by over 50%. The report says this is most likely due to the frequent premature death of smokers in that age bracket. Smoking prevalence was highest amongst divorced and separated individuals. It was high for unemployed individuals. It decreased as income increased. Individuals who were college graduates and post-graduates had the lowest frequencies of smoking.

VIDEOS, BOOKS, ARTICLES

The following is a brief list and description of books, videos, and articles that may be of interest to our readers.

* Articles should be available in your local library. GASP keeps many of the items reviewed in our office files or book library.

Smoking Policy: Questions and Answers

An excellent series of 10 fact sheets for employers and other policy makers on smoking in the workplace. The fact sheets address a wide range of issues related to environmental tobacco smoke, such as nonsmokers' health, labor relations, health care, expenses, ventilation, and litigation. Each fact sheet is an interview with an expert in the subject area. Write: Office of Cancer Communications, National Cancer Institute, Room 10A24, Bethesda, MD 20892.

Smoke Signals

An excellent 28-page booklet written by Mike Pertschuk. One section is on how to gain media attention about tobacco issues. The other section is on how to capture the symbols of debate. The second part looks at symbols the tobacco industry tries to create -- freedom of choice, public civility, etc. -- and discusses how health advocates can heighten awareness and turn them to their advantage. Available from the American Cancer Society (call 758-2030 in Denver).

On The Air, A Guide to Creating a Smoke-Free Workplace

A very good booklet on the key principles to creating a smoke-free workplace, where to go for assistance, sample policies, and responses to tobacco industry arguments. The book also lists more than 300 national smoke-free businesses. Written by Karen Krzanowski, Regina Carlson, and Stan Glantz. It is available through the American Lung Association (call 388-4327 in Denver).

The *On the Air* video tape isn't worth the \$125 (\$95 rental) Pyramid Films is asking for it. GASP has an excellent 15-minute video on how to create a smoke-free environment at work titled *Let's Clear the Air*. The film was developed by the Smoking Policy Institute and can be rented from GASP for \$12.

Facts About Secondhand Smoke

A very good brochure on secondhand smoke and its effects. Available from the

American Lung Association. The brochure was updated last year (call 388-4327 in Denver).

The Merchants of Death: The American Tobacco Industry

Larry White, William Morrow Co., \$17.95.

A book about the history of the tobacco business, details of present-day controversies, and future predictions. White tells of the tobacco industry's two-faced approach to tobacco farmers, of Philip Morris's successful effort to stop Olympic diver Greg Louganis from becoming the national chairman for the Great American Smoke-Out, and how the Tobacco Institute attempted to have the Surgeon General investigated for "suppressing pro-cigarette evidence."

The Passionate Nonsmoker's Bill of Rights

Steve Allen and Bill Adler, Jr.

William Morrow & Company, \$12.95.

A how-to-guide on fighting for nonsmokers' rights. The book tells how to start nonsmoking advocacy groups, how to fight for a smoke-free workplace, how to lobby for nonsmokers' rights, and how to protect yourself from secondhand smoke. We have not seen the book, but we understand GASP of Colorado is mentioned.

The Gilded Leaf

By Patrick Reynolds & Tom Shachtman
Little, Brown and Company, \$17.95.

A book about the triumph, tragedy, and tobacco of the R.J. Reynolds family and fortune. A true story about the rise and fall of the family. Actor Larry Hagman says the book "makes Dallas look like a bowl of warm milk toast!"

Absence from School Related to Children's and Parental Smoking Habits

Anne Charlton and Valerie Blair, *British Medical Journal*, January 1989.

Santa Fe's Guide to Smoke-Free Dining

Write Smoke-Free Santa Fe, 644 Gaspar, Suite A, Santa Fe, New Mexico 87501 or call 505-989-7400.

Warning: Sports May Be Hazardous to Your Health

Jason DeParle in the Sept. 1989 issue of *Washington Monthly*.

A superb article on how athletes, sportswriters, and the networks peddle cigarettes. Looks at the relationship between sport institutions and cigarette companies.

In the 1800's, Anti-Smoking was a Burning Issue

Cassandra Tate, *Smithsonian Magazine*.

A fascinating historical account of early anti-smoking efforts in the U.S. The article tells about early bans on the sale of cigarettes and the Anti-Cigarette League of 300,000 members lead by Lucy Page Gaston.

Fighting Fire With PR

Myron Levin, *The Nation*, July 10, 1989

An account on how the tobacco industry has been able to hold off legislation making cigarettes fire-safe even though tobacco related fires cause 1,500 deaths, 7,000 serious injuries, and \$400 million in property loss in the U.S. annually. The tobacco industry has been underwriting "the largest privately financed fire education and prevention program in the U.S." to exploit its ties with firefighting leaders.

The Tobacco Industry Will Walk A Mile To Stop an Anti-Smoking Law

Kathleen Sylvester, *Governing*, May 1989.

An excellent article on the tactics of the tobacco industry and why it is so successful at preventing smoking restrictions at the state level. Walker Merryman (of the Tobacco Institute) claims it's because they are very good, but if the other side had the same amount of money it would be equally or more effective. The article says that "For every offensive move by anti-smoking advocates, there is a defensive or preemptive move by the industry. There will be more."

99¢ CLOSE-OUT SALE ON GASP POSTERS

GASP has three posters remaining of the items we are discontinuing in order to devote more time toward promoting your rights. This special clearance sale is only being offered to our dues-paying members and until we sell the entire stock. Please no purchase orders.

ITEM	PRICE	QTY	\$
"Kindly Keep Your Butt Out Of Here"	99¢ for 15		
"You Are Now Entering A No-Smoking Zone"	99¢ for 15		
"Thanks for Not Smoking, We'd Rather Die of Natural Causes"	99¢ for 15		

SUBTOTAL.....\$
 POSTAGE & HANDLING (10% of the Subtotal or \$1.00, Whichever is Greater).....\$
 TOTAL AMOUNT ENCLOSED.....\$

NAME.....
 ADDRESS.....
 CITY.....ST.....ZIP.....

✉ Mail and Make Checks Payable to:
 GASP of Colorado, Box 12103, Boulder, CO 80303



Environmental Tobacco Smoke Can Kill You!

The U. S. Environmental Protection Agency (EPA) has just released a paper on Environmental Tobacco Smoke (ETS) that makes it clear that:

- ✓ ETS is one of the most widespread and harmful indoor air pollutants.
- ✓ ETS causes lung cancer and heart disease in nonsmokers.
- ✓ ETS is very dangerous for children.
- ✓ There is no safe exposure level for the 43 cancer-causing compounds in tobacco smoke. In addition, some substances can cause permanent, often harmful, changes in the genetic material of cells.

The EPA says that separating smokers and nonsmokers in the same room may reduce, but will not eliminate, nonsmokers' exposure to tobacco smoke. Therefore, the most effective way to minimize exposure to ETS is to restrict smoking to areas that are separately ventilated and directly exhausted to the outside, or by eliminating smoking in buildings entirely, according to the EPA.

Clearly, the need for banning or limiting smoking in public places is more evident than ever before.

People should not have to breathe the deadly poisons in tobacco smoke pollution against their will!

Protect your health.

Insist on your right to clean smoke-free air!

TO GASP: I WANT TO SEE MORE EDUCATIONAL ADS LIKE THIS
ON THE DANGERS OF TOBACCO SMOKE AND
ON THE DECEPTION OF THE TOBACCO INDUSTRY!

Here is my **tax-deductible** contribution of: ☐\$20 ☐\$25 ☐\$50 ☐\$100
☐\$250 ☐\$500 _____ Other amount.

- All contributors will receive a copy of the new 1989 EPA paper on Environmental Tobacco Smoke.

Name _____
Address _____
City-State-Zip _____
Phone _____

Mail and make checks payable to:
GASP Counteradvertising Fund
Box 12103, Boulder, CO 80303.

Ⓢ A Public Service Paid For By GASP's Counteradvertising Fund.

GASP of Colorado (Group to Alleviate Smoking Pollution) is a statewide nonprofit organization working to assure clean smoke-free air for everyone; in public places, restaurants, and at work.

Call (303) 444-9799 for more information.

GASP Would Like to Thank the Following Individuals for Their Contribution to GASP's Counteradvertising Campaign:

(in alphabetical order)

Contributions of \$100 to \$1,000:

Peter Blalick, Richard Breidenbach, Donna Brennan, Richard Crowther, Richard Duff, Combined Federal Appeal, Denzil Inman, Larue Olsen, Robert Vocate, Alice Wallace, and Martin Zinn.

Contributions of \$50 to \$99:

Nancy Browning, Carousel Company, Dr. John Highland, Peter Honeyfield, Samuel Johnson, Roberta & Revere Nielsen, Florence Sazman, and Thomas Vernon MD.

Contributions of \$2 to \$40:

Connie Acott, Thomas Anderson, Lilette Bagwin, Lisa Bajetto, Brad Beeler, Krista Boscoe, Pat Bruno, Eugenia Burton, Thomas Carnecross, Linda Chatfield, Joan Cho, Steve & Nancy Clodfelter, Geoffrey Coates, S.G. Coates, Colorado Professional Counseling Services, Jane Crowell, Arthur Davidson, Elizabeth DeMuro, R. H. Denney, Branstion Dibrell, Mildred Doster, Mrs. Dee Dyer, Weaver Electric, Kay Fairbairn, Kay Fairbairn, Gwen Federick, Barbara Foster, Terry Gale, Robert Garrett, Harold Geuther, Sheryl Gilbert, Bunny Gordon, Janet Hamilton MD, Paul Harn, William Happ MD, Kathy Hemdon, Wendy Highby, Kenneth Holloman, Ellen Hough, Dorothy Jennings, Melodie Johnson, Vivia Johnson, Fred Keller, Carol Kelley, Mrs. Joan King, Robert Kraus, Kitty Landgon, Denise Lanning, Dangny Larson, Bobbie Lee Leavitt, Peggy Lentz, Laura Lowan, Darrel Lowmberry, Christine McClinton, Thomas McKenna, Marilyn McKinney, Elaine Miller, Mrs. Joyce Miller, Susan Moellenkamp, Tom Morris, Laura Mullaney, M. S. Newman, Gayle O'Malley, Donald Parsons MD, Stan Pedzick, Joanne Persichetti, Laura Poppenwimer, Dorothy Rawsky, International Recording Services, Raymond Reedy, Mary Lou Renville, Gayle Rodgers, Kurt Sanford, Sharon Schicholz, Jack Schneider, Marge Seaborn, Don Sheehan, Louis Sokol, Ron & Betty Stern, Ruth Struik, Paul Teague, Scott Tegtmeyer, Ellen Thelen, Susan Thompson, Glada Thrall, Charles Tomkinson, Robert & Dottie Unruh, Herman Urshel, David Warren, Billy Watkins, Glory Weisberg, Mark Welsh, Bob Wendler, Richard West, Jack Whiting, Marlene Wilkins, Charles Wilson, and Frank Zygmunt.

The Nonsmokers' Voice

Published quarterly.

Annual subscriptions with tax-deductible membership contributions of \$20 or more.

GASP is working to assure clean smoke-free air for everyone.

Printed portions may be copied or reprinted. Credit to GASP of Colorado is appreciated.

GASP of Colorado

Group to Alleviate Smoking Pollution

Box 12103

Boulder, CO 80303

(303) 444-9799 ISSN# 0897-9626

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ADDRESS CORRECTION REQUESTED

BOULDER MALL GOES SMOKE-FREE

Representatives of the Macerich Management Corporation -- which runs 23 malls in the U.S. -- contacted GASP and Boulder City officials to request a meeting to clear the air shortly after GASP filed an injunction against the Mall for its continued disregard of an ordinance passed by the City Council in April 1989. During the meeting, representatives for the Mall expressed a concern about the damage cigarettes might cause to their floors and their potential fire hazard. The Mall representatives offered to ban smoking in the entire mall, including all the food courts, if they would be allowed to keep the sixty-four ash receptacles and place large signs on each ashtray. GASP asked that management go further and add better signs at all mall entrances, make periodic announcements on the public address system, and post no-smoking signs at the entrances of all restrooms. GASP President Pete Bialick expressed some concerns about how effective the ban would be if ashtrays were allowed inside a no-smoking establishment. GASP finds that it is more effective to try to get a smoker to extinguish a cigarette before entering an establishment through good signage at entrances. Ashtrays -- with large signs on them -- are best placed at entrances so that smokers will dispose of them before entering an establishment. This type of policy also diminishes the need for management to confront smokers inside an establishment.

The Mall management felt that large signs on sixty-four ashtrays would be just as effective. GASP expressed a willingness to see if the plan would work. Shortly afterwards, the City Council revised the ordinance again. The new ordinance prohibits smoking inside the mall and requires that all ashtrays have a large sign saying "No Smoking, Extinguish Here" one foot above each ashtray. The law went into effect January 18th. The signs on the ashtrays in the mall are now obvious, plentiful, clear, and effective. Announcements on the public address announcements about the ban are also helpful.

The importance of this change cannot be underscored. It proves again that smoking can be effectively prohibited in all places open to the public. Complete smoking bans inside public places are the most effective and economical way of eliminating the most widespread and harmful source of indoor air pollution.

GASP STARTS ITS TWELFTH YEAR

This year marks the twelfth anniversary of the founding of GASP of Colorado. GASP began in Greeley, Colorado as a small local group of 40 members and has grown to a statewide group of 1,200 members. GASP of Colorado has become one of the top five statewide nonsmokers' rights groups in the United States.

We're starting this year off with a new masthead and a new design for this newsletter. In addition, this issue of the newsletter is being sent to 1,500 people who are GASP exmembers or supporters. A membership/subscription form is provided in this newsletter -- please join the rest of us who are concerned about environmental tobacco smoke pollution. GASP is primarily supported by membership dues.

The top of your mailing label indicates the quarter your membership expires and the amount you gave when you last renewed. Nonmember mailing labels have "EXMEMBER", "SUPPORTER", or GEN (General Interest) on the top.

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Circulation This Issue: 2,500.

**SMOKERS' RIGHTS BILL
ADVANCES TO SENATE
IMMEDIATE ACTION NEEDED (See page 2)**

SMOKERS' RIGHTS BILL ADVANCES TO THE SENATE

A bill which would prohibit employers from increasing worker productivity or lowering insurance and health care costs by hiring nonsmokers, has passed the full House by a vote of 38 to 26. House Bill 1123 would not allow employers to require employees to refrain from any legal activity (smoking or drinking) during nonworking hours with a few exceptions. Many police and fire departments prohibit off-the-job smoking to cut health care costs. The tobacco industry supports the bill.

The portion of the bill that would allow smokers to sue any employer who advertises for nonsmokers has been amended to allow employers to refuse to hire smokers. However, House sponsor Jeanne Reeser says she will lobby to remove this amendment in the Senate. The Equal Opportunity Commission says "it is not illegal to discriminate against hiring smokers unless the result is discrimination on the basis of national origin, race, religion, sex or age." Smoking is not an unalterable characteristic or condition, but rather an activity which millions of people have discontinued.

Representative Phil Hernandez said he is against the bill because it gives smokers easier access to the courts than people with complaints about racial or sexual discrimination. House Majority leader Chris Paulson said he supports the bill because employers could next ask workers not to eat jelly doughnuts.

As a nonsmokers' rights group, this bill creates a dilemma for GASP. GASP has often stressed that it has no objection to people smoking in private or well segregated areas where smoking will not harm nonsmokers. So why should GASP oppose this bill?

1. Will the bill's wording affect an employee's right to hire or advertise for nonsmokers?

2. Employers should be able to reduce health care costs by telling smokers they cannot smoke on or off the job. According to the *Wall Street Journal* a growing number of businesses are doing this. Such bans have been held to be perfectly constitutional in a 1987 Denver federal appeals court decision (*Grusendorf v. City of Oklahoma City*, 816 F 2 539).

3. Tobacco is an addictive legal drug. Employers should be able to curtail the use of this drug or any other drug on or off the job when it affects the on-the-job performance of individuals that must serve the public in critical situations (See ASH's arguments against smoker's rights laws on page 7 and 8).

4. As long as the tobacco industry supports it, it cannot be good for Colorado. Smoking related diseases kill 3,000 Coloradans every year according to the Colorado Dept. of Health. Smoking related diseases are the number one preventable disease and death in the United States.

ACTION NEEDED

Your immediate phone call to your Senator and to the Governor is needed to stop the tobacco industry! Be positive in your approach and don't use threats. If the tobacco industry supports the bill, it cannot be good for Colorado.

Call your legislators in the Senate and Governor Roy Romer today to express your opposition to the bill. Leave a message if you cannot talk to them. Your personal call to your legislator is important and necessary to counteract the seven lobbyists the tobacco industry has working at the State Capitol. If the bill passes the Senate, call Governor Romer and urge him to veto the bill.

Call these numbers at the state capitol to get the direct number of your legislator or to find out the name of your legislator:

Senators: R) 866-4866, D) 866-4865.

House Representatives: R) 866-2932, D) 866-2904.

Governor Romer can be reached by calling 866-2885.

HOW OUR REPRESENTATIVES VOTED

SEE PAGE 3

AIRLINE SMOKING BAN STARTS FEBRUARY 25TH

On February 25th smoking will be prohibited on all nonstop flights of six hours or less in the U.S. and to all U.S. possessions except Guam. This means smoking will be prohibited on about 99% of all U. S. flights except long nonstop flights such as ones from New York to Hawaii. Passengers could still fly smoke-free by splitting up any nonstop flights lasting more than six hours.

Airline flight attendants in Colorado and elsewhere played a key role in this dramatic victory over the tobacco industry. At the recent nonsmokers' rights conference in Washington, D.C. House Sponsor Richard Durbin cited the grass roots campaign by the many anti-smoking groups as critical to the success of the airline ban. It indicates that the tide has turned against the dominance of the tobacco industry lobby in Congress. It shows that employees who work in smoke-filled public places can be important voices for change.

"The idea of a smoke-free society is now airborne. It's time for the idea to take off in every city and state in America."-- Michael Pertschuk, The Advocacy Institute

This triumph was a cumulative victory of many groups across the country. However, Representative Durbin singles out the following organizations for being "particularly active in the fight to ban smoking on commercial airline flights" in the Congressional Record (No. 150): Coalition on Smoking or Health, American Cancer Society, American Heart Association, American Lung Association, Association of Flight Attendants, American Association of Respiratory Care, American Medical Association, and Americans for Nonsmokers Rights. Congratulations to these groups for helping pave the way toward this important victory.

HOW OUR REPRESENTATIVES VOTED ON HB 1123:

Voting for the bill: Adkins, Ament, Arveshchoug, Berry, Bledsoe, Bond, Duke, Entz, Epps, Fish, Fleming, Foster, Gillis, Grampas, Irwin, Jones, Killian, Martin, Masson, McInnis, Mutzebaugh, Owen, Paulson, Philips, Pierson, Prinster, Ratterree, Reeser, Romero, Schauer, Shoemaker, Swenson, Taylor-Little, Tilger, Trujillo, Tucker, Ulvang, and D. Williams.

Voting against the bill: Anderson, Chlouber, Coffman, DeHerrera, Dyer, Faatz, Fagan, Grant, P. Hernandez, T. Hernandez, Jerke, Johnson, Kerns, Knox, Kopel, Neale, Pankey, Reeves, Ruddick, Rupert, Tanner, Thiebaut, Webb, K. Williams, S. Williams, Wright. Don Mares was excused but voted to kill the bill on second reading.

GASP ORDINANCE COMPLIANCE SURVEY

GASP is conducting a survey of Boulder retail stores to evaluate compliance with Boulder's no-smoking law. GASP President Pete Bialick stated in a press release, "I believe that forty to fifty percent of the retail stores in Boulder are not in compliance with the Boulder no-smoking ordinance because they fail to post 'No-Smoking' signs at their entrances."

The goal of the survey campaign is to increase awareness of the law and improve compliance with the law. If successful, GASP may try to repeat the program in other Colorado communities.

The Boulder no-smoking ordinance prohibits smoking in retail stores except in contiguous designated areas which may not exceed 50% of store space. The law prohibits smoking near cash registers, service lines, or any store that sells food other than a restaurant. Signs must clearly be posted at all store entrances that say "No Smoking" or "No Smoking Except in Designated Areas."

GASP has surveyed about 200 stores already and plans to survey another 300. However, due to the lack of volunteers, the survey has been delayed until we can hire someone to conduct the survey. The survey is done by checking retail stores for proper signs and noting the information on a special form. GASP then sends the store a letter with information about the ordinance and a free no-smoking sign. Two weeks after the letter is sent out, GASP will follow up and check a portion of the stores surveyed to evaluate the success of the program.

GASP ANNUAL FINANCIAL REPORT 1989

	REV	EXP	NET	FNDB
General Fund	31,101	29,013	2,088	4,040
Legal Fund	527	137	390	2,208
Counteradvertising Fund	4,451	4,622	(171)	1,158
Total all Funds	\$36,079	\$33,772		

REV= Revenue, EXP= Expense, NET= Net Income (Loss),
FNDB= Fund Balance as of December 31, 1989.

IN KIND CONTRIBUTIONS \$1,971
MEMBERSHIP COUNT (DEC. 31, 1989) 1,200

PRESIDENT'S CORNER

by Peter Bialick

Where Do We Go From Here?

During the 80's, much has been accomplished in Colorado to protect nonsmokers. We start the 90's with smoking restrictions in 34 Colorado cities and counties — all which were passed during the 80's. Colorado is fourth in the nation in the number of local smoking ordinances according to the Public Health Service's booklet "Major Local Smoking Ordinances in the United States" (See article on page 6).

Today we face less smoke at work, in restaurants and in public meetings. It is easy to think the problem of tobacco smoke pollution is being resolved, but it isn't. Here are some of the major problems GASP needs to continue to address in the 90's:

Workplace: Almost every day I receive a phone call or letter from somebody needing help resolving problems with smoking in the workplace. Surprisingly, many of them work in communities that already have laws restricting smoking in the workplace.

Restaurants: A no-smoking section in a restaurant is not necessarily a smoke-free area. The long-range solution is to ban smoking in restaurants or to require that designated smoking areas be physically separated and independently ventilated.

Enforcement of No-Smoking Laws: Communities need to adopt an on-going system of enforcement and education. GASP needs to encourage communities to use a variety of agencies to check compliance with no-smoking laws during routine inspections of businesses, restaurants, and other public places.

Education: It is important to continue to increase the public awareness about environmental tobacco smoke, one of the most harmful indoor air pollutants. GASP has had more than 500 requests for the new EPA paper on environmental tobacco smoke.

Children: To achieve a smoke-free society we need to do everything we can to encourage young people not to use tobacco products. Children are being lured into tobacco addiction at the rate of 5,000 per day through glitzy advertising, easy access through vending machines, and poor compliance with Colorado's state law prohibiting tobacco sales to minors under 18.

A Good Statewide Clean Indoor Air Act: Colorado's Clean Indoor Air Act of 1977 is weak. The time for a good comprehensive statewide law to protect the public from one of the most widespread and harmful indoor air pollutants is long overdue. Congress has protected us from smoke on airlines, why can't our legislators protect us in public places? After seeing a simple statewide law prohibiting smoking in supermarkets watered down and defeated in 1989, I don't expect much from our current state legislature even with the upcoming retirement of House Speaker Bev Bledsoe. If we want a good comprehensive statewide law regulating smoking in public places, I think we will have to consider placing one on the ballot. The tobacco industry has never been beaten on a statewide clean indoor air initiative, so it will take a lot of help and a lot of money to achieve this goal.

KING SOOPERS SHOULD REMOVE MERIT COURTESY BASKETS

The next time you pick up a "courtesy" basket to carry your groceries at King Soopers, you will be helping promote Merit cigarettes. These Merit courtesy baskets are objectionable because they send a bad message to all children who see the baskets.

ACTION NEEDED

Pick up the red and white suggestion cards that are available at checkout counters and store exits every time you shop at King Soopers. Write and express your concerns. **King Soopers pays for the postage on these cards.** Keep picking up cards and writing until King Soopers ends this practice. Pick up extra cards and send them to GASP or give them to friends and urge them to write. You can also write a personal letter to:

Donald E. Gallegos, President, King Soopers
65 Tejon St, Denver, CO 80223.

GASP NEEDS THE USE OF A FAX MACHINE

From time to time GASP needs to receive or send out materials at moments notice. When House Bill 1123 came up many agencies like the Colorado Municipal League and the Colorado Health Department asked GASP to fax them information. Due to the costs of paying for sending or receiving these, GASP had to resort to mail delivery.

If you have a fax machine GASP could use from time to time here in Boulder, please call us at 444-9799.

A GOOD BOOK ON THE NONSMOKERS' RIGHT MOVEMENT

The Passionate Nonsmoker's Bill of Rights by Steve Allen and Bill Adler, Jr. is an excellent book GASP of Colorado highly recommends. The book is a good insight into the nonsmokers' rights movement in the United States. The book is a how-to-guide on how to start nonsmoking advocacy groups, how to fight for a smoke-free workplace, how to lobby for nonsmokers' rights, and how to protect yourself from secondhand smoke. The book is published by the William Morrow & Company and can be found at book stores for \$12.95.

ATTENTION SUPPORTERS AND EXMEMBERS

We hope you are enjoying reading this newsletter. A subscription form can be found on the next page.

JOIN THE REST OF US WHO ARE CONCERNED ABOUT ENVIRONMENTAL TOBACCO SMOKE POLLUTION!

*Your tax-deductible contribution supports the
work of GASP of Colorado.*

GASP DIRECTOR INFILTRATES ENEMY'S STRONGHOLD

How does an anti-smoking activist go undercover at a smokers' rights meeting? If she's Regina Carlson, the executive director of the New Jersey GASP, she takes a deep breath, signs in under an assumed name, and keeps smiling through the haze.

Carlson and a GASP cohort exposed themselves to a smoke-filled room to learn the modus operandi of their most formidable foe: R.J. Reynolds Tobacco Company. The crowd of about twenty received free lighters and ashtrays along with information on how to lobby their legislators. They also got sympathy from the company representative.

"They encouraged people to feel abused about not being able to smoke," reports Carlson.

Half a meeting was all Carlson's lungs could take, but it was enough to see the company's tactics. "They were doing the same thing I do," she says.

What amazed Carlson most was hearing a corporate giant like RJR tell a roomful of people how weak the cigarette company is compared to anti-smoking activists. "But all over the country, the nonsmokers' rights movement is grass roots, operating out of people's basements and dens and on a shoe-string budget," says Carlson, who runs GASP from her Summit home.

The meeting was one of several held in response to smokers' inquiries. RJR spokesperson Maura Payne was unruffled by Carlson's espionage, noting that all are welcome "as long as they don't disrupt the meeting."

Carlson, says she was the perfect guest: Not once did she ask anyone to snuff a butt. "I didn't think it would be appropriate," she says. ----- *New Jersey Monthly*, November 1989.

HOW YOU CAN ATTEND A SMOKER'S RIGHTS MEETING

The tobacco industry is setting up smokers' rights groups throughout Colorado. William J. Fox Jr. of Littleton has been hired as a consultant to R.J. Reynolds to help coordinate meetings and organize smokers' rights groups. Call him at 797-1396. Another way to make sure you get called about these local meetings is to indicate an interest in attending them on any smokers' rights literature sent out by the tobacco companies.

☺ Smoke Signals ☺

Here are some new smoke-free discoveries that GASP has not listed previously. This column reports on smoke-free restaurants, bars, larger businesses, and other establishments.

Call GASP to report new smoke-free discoveries.

The **Sadie Hawkins Bash** is smoke-free event held Saturday Feb. 24th at **Heritage Square** in **Golden**. Admission is \$25. Live music, dinner, square dancing, etc. Call the American Lung Association at 388-4327 for more information.

The **Comedy Works** at 1226 15th Street in **Denver** now has three no-smoking shows at 8 pm on Wednesdays, Fridays, and Sundays. Call 595-3637 for reservations.

The **Roadhouse at Jacob's Corner** at 7464 Arapahoe Road in **Boulder** is a completely smoke-free fancy restaurant. Call 447-1164 for reservations. GASP support committee member Wayne Dosier owns the restaurant. The **Avalanche Ranch** in **Redstone** (40 miles from Aspen) is a quaint smoke-free lodge owned by Jim and Sharon Mollica. Sharon is the former president of Aspen GASP. For more information call 963-2846 or write 12863 Highway 133, Redstone CO 81623.

Smoke-Free Nightclubs

GASP receives many calls from individuals seeking a smoke-free place to go dancing. Even though many nightclubs in other states have no-smoking nights or are totally smoke-free, there are yet no Colorado nightclubs that offer no-smoking nights. The only way this will change is if individuals call the managers of the nightclubs and ask them to try offering regular no-smoking nights. Seventy-five percent of all Coloradans do not smoke, so this should be a good business decision.

FREE GASP POSTERS WHILE SUPPLY LASTS

GASP is giving away the three posters that remain in our inventory of the items we are discontinuing in order to devote more time toward promoting your rights. This offer is limited to current GASP members. Contributions to help cover postage costs are appreciated.

POSTER	QUANTITY
Kindly Keep Your Butt Out of Here	_____
You Are Now Entering a No-Smoking Zone	_____
Thanks for Not Smoking, We'd Rather Die of Natural Causes	_____
CONTRIBUTION FOR POSTAGE & HANDLING ---- \$ _____	
NAME _____	
ADDRESS _____	
CITY _____	ST _____ ZIP _____

✉ Mail and Make Checks Payable to:
GASP of Colorado, Box 12103, Boulder, CO 80303

SPECIAL NCN OFFER ON LONG DISTANCE RATES

GASP members and supporters can sign up for long distance service through National Communications Network (NCN) and receive the following benefits:

- **Thirty Minutes of Long Distance Service FREE** when signing up.
- **10% to 17.5% discounts for prompt payment.**
* That's up to a 24% savings over existing AT&T rates, and up to 14% savings over existing MCI and US Sprint rates.
- **NCN WILL CONTRIBUTE TO GASP 8% OF THE TOTAL OF EACH CUSTOMER'S* MONTHLY LONG DISTANCE PHONE CALLS FOR AS LONG AS THEY ARE USING NCN.** *Signed up through GASP.

NCN is a subcontractor for AT&T and long distance is supplied through AT&T. GASP has thoroughly checked the company out with the Better Business Bureau, State Attorney, and Consumer Affairs offices in Arizona.

**FOR A FREE BROCHURE ON NCN,
CALL GASP TODAY!
303-444-9799**

TO GASP: I WANT ACTION ON TOBACCO SMOKE POLLUTION!

- ☐ Yes, I support GASP's efforts to eliminate smoking in public places, at work, and in restaurants. Here is my contribution of ☐ \$20 ☐ \$25 ☐ \$50 ☐ \$75 ☐ \$100 ☐ \$250 ☐ \$500 _____ Other amount.

•Annual membership dues for GASP start at \$20.

- ☐ I am not a joiner, but I would like to contribute \$_____ to support your efforts.

Please also send me the following:

- ☐ **GASP's Order Form.** This lists more than 50 educational articles and brochures, plus GASP's famous no-smoking enamel pins and ties.

Name _____
Address _____
City-State-Zip _____
Phone _____

Mail and make checks payable to:
GASP of Colorado
Box 12103, Boulder, CO 80303

COUNTERADVERTISING PROGRAM REPORT

Radio Ad Created

With the help of KBCO radio in Boulder, GASP created and ran a radio ad about environmental tobacco smoke on KBCO and KBOL radio. The KBOL ad ran during the CU's orange bowl game. Here is the text of the ad:

"Carbon monoxide, sulphur dioxide, tars, hydrogen cyanide, arsenic -- these noxious chemicals may be present in the air you are breathing right now. They come from smokestacks, tail pipes, wood burning stoves -- and they also come from the cigarette next to you. The Environmental Protection Agency calls it ETS, or environmental tobacco smoke. To find out more about how deadly secondhand smoke can be, call GASP, the Group to Alleviate Smoking Pollution 444-9799."

Marlboro Cup Spoofed

GASP cosponsored ads criticizing Marlboro's sponsorship of ski races in Aspen in January. Other cosponsors of the ad included: American Lung Association of Colorado, American Respiratory Care Services, American Cancer Society, Coalition for A Tobacco-Free Colorado, Colorado Academy of Family Physicians, Positive Air, Jim & Sharon Mollica, Doctors Ought to Care (DOC), Western Colorado Family Physicians, and Colorado Federation of Parents for Drug Free Youth. Due to space limitations, we are unable to reproduce the ad in its entirety. However, here is an abbreviated version of the main text:

ASPEN, ASHTRAY OF THE ROCKIES?

The tobacco industry attempts to sell its products by associating themselves with quality and healthy activities. By sponsoring the 1990 Celebrity Ski Challenge, Marlboro is trying to "buy" the reputation of Aspen.

Cigarette smoking causes more premature deaths than AIDS, cocaine, heroin, alcohol, fire, automobile accidents, homicides and suicides combined.

Aspen doesn't need this kind of reputation.

**"Just say no"
to tobacco industry money.**

Matrix of Smoking Laws Now Available

The *National Matrix of Local Smoking Ordinances* is now available. The National Institutes of Health publication is 76 pages long and provides detailed information in four charts on 397 smoking ordinances across the country. It also contains a model clean indoor air ordinance. Copies are available for \$10 by writing: Matrix, Americans for Nonsmokers Rights, 2054 University Ave #500, Berkeley, CA 94704. Let them know you heard about it through GASP's newsletter.

GASP WORKING ON MODEL ORDINANCE

GASP of Colorado's Board of Directors has been working hard to put together a model clean indoor air law for Colorado. The Board has already spent more than fifteen hours on the project. The Board hopes to complete the first draft towards the middle of March. This first draft will then be sent to various lawyers and other groups for their input.

If you would like to review and comment on the first draft of GASP's model ordinance for Colorado, please let us know.

LOCAL LEGISLATION

Boulder- City offices and vehicles went smokeless January 1st with a new policy initiated due to complaints from city employees about tobacco smoke pollution. Boulder Valley schools banned smoking both outside and inside school buildings as of January 1st. The City Council banned smoking inside indoor malls (see story on front page).

Douglas County- Passed an ordinance restricting smoking in county buildings except in fully enclosed offices.

Lamar- GASP is helping health worker Mark Simmerman in his efforts to get the City council to pass an ordinance restricting smoking in public places. GASP Board member Richard Breidenbach of Colorado Springs is helping out. The city voted to find out what the people of Lamar want by placing this question on the May ballot: "Do you favor the establishment of a city ordinance that would provide for nonsmoking areas in restaurants and restrict smoking in grocery stores, health care facilities, and common working areas?"

Greensboro, North Carolina- This tobacco town now has the state's toughest ban on smoking thanks to the efforts of a local GASP (Greensboro to Alleviate Smoking Pollution) group. The Advocacy Institute says that this ordinance in the nation's largest tobacco producing state "confirms that a near consensus has been reached among the American public on the issue of smoking in public places."

The Nonsmokers' Voice Accepts Advertising

The Nonsmokers' Voice is printed every three months. The newsletter is sent to GASP members, various media contacts, various health groups, and more than 70 other nonsmokers' rights groups in the U.S. and overseas.

Advertising space is available for as little as \$30 for a business card, or \$50 for a quarter inch ad of 3 1/2 by 5 inches. We can accept inserts. Discounts are available for current dues-paying members of GASP. The deadline for the next issue is May 4th.

CIRCULATION THIS ISSUE: 2,500.

For more information call GASP at 444-9799.

ARGUMENTS AGAINST "SMOKERS' RIGHTS" LAWS

The newest tactic of the tobacco industry is to seek state legislation which would establish and protect a so-called legal "right to smoke." The legislation would permit smokers to sue if their employer allegedly discriminated against them for smoking while off the job.

Such legislation has a superficial appeal, based upon the argument that an employer has no business telling employees what they can and cannot do on their own time. However, as this document makes clear, there are many legally valid reasons for not wishing to employ smokers, and refusing to hire someone because of activities he engages in is nothing new, and certainly very different from discriminating on the basis of race or sex.

Because this new tactic is going to be used in many states, because the specter of suits by disgruntled smokers could easily cause employers to give them job preference, and because this document and the arguments in it may be of use in these other states, it is set out in full below.

This document will briefly demonstrate that:

1. Restrictions on even off-the-job smoking are necessary to prevent even greater injustices and safeguard the public treasury, and have two other very valid purposes as well;
2. Alleged "discrimination" against smokers is very different from invidious discrimination based upon race and gender;
3. Restrictions on off-the-job conduct have frequently been found proper and lawful in situations besides smoking;
4. Permitting restrictions on smoking will not lead to similar restrictions on other activities like eating Twinkies, an argument which has actually been raised!

1a. RESTRICTIONS ON SMOKING PREVENT MORE SERIOUS INJUSTICES TO TAXPAYERS

It is well established that the serious stresses which are part of the jobs of police officers and fire fighters can and do lead to heart disease and hypertension, and that the inhalation of smoke by fire fighters also causes lung diseases.

However, it is often difficult or impossible for an individual police officer or fire fighter to prove that his or her particular disease or disability occurred as a result of these clearly unavoidable but unusual occupational hazards.

Therefore, to avoid the manifest injustice of denying them compensation, Maryland, like many other states, has by statute created a presumption that these diseases in police officers and fire fighters are compensable. [Art. 101, § 64A]

However, it is also well established that smoking, whether it occurs on or off the job, is a major cause of heart and lung diseases. Therefore, to avoid the injustice of forcing taxpayers to compensate police officers and fire fighters for diseases they have brought on themselves, many jurisdictions have by law, regulation, or union agreement determined that certain public safety employees may not smoke, on or off the job.

If such requirements are prohibited, it will mean that — under the current statutory presumption — taxpayers will be forced to pay for the many serious, expensive, and long-term-care diseases smoking causes — including lung cancer, emphysema, heart diseases (including heart attacks), etc. — to fire fighters and police officers, but not to other governmental employees, and not to private citizens.

For these reasons, many jurisdictions prohibit off-the-job smoking by certain employees, and have found that they have significantly reduced their costs. Such bans have been held to be perfectly constitutional, *Gwendorf v. City of Oklahoma City*, 816 F.2d 539 (10th Cir. 1987), and Massachusetts has adopted their's as a matter of state law. It would be highly unusual for a state such as Maryland to prohibit in the public interest that which another state (and many individual jurisdic-

tions) has determined is required by the public interest.

Therefore it is respectfully suggested, that it would be inappropriate to adopt a blanket legislative prohibition of all off-the-job smoking restrictions. After all, any governmental smoking restrictions which are not justified by their individual facts may be attacked in the courts as "arbitrary and capricious."

1b. TWO OTHER REASONS FOR RESTRICTING OFF-THE-JOB SMOKING

FIRST, it is well established that smoking, more dramatically than any other exposure or activity, increases the amount of carbon monoxide in the blood and tissues, a condition which can last more than 24 hours. Because this dissolved carbon monoxide takes the place of oxygen which is used to provide muscular energy, it very substantially restricts the ability of a person to engage in sustained vigorous activity.

For most employees, this serious limitation has no job-related consequences. However, police officers often have to engage in vigorous physical activity to restrain perpetrators bent on harming innocent victims, or in rescuing children, the elderly, and others from dangerous situations.

Fire fighters, likewise, are often called upon to rescue people by carrying them, lifting rubble off them, etc. Therefore, any smoking by individuals performing these vital functions may well result in death or serious injury to those they are required to serve, if their ability to engage in very vigorous activities is impaired even slightly by smoking.

SECOND, restricting smoking on-the-job while permitting it during other times is frequently illusory, and impossible to enforce. In other words, people who smoke at home and elsewhere off-the-job are much more likely to desire a cigarette while on the job, particularly during times of personal or professional stress, than employees who do not smoke at all.

How can a police department possibly be sure that an officer who smokes at home has not stopped "for a few quick drags" when he should be patrolling or even responding to his next call?

Is a fire fighter undergoing the physical and emotional stresses involved in fighting a long and difficult fire going to be able to restrain himself from "taking a breather" for a smoke, particularly when supervision is nonexistent and detection very unlikely?

2. PROHIBITING SMOKING IS VERY DIFFERENT FROM RACE AND SEX DISCRIMINATION

Although it has been argued that restricting smoking — or refusing to hire smokers — is somehow comparable to invidious discrimination based on race or sex, the two are entirely different for several important reasons.

FIRST and foremost, employment discrimination based upon race or sex has been universally condemned and prohibited because it has no rational basis.

In virtually no situation is there any basis for treating a black (African-American) employee or employee-applicant any differently than a similarly situated white one. Similarly, except in rare situations (which generally involve considerations of privacy) where gender is a "bona fide occupational qualification," there is no rational basis for not treating women the same as men.

This, of course, is not true in the case of smoking. Diseases indisputably caused by smoking dramatically increase the costs of medical care, absenteeism, and disability for smokers, even if the smoking is done off-the-job. Indeed, according to some estimates, each smoking employee costs his employer an extra \$5000 per year per employee!

Moreover, as previously noted, even off-the-job smoking can substantially interfere with on-the-job performance in the life-and-death activities public safety employees engage in. Thus, unlike distinctions based upon race or gender, employers have very valid reasons for wishing to restrict smoking.

SECOND, there is a very strong element of unfairness in penalizing people in the job market for factors (such as race or gender, or even height) over which they have no control, even where the factors may relate to job performance. For this reason extra efforts have been made to recruit women into fire fighting and police work, even though their substantially weaker upper-body strength may have some impact on job performance.

This second rationale likewise does not apply at all to smoking. Although race, sex, and height are immutable characteristics, smoking is not. Indeed, it is not even a characteristic or a condition, but rather an activity. Millions of people have quit smoking.

For example, the U.S. Surgeon General has just reported that "nearly half of all living adults who ever smoked have quit." Thus while smoking may be a difficult habit to break, it is nevertheless an activity which can be abandoned, rather than an immutable characteristic like race or sex.

Thus, there is no basis by analogy to current anti-discriminatory laws to prohibit restrictions on smoking, and certainly no justification whatever for providing greater legal protection to people who choose to smoke than to those who are of a particular race or gender.

3. MANY EMPLOYERS RESTRICT OFF-THE-JOB CONDUCT WHERE IT AFFECTS THE JOB

While activities performed in one's own home are entitled to a certain amount of protection, it has never been the rule that they are entirely beyond the reach of employer concerns. Indeed, the general rule seems to be that conduct which may adversely affect the job, or the employer, may be subject to reasonable restrictions.

For example, although there are debates as to what means an employer may use to detect illicit drug use, it seems to be generally accepted that an employer may discipline an employee whose off-the-job use of drugs is likely to affect his job performance. Likewise, the off-the-job use even of legal drugs such as alcohol is regulated for commercial pilots, train crews, and other similar professions.

The military and many police and fire departments maintain weight standards for some of their personnel, and the courts have even upheld reasonable weight standards for cabin crew members — a requirement which obviously imposes serious restrictions on what they may eat, even on their own time.

Likewise, the military and some police departments require that their personnel maintain a certain level of physical fitness and proficiency with firearms — requirements which impose affirmative obligations to exercise and practice during off-the-job hours.

Members of any legislative body would no doubt prohibit off-the-job activities by their own employees which adversely affect their employers, such as providing confidential information to lobbyists, disclosing private information to the press, or even taking public positions directly in opposition to those of their boss. Most legislative bodies already severely restrict the outside activities of executive-branch employees to prevent not only ethical violations, but even the appearance of unethical conduct.

Similarly, reporters are often forbidden from participating in public demonstrations, even during their own time, for fear it might reflect on their impartiality; and judges are not supposed to be members of male-only clubs to avoid even the appearance of impropriety.

The rule, therefore, is not — and has never been — that all conduct which occurs off-the-job is entitled to absolute legal protection. Rather,

the common sense rule is, and always has been, that off-the-job conduct may be subject to reasonable regulation to the extent that it may affect the employer or the job.

At a time when there seems to be universal agreement that even off-the-job smoking by the new Federal "drug czar" would interfere with his ability to perform his job, it would be inappropriate for any state to single out smoking as the sole off-the-job activity entitled to absolute legal protection.

4. RESTRICTIONS ON SMOKING ARE CLEARLY DISTINGUISHABLE FROM EMPLOYER RESTRICTIONS ON OTHER OUTSIDE ACTIVITIES RELATED TO HEALTH

There are many very fundamental distinctions between restricting smoking, and the other off-the-job activities which might present some health hazards, and these distinctions have been recognized repeatedly. Thus the argument made by [Md.] Senator Albert Wynn, that "the actuarial tables are telling us not to hire people who smoke, drink Scotch or eat Twinkies . . . so we're getting to a situation where the only people who get jobs are the, quote, super-normal people" [Washington Post, 3/25/89] is hardly valid.

For example, cigarettes are the only product which create serious health risks when used in moderation and in accordance with the manufacturer's recommendations. This is not true of ice cream, snack foods, red meats, or any other product. Indeed, even alcohol has not been demonstrated to be a health hazard when used by most people in moderation.

It is because of tobacco's unique dangers that cigarette ads have been banned on radio and television, why their ads have been banned entirely in many other countries, why their ads as well as their packs must bear large health warnings, and why their sale to children is prohibited. Obviously, none of these requirements has been, or would seriously be proposed for Twinkies, cream sauces, or hamburgers.

The unique dangers of smoking — as distinguished from other health hazards — have repeatedly been recognized. For example, the National Association of Insurance Commissioners has officially recommended that smokers be charged different rates for health insurance, although they rejected imposing such additional costs on people who engage in other activities which affect health (although, obviously, to a lesser extent).

Life insurance companies have long charged smokers more, and health insurance companies are now beginning to do so. Indeed, recently the Federal government ruled that it was legal for a health maintenance organization (H.M.O.) to charge different rates for smokers, although it rejected a proposal by the same H.M.O. for different rates for overweight people.

In summary, then, there is little reason to fear that employers are likely to prohibit the eating of certain foods, or to impose other restrictions on the private activities of employees, in a quest for perfect health. Tobacco — which kills almost 400,000 Americans each year, more than alcohol, auto accidents, guns, AIDS, and illicit drugs COMBINED — is obviously in a category all by itself.

For all of these reasons ASH believes that it is unnecessary, certainly not required by analogy or precedent, and clearly contrary to the public interest, to prohibit a practice used in many jurisdictions to avoid squandering tax money on diseases caused by the personal habits of the employees themselves. Requiring that an employee refrain from using drugs which are likely to adversely affect the employer — whether those drugs are heroin, crack, or nicotine — is very different from refusing to hire a person because of race, sex, or height; is indeed, very similar to restrictions routinely imposed on other off-the-job activities; and not likely to lead to Twinkie firings.

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published by ASH (Action on Smoking and Health).

The Nonsmokers' Voice

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GASP is working to assure clean smoke-free air for everyone.

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NONSMOKERS CONTINUE TO SUFFER IN SILENCE

A survey of 22,043 people published in the April issue of JAMA (Journal of the American Medical Association) indicates that:

● Although 90% of nonsmokers consider secondhand smoke annoying and harmful, just 5% asked people to put out their cigarettes in 1974 and 1987.

● Common courtesy often does not exist when it comes to smoking: Half of the smokers in the national survey said they light up indoors without asking if anyone minds.

● The proportion of smokers who say they do not smoke inside indoor places rose from 5% in 1974 to 33% in 1987.

"The bottom line is that most nonsmokers are suffering in silence," said Dr. Ronald M. Davis of the U.S. Centers for Disease Control's Office on Smoking and Health. "That is why we think the results of this study argue strongly for legislation in work-site smoking policies."

Nonsmokers should not have to ask total strangers to stop smoking in order to conduct their daily business without endangering their health. Because smoking has been acceptable for so long; many nonsmokers still feel uncomfortable when approaching smokers. Legislation is the best remedy, but nonsmokers must become more assertive.

The survey indicates that GASP and other health agencies have made much progress in educating the public on the hazards of secondhand smoke, but we have not succeeded in helping people assert their rights. This special issue of *The Nonsmokers' Voice* contains three special features designed to help nonsmokers assert themselves and demand their right to clean smoke-free air. They include:

- What Can You Do About Smoking Pollution? Individual Action for Nonsmokers. (page 2)
- Your 1990 Guide to Local Smoking Controls. (page 6)
- How You Can Help Enforce No-Smoking Laws. (page 7)

CIRCULATION THIS ISSUE: 5,500

This special issue of *The Nonsmokers' Voice* is being sent to 4,500 people who have expressed an interest in GASP or contacted GASP for assistance or information. If you enjoyed reading this newsletter and are not a GASP member, you can join by using the coupon provided on page three. If you do not wish to join GASP, but you would like to contribute to our efforts, you may use the same coupon. GASP is primarily supported by membership dues and public contributions. All contributions to GASP are tax-deductible.

The top of your mailing label indicates the quarter your membership expires and the amount you gave when you last renewed. Nonmember mailing labels have "INT", "EXMEMBER", or "SUPPORTER" on the top.

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of Child Abuse? (Page 8)**

WHAT CAN YOU DO ABOUT SMOKING POLLUTION? INDIVIDUAL ACTION FOR NONSMOKERS

BE ASSERTIVE: In a warm, positive way let family, friends and co-workers know you mind if they smoke near you.

BE OBVIOUS: Words are not the only way to convey messages. Wear buttons. Put stickers and signs in your home, car, or office.

BE FIRM, BUT POLITE: Use courteous appeals for cooperation. Put-downs are counterproductive. What you say may be less important than how you say it.

USE BODY LANGUAGE: Classic gestures such as waving away smoke are distress signals recognized by all smokers. Grimaces and defensive postures can also make a point.

KEEP INFORMED: Know the no-smoking regulations in your community. Colorado Revised Statutes 1973, 25-14-101 prohibits smoking in elevators, museums, galleries, libraries. In sporting arenas, and stage or movie theaters smoking is prohibited except in the lobby areas.

HELP UPHOLD THE LAW: Speak up when anyone violates no-smoking regulations. Enforcement often depends on friendly reminders from assertive nonsmokers.

AT HOME: You can ask people not to smoke at all or you can designate a specific area for smokers. Be sure to write "No Smoking Please" on all your invitations to parties, dinners and meetings at your home.

AT WORK: The common law of each state requires that an employer provide employees with safe working conditions free of recognized hazards. Suggest a poll to survey preferences for no-smoking areas at work. Contact management and unions. A free brochure about your right to a smoke-free work area is available from GASP.

AT MEETINGS: Propose no-smoking resolutions at all meetings you attend. It may be helpful to suggest "smoking breaks" that are held outside the meeting room during long meetings. Smoking is prohibited, except in designated smoking areas, in all waiting and meeting rooms in buildings owned and operated by the state of Colorado.

WHEN DINING: Request seating in no smoking sections, even if the restaurant has none. Write a note on your bill requesting such sections. Any place which sells or serves food (not located in a community that has smoking regulations that cover restaurants) must display a sign in a conspicuous place at the entrance indicating whether or not provisions have been made for nonsmokers.

IN TRANSIT: Insist on seats in no-smoking sections. Trains and interstate buses have them. Colorado state law prohibits smoking on transportation vehicles open to the public. U.S. airlines prohibit smoking on flights of six hours or less.

IN SCHOOLS: Ask for a total ban on smoking, including teachers' lounges. Teachers and school administrators are examples for their students. Colorado state law prohibits smoking in school classrooms, corridors and restrooms.

IN HOSPITAL AND MEDICAL FACILITIES: The American Civil Liberties Union says the rights of patients include a smoke-free hospital room. The state law says you may request a no-smoking room in any hospital. The state law also prohibits smoking in all hospital elevators, corridors and wherever combustible supplies or gases are stored or in use. The law prohibits employees from smoking in patients' rooms. Encourage your physician and dentist to ban smoking in their offices. Provide them with no-smoking signs.

SUPPORT LEGISLATION: Inform your representatives, congressmen, state legislators, city councilmembers, mayors, and City managers about your desire for more no-smoking areas in public places. Request their positions on the issue in writing.

SUPPORT GASP: GASP of Colorado is the only statewide agency whose primary focus is to protect the health and rights of nonsmokers. GASP is supported by your tax-deductible contribution.

ATTENTION NONMEMBER SUPPORTERS

Use the coupon on page three to
support the work of GASP of Colorado.

EPA TO DECLARE ETS A CARCINOGEN

The Environmental Protection Agency is expected to announce that environmental tobacco smoke (ETS) is a known carcinogen, and that ETS is responsible for more than 3,000 cases of lung cancer among nonsmokers each year. The agency is preparing a workplace policy guide that "will describe the technical basis for smoking restrictions as well as the technical and policy options for mitigating the exposure to tobacco smoke."

The tobacco industry already has been shaken by the study and the prospect of environmental smoke being listed with radon and dioxin among about two dozen Class A carcinogens. EPA officials working on the assessment have received a torrent of tobacco company comments.

The EPA published a paper in June 1989 on environmental tobacco smoke that labeled ETS as one of the most widespread and harmful indoor air pollutants. The paper says there are 43 carcinogenic compounds in tobacco smoke, and that studies indicate that nonsmokers absorb ETS components in their body fluids. Recent research done on airplanes indicates that these components can stay in the blood stream for up to three days.

The EPA estimated in 1984 that exposure to ETS causes 500 to 3,000 lung cancer deaths. Additional studies since then have indicated the death total from lung cancer to be closer to 3,000 Americans each year. The figures do not estimate the number of nonsmokers who will die of heart disease and other cancers from the exposure to ETS. Chemist Judson Wells has estimated this figure to be 43,000 according to a study published in *Environment International* in 1988.

VOLUNTEER OPPORTUNITIES

Envelope stuffers: GASP needs more people to help stuff envelopes. This volunteer activity can be done in your own home during your own time. Direct mail solicitation is one of GASP's primary ways of generating funds and volunteers can help keep the costs down by stuffing the envelopes for us. If you live in Boulder and are close to our office on Aurora street, we will be glad to deliver materials to your home. Otherwise, they should be picked up and returned.

PRESIDENT'S CORNER

By Peter Bialick

Health Secretary Louis Sullivan is telling it like it is. I would not be surprised to hear Dr. Sullivan call the tobacco industry "merchants of death" in the near future.

Times have changed and the public has become more aware of the hazards of smoking, the hazards of secondhand smoke, and of the corporate evil of the tobacco industry. Remember how Health Secretary Joseph Califano was forced to resign after sharply criticizing the tobacco industry during the Carter administration?

The Bush administration is throwing its support behind Dr. Sullivan. President Bush made it clear to new Surgeon General Dr. Antonio Novello that he expects no letdown in the anti-smoking and anti-drug crusades of her predecessors. During a White House ceremony, President Bush said, "My respect and appreciation of my good friend Lou Sullivan grows every day as he fights for the good health of our people. In the few minutes we have been here, 11 people have died from smoking, 390,000 people each year."

Dr. Sullivan's strong criticism of Uptown cigarettes, a cigarette aimed at minorities, lead to its withdrawal from the market.

On February 22, when Dr. Sullivan reported that smoking costs society 52 billion dollars a year, he said that "cigarettes are the only legal product that, when used as intended, cause death," and such promotion means "trading death for corporate profit."

The *Rocky Mountain News* editorialized that this statement goes too far because overindulging in other legal substances (mainly alcohol) can cause death when used as intended. Supporter Joe Cherner responded:

"First, tobacco is not a legal product in the same way that potato chips or fabric softeners are legal products. In fact, tobacco is an illegal drug to sell to minors in most states, and an illegal drug to use in most public places, including movie theaters, libraries, art museums, airplanes, etc. One can hardly assert unequivocally that tobacco is a legal product."

"Second, tobacco is the only legal or semi-legal product that, when used as intended, causes disease and death. Alcohol is not intended, as your editorial claims, to be used in excess. Moreover, when alcohol use compromises the health or safety of innocent people, its use is usually illegal. Drunk driving and disturbing the peace quickly come to mind."

On February 23, Dr. Sullivan accused tobacco companies from using "blood money" to sponsor sporting events, and he urged athletes to boycott them. He said, "This blood money should not be used to foster a misleading impression that smoking is compatible with good health." He asked tobacco companies to stop sponsoring events and he urged athletic associations to reject any affiliation with the tobacco industry.

Dr. Sullivan is saying the things GASP and many other anti-smoking groups have been saying for years. These statements are not "overheated rhetoric" as the *Rocky Mountain News* claims. One cannot overdramatize the fact that more than 1,000 Americans die each day of smoking related diseases, and that the same habit also kills and harms many innocent nonsmoking bystanders. The media devotes front page headlines when other products cause a few deaths, but rarely do we see either of these headlines:

Eight Coloradans Died of Smoking Today

Coloradan Dies of Passive Smoking After Long, Painful Battle

1990 COUNTERADVERTISING CAMPAIGN

GASP's counteradvertising fund-raising campaign is off to a good start. Ten percent of GASP's membership has contributed more than \$2,800 toward the campaign, and our nonmember supporters have contributed more than \$900. GASP would like to raise another \$5,000 for the 1990 campaign.

For the first phase of the campaign, GASP has completed a counteradvertisement on the theme "Is smoking around children a form of child abuse?" A reduced copy of the ad is featured on the back page of this newsletter.

GASP plans to place this ad, which measures 50 square advertising inches, in the *Rocky Mountain News* at a cost of \$2,500. We will also place the ad in *Westword* and the *Denver Post* if we are able to raise an additional \$4,000. Any funds generated from the response to the newspaper ads will be reinvested in more ads in other papers. GASP is currently seeking cosponsorship endorsement from area health agencies at three different levels (cosponsorship \$250 to \$500 and sponsorship at \$1,000). The agencies will be listed in the ad.

GASP members and supporters can help GASP raise the funds for the ad on the back page with their tax-deductible contributions to the GASP Counteradvertising Fund. Use the coupon on the back page. Contributions to the campaign are kept separate from contributions for membership dues and are used only for this program.

TO GASP: I WANT ACTION ON TOBACCO SMOKE POLLUTION!

- ☐ Yes, I support GASP's efforts to eliminate smoking in public places, at work, and in restaurants. Here is my contribution of ☐ \$20 ☐ \$25 ☐ \$50 ☐ \$75 ☐ \$100 ☐ \$250 ☐ \$500
_____ Other amount.

•Annual membership dues for GASP start at \$20.

- ☐ I am not a joiner, but I would like to contribute \$_____ to support your efforts.

Name _____

Address _____

City-State-Zip _____

Phone _____

Mail and make checks payable to:
GASP of Colorado
Box 12103, Boulder, CO 80303

ASPEN SKI COMPANY TELLS MARLBORO MAN TO BUTT OUT

Bob Maynard, president of the Aspen Skiing Company announced March 18th that there will be no more tobacco industry sponsorships on Aspen, Buttermilk, and Snowmass mountains effective next ski season. "We decided not to support an industry that makes a product bad for people's health," said company spokeswoman Terri Roberts.

The announcement came two months after GASP and other health agencies ran ads in the Aspen papers criticizing Marlboro's sponsorship of ski races in Aspen (see last newsletter). The change in policy shows the impact a good counteradvertising campaign can have.

GASP'S ANNUAL GARAGE SALE

If you are cleaning up the attic, moving, or just want to get rid of some furniture, appliances, toys, or plants, **SAVE IT FOR THE GASP GARAGE SALE**. Your contribution to the sale is tax-deductible and will help GASP raise funds to continue educating people and fighting for nonsmokers' rights. All funds generated at this year's sale will go to GASP's counteradvertising campaign.

Our best-sellers are housewares, kitchenware, and furniture. This year we would also like to receive children's toys, house plants, and collectibles. The garage sale will take place in Boulder at 1628 Pine Street on Saturday, August 25th. CU's fall classes start the next week, and any item that students need sell well (bookcases, desks, file cabinets, kitchen appliances, lamps, stereos, etc.).

Donated items can be dropped off at GASP's office in Boulder beginning August 1st. GASP needs the assistance of a Boulder resident who has a truck and who would like to help collect items on one weekend. Call GASP at 444-9799 for further information about the garage sale.

KING SOOPERS STILL UTILIZING MERIT COURTESY BASKETS

Many King Soopers continue to use "courtesy" baskets that promote Merit cigarettes. GASP finds these Merit courtesy baskets objectionable because they send a bad message to all children who see the baskets. Some stores have indicated these baskets will be removed, but others continue to have them.

ACTION NEEDED

Pick up the red and white suggestion cards that are available at checkout counters and store exits every time you shop at King Soopers. Write and express your concerns. **King Soopers pays for the postage on these cards.** Keep picking up cards and writing until King Soopers ends this practice. Pick up extra cards and send them to GASP or give them to friends and urge them to write. You can also write a personal letter to: Donald E. Gallegos, President, King Soopers, 65 Tejon St, Denver, CO 80223.

**YOUR TAX-DEDUCTIBLE CONTRIBUTION
TO GASP WILL HELP US
INCREASE THE CIRCULATION OF
THIS NEWSLETTER TO 7,000!**

GASP SURVEY FINDS 60% OF BOULDER STORES VIOLATE NO-SMOKING LAW

GASP has completed a survey on how well retail stores are complying with the Boulder's no smoking ordinance. Stores that were not in compliance with the law were each sent a form letter about the ordinance along with a free No-Smoking sign. Volunteers visited a total of 325 stores and found:

- 46% percent of the retail stores surveyed are not in compliance with the Boulder no smoking ordinance because they fail to post no smoking signs.
- 14.5% are in poor compliance with the law because required signs are not posted "conspicuously at public entrances or clearly visible on entry into the place."
- 39.5% of the stores surveyed are currently in compliance with the law.

It took GASP more than three months to conduct the survey. Three volunteers did the surveying during their spare time. Several of the businesses contacted called GASP to say that they were not aware of the requirements of the law. Some stores said they rarely have problems with smoking. GASP pointed out that the proper posting of signs would help prevent confrontations with people who are not familiar with Boulder's ordinance.

GASP forwarded a complete list of all the names and addresses of the 325 stores surveyed to the Boulder City Attorney and City Council. GASP asked the city to engage in an ongoing educational program about the ordinance by printing an educational brochure and sending it out with all utility bills, making the brochure available to all new businesses, and sending the brochure out with retail tax forms at least every two years.

GASP would like to thank Charlotte Olde and Joyful Montgomery for helping us with the project.

AMERICANS FOR NONSMOKERS' RIGHTS



TEN COLORADO LOBBYISTS WHO WORK FOR THE TOBACCO INDUSTRY

At the Senate hearings on House Bill 1123, Senator Clair Traylor commented that she was not sure which lobbyists work for the tobacco industry. Here is a current list of tobacco lobbyists and consultants in Colorado and their earnings as disclosed by law and kept on file at the Secretary of State's office. Lobbying earnings must be reported to the Secretary of State.

Lobbyist	Represents	1989 Lobbying Earnings	1990 Lobbying Earnings till Feb.
Lobbyists and Consultants			
Wally Stealey	R. J. Reynolds	\$36,000	\$9,500
Frank Hays Junior	The Tobacco Institute	\$21,500	\$5,750
James Wilson	The Tobacco Institute	(same as above)	(same as above)
Bob Kirscht	Philip Morris	RNA	\$938
Ruben Valdez	Philip Morris	RNA	\$2,000
William J. Fox Jr	R. J. Reynolds	\$1008	\$80
Mary Thurber	Colo Assn of Tobacco and Candy	\$2,700	\$933
Sam Bowman	The Tobacco Institute	NRF	NRF
Thomas Hoog	The Tobacco Institute	NRF	NRF
Peter Webb	Various Tobacco Companies	NRF	NRF
Company Lobbying:			
R.J. Reynolds	Newsletter Lobbying Campaign	\$38,818	\$4,733
Philip Morris	Newsletter/Magazine	NRF	NRF
Tobacco Institute	Newsletter	NRF	NRF

NRF = No Report Filed on lobbying earnings and/or expenses related to smoking issue.

RNA = Report Was Not available on date of visit to Secretary of State's office.

GASP is surprised to find that no report was filed by Peter Webb, the lobbyist that has been hired by the tobacco industry to fight the cigarette tax initiative. Philip Morris avoided having to file newsletter and magazine expenses in Colorado by avoiding asking people to write to legislators. It was also interesting to find how R. J. Reynolds broke down their newsletter lobbying expenses for the reporting period of June 1989: \$3,342 for the newsletter, \$6,000 for phone contacts, and \$12,034 for letter contacts (total \$21,376). William Fox Jr. of Littleton is the consultant hired by R.J. Reynolds to promote smokers' rights groups in Colorado.

LOCAL AND NATIONAL ACTIONS AND LEGISLATION

Model Ordinance: GASP has completed the first draft of a model no smoking ordinance for Colorado. This model ordinance has been under review and development for more than six months. It has been reviewed by a number of attorneys, doctors, research scientists, health department officials, and people who have personal experience with problems with tobacco smoke pollution. GASP has sent the model ordinance to thirty-five groups and agencies for their endorsement and comments by June 1st, 1990.

GASP is planning to send this model ordinance to every Commissioner, City Councilperson, Mayor, and City/County Attorney in Colorado. The Public Affairs Committee of the Coalition for a Tobacco-Free Colorado has agreed to provide funding to assist GASP in this project.

Smoking in Schools: The Colorado Board of Health voted unanimously to strengthen regulations on smoking in schools statewide. Colorado law already prohibits smoking in classrooms, hallways, and restrooms in schools. Regulation 5-306 says:

"In schools where smoking of tobacco products is permitted indoors, such smoking must be confined to an enclosed room(s) and the building ventilation system shall effectively remove environmental tobacco smoke (ETS), so as to protect students and nonsmoking staff from its irritating and harmful effects. Smoking areas must also be segregated from common work and break areas, in order that workers who choose to refrain from ETS exposure can, in the normal course of their duties, do so."

Denver Ordinance: GASP has received a letter from Mayor Peña indicating that the city attorney is in the process of drawing up an improved ordinance for Denver. Public hearings on the ordinance could come up as early as June.

Vail: Vail has passed a comprehensive ordinance prohibiting smoking in public places, supermarkets, and giving people the right to a smoke-free workplace. Restaurants have been exempted from the ordinance for one year while they try to resolve the problem voluntarily. Congratulations to GASP member Reggie O'Brien for her hard work and persistence.

Arapahoe Community College: After receiving several complaints about campus smoking, GASP supporter Charles Oriez contacted the administration of Arapahoe Community College and asked them to comply with Littleton's no smoking ordinance. However, the administration balked and said that it was technically exempt from both the state law and the local ordinance according to an opinion by Assistant Attorney General Christine Citron. Oriez said that there have been court cases since Citron's opinion in 1988 that render the opinion invalid, and that the ordinance should be enforced. With the advice of Sierra Club lawyer Ralph Ogden, Oriez asked the college to take action or face a lawsuit. Oriez then received a letter in April from the Attorney General saying that while they still maintain that the college may be exempt from either law, the college has agreed to comply with the Littleton ordinance and will be in compliance when the college reopens in the Fall.

Front Range Community College: The students of this college in northern Westminster have voted to ban smoking inside campus buildings.

Continued on page 7.

YOUR 1990 GUIDE TO LOCAL SMOKING CONTROLS

The following guide to local smoking controls is designed to give you a general overall idea of where smoking is prohibited or restricted in the communities listed in the box on page seven. GASP has classified each smoking control ordinance in Colorado into five key areas: the workplace, restaurants, public places, retail stores, and supermarkets. This guide is a general guide; for the specific wording of each ordinance, call the city or county clerk and request a copy of the no smoking ordinance.

WORKPLACE

Employers must provide employees with smoke-free work areas upon request. Sign requirements vary.

Covered: All communities listed except Broomfield, Carbondale, Douglas and Weld County (except in county buildings), and Louisville.

Variations: Denver, Thornton, and Trinidad require employees to circulate petitions that must be signed by 50% of full-time employees before an employer is required to take an action to restrict workplace smoking. Westminster bans workplace smoking unless 50% of smokers request a smoking area.

Nonretaliation Clauses: Aspen, Colorado Springs, Denver, Lakewood, and Littleton, Parker, Telluride, Thornton, Westminster, and Wheat Ridge have a clause making it unlawful for employers to retaliate against a nonsmoking employee for exercising their right for a smoke-free work area.

RESTAURANTS

Restaurants must provide a nonsmoking area of sufficient size to patrons who request them. Patrons must be advised of the availability of a nonsmoking area either orally (not required in the Denver ordinance), or by signs at entrances.

Covered: All communities listed except Carbondale, Vail, Douglas County and Weld County.

Size Exemptions: Restaurants with a seating capacity of 30 or less do not have to provide nonsmoking areas in all communities and counties except Canon City, Colorado Springs, Denver, Pueblo (50 seats), Louisville (25), and Trinidad (20).

No Size Exemptions: Aspen, Boulder, Longmont, Snowmass, and Telluride do not exempt any restaurants from the law.

Require Totally Separate Sections: Aspen, Snowmass, and Telluride give restaurants a choice of either having a totally separate walled-off or ventilated smoking area that may not consist of more than 50% of a restaurant's seating, or prohibiting smoking entirely.

Wait Clauses: A wait clause requires that restaurants provide a nonsmoking area without delay to anyone who requests them. The delay is considered reasonable if it is equal for smokers and nonsmokers. These communities have wait clauses: Arapahoe County, Boulder, Boulder County, Canon City, Colorado Springs, Denver, Grand Junction, Greeley, Lakewood, Littleton, Louisville, Loveland, Parker, and Wheat Ridge.

PUBLIC PLACES

Smoking is prohibited in places open to the public such as elevators, galleries, libraries, museums, recreation centers, community centers, etc. Signs must be clearly posted at all entrances.

Covered: All communities listed. The laws in Douglas and Weld County cover only the city or county buildings (but smoking is prohibited in libraries, museums, and elevators by state law).

RETAIL STORES

Smoking is prohibited in any areas open to the public in retail stores, banks, or any other commercial establishment open to the public. Signs must be clearly posted at all entrances.

Covered: All communities listed except Denver, Douglas and Weld County.

*Some ordinances allow the proprietor to have a smoking area in an area not open to the public. Some ordinances allow proprietors to designate up to 50% of the store as a smoking area (most proprietors find it easier to prohibit smoking rather than split a retail store in half).

SUPERMARKETS

Smoking is prohibited in supermarkets, grocery stores, and convenience stores. Signs must be clearly posted at all entrances.

Covered: All communities listed except Douglas and Weld County.

Society Reporter Supported for Refusing to Cover Events That Allow Smoking

GASP member Glory Weisberg covers society events for *The Villager* newspaper in Englewood. She is asthmatic and cannot attend events where smoking occurs.

Glory wrote in *The Villager*, "This newspaper is limiting coverage of events that would force writers to work under conditions they would be protected from in ordinary jobs. Workplaces free of secondhand smoke are growing under local and federal legislation....These are private events, mostly seeking to raise funds for medical and cultural needs. We do not believe our staff should be forced to choose between a safe working environment and promotion of community events."

Editor Bob Sweeney supported Weisberg's stance. "We do not believe that smoking should occur at public and social functions," he said. "Since our leading society reporter is asthmatic and cannot attend smoking events, we do give a higher priority in our coverage to nonsmoking events."

Rocky Mountain News columnist Bill Husted, who seems to live in the dark ages when it comes to the issue of smoking in public, criticized Weisberg. "With the reduction in society coverage at the *News* and the planned cutback in coverage at the *Post*, Weisberg is wielding more power than ever with the *in crowd* that likes to see its names and pictures in print."

It appears Glory is very popular. She has turned down several invitations to cover society events where smoking is permitted. She turned dinner invitations to the MS Dinner of Champions and the AMC Cancer Research dinner (How could a cancer research center allow smoking at a dinner?) The Make-A-Wish Foundation will have a designated smoking areas on their May 19th dinner to appease Weisberg and the Le Bal de Ballet will be totally smoke-free. "If an event wants Glory, they will have to leave the smoking behind," says Weisberg.

GASP congratulates Glory for taking a strong stand in order to protect her health. Her stance is helping charity fund-raisers rethink their policies on smoking. After all, smoking can spoil the party for many of the people attending these functions. Smoking has become a habit of the less educated and the lower income public, and so a small minority of the "in crowd" probably smoke. Those that do smoke impose a health threat to others.

GASP agrees with Glory and *The Villager*; smoking should have no place at community charity functions.

HOW YOU CAN HELP ENFORCE NO-SMOKING LAWS

"No-smoking" ordinances are designed to protect your right to a smoke-free environment in public places, in restaurants, and at work. GASP needs your cooperation and help to assure that smoking controls work as they are intended. Here's what you can do:

Know the Extent of the Law

Become familiar with the extent of the law in your community. A copy of local smoking controls can usually be obtained from your city or county clerk's office.

Report Violations

The posting of conspicuous signs is the key to educating the public about smoking controls and assuring proper compliance. Nonsmokers should make every effort to report violations so that the next person visiting the establishment will not have to suffer needlessly.

Smoking controls are usually enforced on a complaint basis. Therefore, if you go into a store that does not post no-smoking signs, or encounter any other violations of a local no-smoking law, we urge you to call and file a complaint with the appropriate agency.

Keep records of the date, time, and person you called for future reference. If you fail to see compliance within a reasonable time, contact a local city councilmember or county commissioner. If this fails to get results, contact GASP about possible legal actions that could be taken to insure compliance.

Where to Complain

GASP has compiled a complete list of the agencies that enforce local smoking controls in all Colorado communities with smoking restrictions (see box on right). Keep this information close to your phone and take it with you when traveling to any of the cities listed.

If you have any further questions concerning a local no smoking ordinance call GASP at 444-9799.

Advertisement

STOP CIGARETTE ADVERTISING!

Young people are being bombarded with the 'in' of cigarette smoking. This book, 'GOD, WHY ME? CANCER' By Clyde Cone and Associates shows how we can stop obnoxious advertising by the tobacco companies.

STOP SMOKING

"Dear Mr. Cone, After reading your book, I have stopped smoking", L.B.

An article by a doctor tells of the effect of smoking and the way to stop lung cancer.

This is the journal of a courageous woman battling lung cancer probably caused by smoking.

A MUST book for yourself or a friend in need.

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City/State/Zip

Send _____ GOD WHY ME? CANCER Books @ \$9.95 each delivered. Make checks payable and mail to:

Clyde Cone, 7395 W. 67th Ave., Arvada, CO 80003.

NOTE - ALL PROFITS GO TO GASP.

Smoking Control Enforcement Agencies

ARVADA	Code Enforcement, 431-3021, 431-3060 (weekends)
ARAPAHOE COUNTY	Sheriff's Dept., 795-4711
ASPEN	Environmental Health Dept., 925-2020
AURORA	Code Enforcement Dept., 695-7354
BOULDER	Environmental Enforcement, 441-3239
BOULDER COUNTY	Environmental Health, 441-1187
BROOMFIELD	Police Dept., Code Enforcement, 466-2331
CANON CITY	Police Dept., 275-8638
CARBONDALE	Police Dept., 963-2662
COLO SPRINGS	Health Dept., Env. Health Division, 578-3125
DENVER	Denver Public Health, Env. Health, 893-6241
DOUGLAS COUNTY	City Manager, 660-7400
ENGLEWOOD	Public Information Officer, 761-1140 (for workplace complaints), Police Dept., 761-4960
FORT COLLINS	Kathleen Phillips, 221-6605
GOLDEN	Police Dept., 279-2557
GRAND JUNCTION	City Attorney's Office, 244-1505
GREELEY	City Clerks Office, 353-6123, Ext. 370
GREENWOOD VILLAGE	Police Dept., 773-0252
JEFFERSON COUNTY	Sheriff's Dept., 277-0211
LAKEWOOD	Connie Warren, City Manager's Office, 987-7050
LITTLETON	Chris Gibbons, City Ombudsman, 795-3700
LONGMONT	Code Enforcement Officer, 651-8332
LOVELAND	Bill Babcock, 667-6130, Ext. 540
LOUISVILLE	Pam Ferris, City Clerk's Office, 666-6565
PARKER	Police Dept., Code Enforcement, 841-0424
PUEBLO	Fire Dept., 542-1352
SNOWMASS	Public Safety Department, 923-5330
TELLURIDE	Town Manager, 728-3856
THORNTON	Environmental Services, 538-7330
TRINIDAD	Police Dept., 846-4441
VAIL	Environmental Health, 479-2138
WELD COUNTY	Sheriff's Dept., 356-4000
WESTMINSTER	Code Enforcement, 429-1546, Ext. 230
WHEAT RIDGE	Police Dispatch, 238-8491

LOCAL AND NATIONAL ACTIONS AND LEGISLATION

Lamar: The special ballot election to decide whether the Lamar City Council should enact a comprehensive no smoking ordinance has been delayed till late June. GASP of Colorado has contributed \$100 to help local residents promote the ballot.

Jefferson County: An arbitrator upheld Jefferson County school district's ban on smoking in schools. Arbitrator John Bass said the school board imposed the ban legally because Colorado statute allows schools to set policy on employee's safety, conduct and welfare, in addition to setting aside nonsmoking areas.

Amtrak will eliminate smoking next month on some trains and in some stations under new policies that will more strongly segregate smokers and nonsmokers.

Bus Travel: The American Bus Association and the United Bus Owners of America quietly petitioned the Interstate Commerce Commission (ICC), which regulates the bus industry, to change its rules and ban smoking on all interstate buses, except charters. GASP has encouraged the ICC to move ahead in banning smoking on busses. Bus travel is very important to people who live in areas not served by airplanes or trains, people who do not like to fly, and people who cannot afford to fly. If you would like to see smoking banned on interstate bus travel write the ICC at 12th and Constitution Ave NW, Washington, DC 20423.

Join the rest of us who are concerned about
environmental tobacco smoke.
Your tax-deductible contribution supports the
work of GASP of Colorado.



Is smoking around children a form of child abuse?

**Tobacco smoke is not just an annoyance;
it hurts more than feelings.**

The Environmental Protection Agency (EPA) says, "Passive smoking induces serious respiratory symptoms in children. Asthmatic children are particularly at risk. Children of smokers have significantly higher rates of hospitalization for bronchitis and pneumonia, and a number of studies report that chronic ear infections are more common in young children whose parents smoke. Also, lung development is slower in children exposed to environmental tobacco smoke (ETS). Lung problems caused by ETS exposure in childhood can extend into adult life."

**Please don't smoke around children.
Thank you.**

**GASP OF COLORADO
Group to Alleviate Smoking Pollution**

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TOBACCO SMOKE!**

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The Nonsmokers' Voice

Published quarterly.

Annual subscriptions with tax-deductible membership contributions of \$20 or more.

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We need your support in order to continue mailing this newsletter to nonmember supporters of GASP. Educating the public is important to GASP; however, if GASP cannot recover our expenses, GASP will have to discontinue mailing this newsletter to nonmembers.

Your tax-deductible contribution will help GASP continue to circulate this newsletter to 1,500 nonmember supporters. Use the coupon on page 2.

ARE YOU A GASP MEMBER?

If your mailing label starts with the words **SUPPORTER** or **EXMEMBER**, you are not currently a dues-paying member of GASP. Annual dues start at \$20.

Contents on page 3

AIRPORT, MCNICHOLS, AND MILE HIGH STADIUM TO GO SMOKE-FREE

Mayor Federico Peña signed an Executive order on July 2, 1990 that will prohibit smoking in all indoor buildings and facilities owned or operated and or leased by the City and County of Denver effective October 1990. The smoking ban for the airport shall take effect January 1, 1991. McNichols arena, where smoking is already prohibited in the main section, shall be smoke-free effective July 1, 1991. The only facilities exempted from the ban are jails and detention centers, theatres and arenas when used for private functions, suites and luxury boxes at McNichols and Mile High Stadium, and bar/lounges and restaurants with bar/lounges in the airport, sports complexes, and golf courses. Enforcement for the general public shall be the responsibility of the building manager.

GASP President Pete Bialick attended the signing ceremony at the invitation of the Mayor. The Mayor acted on recommendations from the City's Wellness Committee. The Committee represents employees of the city's many different departments. Members of the committee stated they were acting due to increasing complaints from city employees.

The Mayor cited increasing studies showing tobacco smoke is a significant threat to nonsmokers as well as smokers. GASP sent a copy of the EPA paper on environmental tobacco smoke to the mayor last year and received a personal thank you letter.

"When people realize the hazards of certain products, we take the products off the shelf. Now we are learning that if you are sitting next to someone who is smoking, it is almost as bad as if you were smoking yourself," Peña said.

MODEL ORDINANCE ENDORSED BY NUMEROUS HEALTH AGENCIES

GASP's model environmental tobacco smoke ordinance for Colorado has been endorsed by the American Cancer Society of Colorado, the American Lung Association of Colorado, Americans for Nonsmokers' Rights, the Colorado Department of Health, and the National Jewish Center for Immunology and Respiratory Medicine.

GASP's Board of Directors has made a number of changes in the ordinance to clarify the wording. The endorsement deadline has been extended to September 27th, 1990. GASP has requested endorsements from a number of other Colorado agencies. GASP will make public and distribute the model ordinance in the middle of October to elected officials in every city and county in Colorado.

GASP has also been working with the Colorado Restaurant Association to achieve language acceptable to both parties. In a letter to GASP of July 10, 1990, Peter Meersman (the Executive Director)

states, "Our Board of Directors would be very likely to endorse the ordinance publicly if these issues are resolved. Further, if changes are made, we would be likely to support a similar ordinance on the statewide level. We are very close to an agreement that our groups can live with."

POSTCARD ENCLOSED, ACTION NEEDED

Tell King Soopers to Remove Merit Courtesy Baskets

King Soopers continues to use "courtesy" baskets that promote Merit cigarettes. Join GASP in letting King Soopers know these courtesy baskets send a bad message to all children who see the baskets and should be removed. Just stamp (15¢), sign, and mail the enclosed postcard today!

SMOKER' RIGHTS BILL NOW IN EFFECT

The Senate passed a smokers' rights bill in March. It became law July 1st without the Governor's signature despite requests from GASP that the bill be vetoed.

The law was significantly watered down due to the efforts of GASP, the Colorado Municipal League, Mountain States Employer Council, and numerous health agencies belonging to the Coalition for a Tobacco-Free Colorado.

To help our members understand the law, GASP is reprinting the final version. This is followed by a short question and answer piece.

CONCERNING THE UNLAWFUL PROHIBITION OF LEGAL ACTIVITIES AS A CONDITION OF EMPLOYMENT

Be it enacted by the General Assembly of the State of Colorado:
SECTION 1. Article 34 of title 24, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

24-34-402.5. Unlawful prohibition of legal activities as a condition of employment. (1) It shall be a discriminatory or unfair employment practice for an employer to terminate the employment of any employee due to that employee's engaging in any lawful activity off the premises of the employer during nonworking hours unless such a restriction:

(a) Relates to a bona fide occupational requirement or is reasonably and rationally related to the employment activities and responsibilities of a particular employee or a particular group of employees, rather than to all employees of the employer; or

(b) Is necessary to avoid a conflict of interest with any responsibilities to the employer or the appearance of such a conflict of interest.

(2) (a) Notwithstanding any other provisions of this article, the sole remedy for any person claiming to be aggrieved by a discriminatory or unfair employment practice as defined in this section shall be as follows: He may bring a civil suit for damages in any district court of competent jurisdiction and may sue for all wages and benefits which would have been due him up to and including the date of the judgment had the discriminatory or unfair employment practice not occurred; except that nothing in this section shall be construed to relieve such person from the obligation to mitigate his damages.

b) The court shall award the prevailing party in such action court costs and a reasonable attorney fee.

QUESTIONS AND ANSWERS ABOUT COLORADO'S "SMOKERS' RIGHTS" BILL

Question: Does the law restrict the hiring of nonsmokers?

Answer: No, you may still hire and advertise for nonsmokers.

Question: What happens if I hire someone and they start smoking. Can I fire them without fear of being sued?

Answer: Yes, you may fire someone who takes up smoking or lied about being a nonsmoker when you hired them. According to Senate Sponsor Jeff Wells, this would be a violation of a contractual agreement made upon employment. If you have a no-smoking policy at work, you may also fire a smoker who smokes on the premises during working hours.

Question: Does the law prohibit me from telling employees they cannot smoke off the job?

Answer: Yes, if they are already employed with your firm. No, if they are new employees or if they meet the exceptions spelled out in section (a) and (b).

Continued next column...

Question: Who supported this House Bill?

Answer: The tobacco industry and the Police Protective Association were the only two groups supporting it. The ten lobbyists working for the tobacco industry had more political influence over some state representatives than their constituents did. Wally Stealy, who was a legislative liaison to Governor Lamm, is one of the many influential tobacco industry lobbyists.

HOW SENATORS VOTED ON THE "SMOKERS' RIGHTS" BILL (HB 1123):

Voting For Passage: Allard, Allison, Bishop, Brandon, Fenlon, Gallagher, Groff, Martinez, McCauley, McCormick, Meiklejohn, Peterson, Powers, Rizzuto, Sandoval, Strickland, Traylor, Wattenberg, Wells, and Wham.

Voting Against Passage: Bird, Considine, DeNier, Hopper, Hume, Mendez, Norton, Owens, Pascoe, Pastore, Schaffer, Schroeder, Tebedo, and Winkler.

Excused: Trujillo. **Vote Count:** Yes (20), No (14), Excused (1), Absent (0). Eighteen votes needed to pass a bill in the Senate.

* The voting records of our House Representatives for HB 1123 appeared in Volume 12 #1.

Bledsoe and Gillis Quit

Speaker of the House Carl Bledsoe and Rep. Elwood Gillis are not seeking reelection this November. Bledsoe has played a major role in circumventing legislation to protect Coloradans from environmental tobacco smoke by sending bills to unfavorable committees. Gillis used the pocket veto as Chairman of one of those committees to kill a clean indoor air law a few years ago. This flagrant misuse of the democratic process was cited as a reason for the GAVEL amendment.

Now that Gillis and Bledsoe are gone, will things change? It depends on who the new Speaker of the House is and the results of the November election. GASP members can make a difference by contacting legislators who are running in their district. Ask candidates what their position is on laws that restrict smoking in public.

TO GASP: I WANT ACTION ON ENVIRONMENTAL TOBACCO SMOKE POLLUTION!

☐ Yes, I support GASP's efforts to eliminate smoking in public places, at work, and in restaurants. Here is my tax-deductible contribution of ☐ \$20 ☐ \$25 ☐ \$50 ☐ \$75 ☐ \$100 ☐ \$250 ☐ \$500 ☐ Other amount.

*Annual membership dues for GASP start at \$20.

☐ I am not a joiner, but I would like to contribute \$_____ to support your efforts.

Name _____

Address _____

City-State-Zip _____

Phone _____

Mail and make checks payable to:

GASP of Colorado

Box 12103, Boulder, CO 80303



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THE DANGERS OF TOBACCO SMOKE!**

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☐\$250 ☐\$500 _____ Other amount.

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This ad is 2 X 9. It could
cost between \$100 to \$250
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For further information on
cosponsoring this ad in your
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GASP at 444-9799 or write
us at Box 12103, Boulder,
CO 80303.

A Thoughtful Thing to Do... Memorial Gifts to GASP

If you would like to honor
someone with a donation to GASP or if
you would like to make memorial gifts
to GASP in a published obituary, GASP
will gratefully send an
acknowledgment of each gift.

Also, keep GASP in mind when
preparing your will. Portions of your
estate can be left to GASP tax-free.

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CIRCULATION: 2,500

Advertising space is available for
our next issue. The deadline for ads
is Nov. 1, 1990.

DOT REPORT DOCUMENTS DEADLY PROBLEM OF TOBACCO SMOKE ON AIRLINES

If smokers were permitted to continue lighting up on domestic airline flights scheduled for two hours or more, approximately 15 members of cabin crews, and between 42 and 440 passengers, would die as a result. In addition, passengers would be subjected to air pollution levels higher than those required to trigger an outdoor air pollution emergency.

These are among the findings of a special study of airliner cabin air quality made for the Department of Transportation (DOT). The study also demonstrates the continuing risks on international flights on which smoking will not yet be banned.

The report concluded that, of all possible factors, only tobacco smoke and cosmic radiation aboard aircraft posed a health hazard. With regard to tobacco smoke, the report concluded that "a total ban on smoking was estimated to provide the greatest benefit at least cost."

Based upon actual measurements made on randomly selected domestic flights of several of the "hundreds of by-products left in the air after smoking," the study concluded that the number of excess deaths per million persons caused by environmental tobacco smoke would be 120-150 among cabin crew members, 2.7-8.3 among business passengers, and 0.8 to 1.1 among casual passengers. Since 53 million adult Americans fly in any given year, this means that approximately 15 members of the cabin crew, and between 42 and 440 passengers, would die as a result.

The study also demonstrated by actual measurements that persons in the smoking section - including crew members, those waiting to use restrooms, and children seated with smoking parents - could be exposed to peak levels of particulate air pollution of over 875 micrograms per cubic meter. This level exceeds the National Ambient Air Quality Standards (NAAQS) primary and secondary air pollution levels, and would be enough to trigger an air pollution emergency if it occurred outdoors. Even in the no-smoking section of flights on which smoking was still permitted, the levels reached over 200, as compared with those on nonsmoking flights of 35 to 40.

The study concluded that the risks from environmental tobacco smoke on international flights, where smoking will still be permitted after February 25th, are comparable to those on domestic flights where smoking is now permitted. Indeed, the risks for cabin crew members are somewhat higher (135-166 deaths), although the risk for nonsmoking business (26) and casual passengers (0.6-0.8) are somewhat less.

The risks caused by smoking aboard aircraft can be eliminated easily and at virtually no cost. In contrast, the risks posed in airplanes by cosmic radiation, and on the ground by a host of air pollutants and workplace contaminants, can often be reduced only at very great cost and inconvenience.

During debates before Congress on whether to ban smoking on all airline flights, the tobacco industry repeatedly urged Congress not to act until this DOT study was completed, urging that its findings should be given great weight. Now that the study has been completed, the tobacco industry is up to its usual deceptive tactics of ignoring the conclusions regarding environmental tobacco smoke and trying to divert the public's attention toward the cosmic radiation problem.

Adapted from *Smoking and Health Review*, Published by ASH.

PASSIVE SMOKING LINKED TO HEART-DISEASE DEATHS

Nonsmokers who live with smokers have a 20% to 30% higher risk of dying from heart disease than do other nonsmokers, a researcher said yesterday.

"Passive smoking causes heart disease, and the number of deaths due to heart disease is 10 times the number due to cancer," said Stanton Glantz of the University of California at San Francisco.

Glantz remarked that research is beginning to show exactly how cigarette smoke alters the heart, blood, and arteries to increase heart-disease risk.

"The evidence that passive smoking causes heart disease is stronger today than the evidence was in 1986 that passive smoking caused lung cancer. The heart disease deaths combined with the cancer deaths make passive smoking the third leading cause of preventable death, behind smoking and alcohol," he said.

Rocky Mountain News, May 22, 1990

SMOKING & SIDS

Maternal smoking is the single most important risk factor for SIDS, sudden infant death syndrome, suggests a study in Sweden.

The researchers, Dr. Brent Haglund and Dr. Sven Cnattinguis, studied nearly 300,000 newborns from 1983 through 1985 and concluded that "smoking doubled the risk." Infants of smoking mothers also died at younger ages, reports the article in the *American Journal of Public Health*. The researchers also found that if none of the Swedish mothers smoked, the SIDS rate could be reduced by 27 percent.

PASSIVE SMOKING CAUSES STROKES

Neurologist Dr. Geoffrey Donnan of the Austin Hospital has presented preliminary research that shows that passive smoking is a significant factor in strokes. His research indicates that the spouse, mother or father of a smoker have 1.7 times the risk of stroke than someone without these factors. Smokers have 3.7 times the risk.

Australian 1989, taken from the newsletter of the Nonsmokers Movement of Australia.

EPA REPORT ON ETS WILL BE OUT SOON

An Environmental Protection Agency report classifies ETS (Environmental Tobacco Smoke) as a Class A carcinogen, the most hazardous classification. The report estimates the number of ETS-related lung cancer deaths at 3,800 per year. This means that environmental tobacco smoke is more dangerous to humans than all the other carcinogens currently regulated by the EPA combined, including asbestos, arsenic, benzene, radon, and radionuclides. The study has prompted a number of cities, such as Los Angeles and Flagstaff, to draft laws banning smoking in all places used and open to the public, including restaurants. The report is expected to be released in the next two months.

COUNTERADVERTISING REPORT

GASP's ad with the theme "Is Smoking Around Children a Form of Child Abuse" was placed in the *Rocky Mountain News* on June 11, 1990. The response to the ad was fair, even though the *News* buried the ad in the newspaper. *Up the Creek* and the *Colorado Daily* wrote articles about the ad. KOA radio made the ad its top story and talked about it on the Steve Kelly show. Several individuals called GASP for information about the hazards of smoking around children. Thomas Lauria, a spokesman for the Tobacco Institute called the ad "an egregious misstatement of the truth and deliberately alarmist."

A smaller version of the ad (see page 2) will run in September in *The Parent* (circulation 75,000), *Colorado Woman News* (circulation 100,000), and in *Westword* (circulation 100,000). If the response is good, further ads will be taken out in other Colorado newspapers in the upcoming months.

GASP is currently considering the possibility of producing a television spot for the second phase of the counteradvertising campaign. This year's fund-raising efforts have yielded more than \$6,000 for the counteradvertising campaign.

NEWS OF INTEREST

The Colorado Court of Appeals upheld a district court ruling regarding the regulation prohibiting smoking in Weld County jails. In June, smoking was banned in all Boulder County buildings, vehicles, and the jail.

The Douglas County school board has voted to ban the use of tobacco from district schools with the 1990-91 school term. The Denver School Board is considering a ban of tobacco in all district buildings. GASP members who have children in the school district should call school board members to express their support for the ban.

IBM has completely banned smoking in individual offices at its plant in Boulder according to GASP member Karin Akin.

Continued in next column.

Smoking as child abuse

IF SOCIETY is justified in protecting children from injuries in car accidents, then certainly it's justified in shielding them from health hazards in the home — including cigarette smoke.

Thus, a California judge should be commended for ordering a mother not to smoke in the presence of her 5-year-old son. As the judge correctly has recognized, the health risks to the child in this case outweigh the woman's right to privacy — just as they would if this were a dispute over seat belts.

Indeed, as the evidence against smoking continues to build, public health officials may eventually feel confident in seeking to pro-

hibit adults from smoking in front of children anywhere indoors. Numerous studies have shown that kids exposed to tobacco fumes run a higher-than-normal risk of respiratory disease, including lung cancer, and recent research suggests that they face an elevated risk of heart attacks as well.

The California ruling, issued at the request of the father in a joint custody case, may have little immediate effect on smoking policies in general. But it underscores the fact that where children's health is concerned, cigarette smoking by a parent may pose as great a long-term threat as more direct and intentional forms of physical abuse.

The Denver Post, August 21, 1990

GASP of Colorado won a second place award in the Community Information & Education category from the 1990 Rocky Mountain Tobacco-Free Challenge for GASP's efforts to educate the public about the 1989 EPA paper on ETS.

The R J Reynolds company held a smokers' rights meeting in Boulder. 15 smokers attended.

An article in the June 18th issue of *Newsweek* says that the tobacco industry is gearing up a new regional lobbying effort. According to *Legal Times* magazine, Philip Morris has hired at least 40 new lawyers and PR consultants around the country.

The New Jersey Supreme Court ruled in July that warnings on cigarette packages do not protect tobacco makers from product liability lawsuits. The judges found that Congress did not intend to "immunize" cigarette manufacturers against suits alleging that they failed to warn consumers of the risks of smoking. If that had been the intent, Congress "knew how to do so with unmistakable specificity," the judges said.

The Colorado cigarette tax initiative suffered another setback when an arbitrator determined that the Secretary of State was correct in throwing out the petition ballot. The initiative backers have taken the case to the district court, and so the initiative still may end up on the November ballot.

SMOKE-FREE RESTAURANT DISCOVERIES

Karen's Country Kitchen in Louisville, Le Francois and Marbles in Boulder are nonsmoking restaurants. The Blue Moose in Breckenridge has a large no smoking room, reports GASP member Ruth Haan.

BOARD MEMBERS NEEDED

GASP of Colorado needs more GASP members who are interested in helping advise and play a role in the decision-making process for GASP by becoming members of the Board of Directors. The Board meets monthly in Denver in the evening. For an application, call Pete Bialick at 444-9799.

TOBACCO AND THE PERRIER BENZENE SCARE

Perrier mineral water was recalled nationwide recently because traces of benzene (12.3 - 19.9 parts per billion) were found in some samples. At 20 parts per billion, an 8 oz. serving of Perrier would contain about 4,731 micrograms of benzene. According to the 1986 Surgeon General's report, the mainstream smoke in a single cigarette contains 12-48 micrograms of benzene.

In other words, comparing the maximum amount of benzene found in the Perrier to the minimum amount in a cigarette, there is about two and a half times as much in the cigarette. (Or, there's about 50 times as much benzene in a pack of cigarettes. This may be a more apt comparison, since most smokers smoke at least a pack a day but very few people have 20 servings of Perrier a day.) Using these figures, it would take about 37 eleven ounce bottles of Perrier to equal the benzene in one pack of cigarettes. Benzene is only one of 43 known carcinogenic chemicals in tobacco smoke!

It is a sad comparison between the action being taken in response to the contamination of a beverage that is consumed almost exclusively by rich people vs. the relative lack of action taken daily in response to cigarettes which are consumed primarily by lower income, lower educated consumers.

The Advocacy Institute

PRESIDENT'S CORNER

By Peter Bialick

In the last issue of this newsletter I commented that "I would not be surprised to hear Dr. Louis Sullivan call the tobacco industry 'merchants of death' in the near future." The May 25, 1990 issue of *The Christian Science Monitor* reports that Dr. Sullivan called the tobacco companies "merchants of death." Perhaps he read my comments in the newsletter?

Lamar (see article next column) is the second city in Colorado to turn down a proposed smoking restriction on the ballot. The other city is Buena Vista. However, I do not count these as defeats because of the poor ballot wording in both cases. The wording in Lamar was changed from very specific wording to very vague wording (the kind the tobacco industry likes because a confused voter is a NO voter). The final wording read, "Shall an ordinance be enacted placing restrictions upon the smoking of tobacco within the city of Lamar?" Such wording could be interpreted to mean that smoking could be banned in the street, in homes, etc.

GASP supporter Mark Simmerman made a valiant effort in Lamar, but was circumvented by one city official. During the process, Mark's job was threatened by a county commissioner. His experience is another reason why we need a statewide clean indoor air law.

Our counteradvertising program is having a positive impact. I am finding that more and more people are becoming familiar with GASP. I receive more and more comments from people on what a positive impact GASP has had on their lives. The other day I had a call from a smoker who asked me if GASP could do something about getting health insurance companies to cover the cost of smoking cessation. I asked him why he was calling us; GASP does not offer any smoking cessation clinics. He said he called us because GASP seems to have the ability to affect change in government and business policies!

WHAT HAPPENED IN LAMAR?

Reporter Kevin Simpson wrote a story about Mark Simmerman's efforts in Lamar. The article appeared in the *Denver Post* on June 26, 1990. Here are the key portions of the story:

He broached the prospect of an ordinance with the city council. He spoke to the county commissioners. He wrote letters to the editor of the *Lamar Daily News*. It was slow and treacherous work.

"Lamar is very conservative, there's a lot of the good ol' boy system still intact there," says Simmerman. "You had to be careful. But on the other hand, you had to really push to get anything done. That's what I ended up doing."

The city council could have passed an ordinance on its own. Instead, it followed the first rule of safe politics: When in doubt, stand back and put the issue to a popular vote.

Simmerman figures the election was sabotaged from the beginning, when the city attorney authored a "negatively worded, pathetically vague" ballot question. As a result, he says, some residents feared the ordinance would make it impossible to buy a cigarette anywhere in town.

THE TOBACCO LOBBY jumped into the act, distributing a letter (to all registered voters according to GASP's research) urging voters to kill the ordinance in the voting booth. Simmerman claims some voters told him they received phone calls soliciting their support with promises of free cigarettes or coupons. Even the local paper opposed the ballot question.

And Simmerman claims that as his effort built steam, one longtime county commissioner minced no words in warning him: "If you like your goddamn job, then keep your goddamn mouth shut."

Simmerman never went public with the threat. The commissioners controlled his budget.

But he didn't keep his mouth shut, and the ballot issue passed by 76 votes out of nearly 800 cast. Even as supporters celebrated, a canvassing of the ballots supposedly indicated election judges had read many of them incorrectly. The recount affected the outcome of none of the other five questions on the ballot.

But amid raised eyebrows, the proposed smoking ordinance lost by 11 votes.

• Mark Simmerman left Lamar shortly after the election for a new job with the Public Health Service at an Indian reservation in Montana.

HOW I ACHIEVED THE RIGHT TO A SMOKE-FREE WORKPLACE

An Interview with June Mercer

June Mercer is a GASP member who won the right to a smoke-free workplace in 1984. Mrs. Mercer was awarded \$31,000 in back-pay wages in 1984, culminating a lawsuit that lasted four years. Mrs. Mercer worked as a Title Clerk in the Motor Vehicle Department in Jefferson County.

June took the action because she began to feel ill almost every day after working around smokers. She took a leave of absence from her job because of her health problems. When she returned to her job, she was terminated. She then sued asking for her job back, back pay, and damages (she received all but the damages). She has since retired from the job.

Mrs. Mercer has been a longtime member of GASP of Colorado and is a member of GASP's Board of Directors. This interview was conducted shortly after Mrs. Mercer had settled her case and had returned to a smoke-free workplace. It was featured in our August 1984 newsletter. GASP is repeating the interview because of the growing number of calls regarding the problem of smoking in the workplace.

GASP: Previous to filing your lawsuit, did you make an effort to settle the problems on your own?

MERCER: Yes, I made every attempt possible.

GASP: Looking back to when you first sued your employer, what do you feel were some of your mistakes others might avoid?

MERCER: When this first began, I felt I was the guilty one. I felt that I was "rocking the boat." Because of that, I was very timid about asserting my rights. I wasn't as aggressive as I am now. I think that if I had been more aggressive things might have been settled much sooner and perhaps without a lawsuit.

GASP: The court ordered your employer to reinstate you in October 1983. What kind of reaction did you receive when you returned to work on November 1st?

MERCER: A few of the employees were very cool towards me, but some were very happy with what I had accomplished.

GASP: Did that change?

MERCER: Yes, it all changed. Matter of fact, they instituted smoking and nonsmoking break rooms. The Assistant Supervisor felt that my case had done a lot of good for Jefferson County. I also heard comments from employees who said that working there was so much more enjoyable with the clean smoke-free air. (Continued next page)

Mercer Interview Continued...

GASP: Did you think that it would take four years to settle and resolve your problem?

MERCER: No, I thought it would take about a month. I thought I was the only one in the whole world who was suing for the right to a smoke-free workplace. It was not till much later that I found out about the Donna Shimp case, and that other people had filed lawsuits for a smoke-free workplace and won.

GASP: You used two different lawyers to represent you. Do you have any recommendations about choosing a lawyer?

MERCER: Yes, don't always go for the cheapest lawyer. It is well worth paying the extra expense to hire someone with more experience and someone who is genuinely interested in your case. My first lawyer lacked experience. Had my first lawyer appealed a decision early on, I might have been back to work sooner.

GASP: What advice would you give someone who is having problems with smoking in the workplace?

MERCER: Try to work things out to start with. Make an attempt to educate your employer and use available resources. Then, if things do not work out, go see an attorney to help you resolve your problems.

GASP: This lawsuit and the headaches that went with it must have been frustrating. Was it all worth it?

MERCER: Yes, it was. I am very proud of what of I had accomplished to protect my health.

* GASP's *Guide to A Smoke-Free Workplace* can assist individuals who are continuing to have problems with smoking in the workplace. GASP can also provide lawyer referrals. GASP's legal fund can provide assistance to individuals who are having problems with smoking in the workplace.

WHEN YOU MOVE, PLEASE NOTIFY GASP OF YOUR NEW ADDRESS AS SOON AS POSSIBLE. The post office does not forward bulk mail, so if you move without letting us know, GASP will get your newsletter back.

MOUNTAIN RETREATS



Romantic Cottages
for 2

1-800-395-1955

*Gas Log Fireplace

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**Thee Victorian
Village**

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42 mi West of Denver

Gift Certificates

MC & Visa

Thank you for not smoking

TOBACCO IS A GATEWAY DRUG

Tobacco is officially recognized as an addictive drug. The tobacco companies discovered decades ago that if they removed the nicotine, the addictive element, people stopped buying the tobacco products. **Tobacco is also a gateway drug for teenagers.** According to the National Institute on Drug Abuse, a federal government agency, teens get hooked on tobacco by the time they are 12 to 14 years old.

97% of high school seniors who smoked a pack-a-day in 1985 had begun smoking by the fourth grade. 53% of seniors who smoked half-a-pack a day or more said they had already tried to quit smoking and were unable to do so. 47% said they would like to quit.

There is a dramatic association between smoking and illicit drug use. 95% of pack-a-day smokers in the senior class had used an illicit drug, 81% had used an illicit drug other than marijuana, 49% had used cocaine, and 67% were actively using an illicit drug.

Of the nonsmokers in the senior class, only one-fourth (27%) had tried an illicit drug (compared to 95% of smokers); only 20% had tried marijuana (94% of smokers); only 5% had tried cocaine (49% of smokers). Current marijuana use was eight times as high among the pack-a-day smokers as nonsmokers, and daily marijuana use was 20 times as high. Daily use of any illicit drug other than marijuana was 13 times as high among smokers as nonsmokers.

There is also a dramatic relationship between smoking and use of alcohol. The pack-a-day smokers are 11 times as likely to be current daily drinkers as those who never smoked (18.4% vs. 1.7%). Pack-a-day smokers are also 4 times as likely to report an occasion of heavy drinking (67.9% vs. 17.2%).

The National Institute on Drug Abuse (NIDA) says, "the experience of smoking can teach youngsters to use a psychoactive drug to influence mood and alertness, as nicotine does, and then reinforce that behavior. Smoking cigarettes prepares young people for the relevant mode of ingestion for one of the next drugs in the sequence - namely marijuana." NIDA points out that drawing a foreign substance into the lungs is not a normal behavior for humans or other animals: it is a behavior which has to be learned and rewarded enough to overcome the aversive experiences which usually result."

To allow tobacco use at schools or at any teen function is to sanction drug use. To allow adults to smoke at a teen function is to promote the image of "adult behavior" and to say clearly "I can do it and you can't. Secondhand smoke is not my worry, but yours."

Secondhand smoke is radioactive, carcinogenic, contains over 4,000 toxic chemicals and 60 known carcinogens, acts synergistically with radon and asbestos to increase health damage, and does not discriminate by age, race, sex, or political preference. Secondhand smoke denies equal access to public events by creating a barrier as real as steps are to a wheelchair person.

In the time it took you to read this page, ten Americans died of a tobacco related illness, and at least one to them never chose to smoke.

1) National Institute on Drug Abuse, *National Trends in Drug Use and Related Factors Among American High School Students and Young Adults, 1975-1986.*

2) 1986 Surgeon General's Report on the Health Consequences of Involuntary Smoking.

Adapted from an article by the Virginia Group to Alleviate Smoking in Public.

EXTRA KING SOOPERS CARDS AVAILABLE

If you would like to give your friends and neighbors a postcard asking King Soopers to remove the Merit courtesy basket promotion from stores (see article on page 1), send GASP a SASE. Mail to GASP King's Postcard, Box 12103, Boulder, CO 80303.

HUMOR & LETTERS

BUTT SERIOUSLY, FOLKS

You're not going to believe this... but the cover picture for Laura Misch's smokers story ("The Last GASP," *Westword* 5/9) was living proof of it: Camels smokers look like camels. The guy on the front cover, for instance. I've noticed it for several years now. Big long faces; avid, humped shoulders, etc. So be careful what you smoke! If you are what you eat, you're also what you smoke. Going further: It's okay to smoke like a camel, just don't smell like one. And it's okay to smoke like a camel, just so you don't drink like one.

It's okay to walk a mile for a camel if the camel is interested?
Gene Edwards, Denver

* Editors note: This letter to the editor and many like them appeared in *Westword* after the newspaper did a story on the smokers' rights movement in Colorado. Although GASP has no objection to people smoking in private where it will not harm anyone, we could not resist including this humorous jab at smokers.

SMOKERS HAVE SOME RIGHTS

Smokers' rights? You mean the right to vote? The right to assemble? The right to speak out? Absolutely.

You mean the right to blow smoke in people's faces? No way. The next thing you know, drunk drivers will be demanding their rights, too. After all, you can't *prove* driving and drinking is unsafe.

Brad Bohland, Denver, *Westword* Letter to the Editor

SMOKED OUT AT McNICHOLS

Dear GASP,

A recent experience pointed out to us that much needs to be done to strengthen the Denver no-smoking ordinance. During an Eric Clapton concert at McNichols Arena, we were very dismayed to find many people "Lighting up" their cigarettes once they were seated. Clear "No Smoking" signs were posted throughout the building but they were ignored by many people. People near us did put out their cigarettes when we asked them, but the large numbers of smokers throughout the arena resulted in the air being unpleasantly smoke filled. None of the ushers made moves to insist that cigarettes be extinguished nor were there any announcements made not to smoke. We felt angry that we were exposed to so much secondhand smoke!

Anita Bennett & Peter Russell, Boulder

GASP Responds: Smoking is prohibited inside McNichols Arena except in designated areas of the lobby area. As of July 1, 1991, smoking will be completely banned in the arena. The Denver police department has been instructed to enforce this law. Find a police officer or a security guard and complain. Ushers are not required by the Denver law to take any action for law violations. Also, file a formal complaint with the Denver Health Department after the concert.



MAD MAGAZINE SPOOFS THE PHILIP MORRIS MAGAZINE

The September issue of *MAD* magazine (Number 297) poked fun at the Philip Morris magazine. The four-page satire is classified under the "Smoke gets in their lies department."

MAD says that the magazine is unlike any other magazine. "It's published by a tobacco company and is full of veiled and open criticism of nonsmokers and anti-smoking legislation. It portrays smokers as active, influential and healthy people who are in no way addicted to nicotine. Yes, it's a mouthpiece for the tobacco lobby, masquerading as a 'lifestyle' publication! We call it... **CHOK** -- The Magazine for People Who Enjoy Smoking -- Published by the Company Dedicated to Keeping Them Hooked, Filled-up Morass Tobacco, Inc."

Here is a column from the issue.

PUFF POLL®

In each issue of *CHOK* we ask a question of particular interest to smokers and invite our many readers to send in their responses.

This Month's Question:

"What is the largest and/or most valuable object you ever accidentally set on fire while smoking?"

In our last issue we asked, "How do you spend most of your free time?" This graph shows how our readers responded:

Awaiting biopsy results	23%
Attending other smoker's funerals. . .	21%
Attempting to remove yellow stains from teeth	16%
Annoying non-smokers	9%
Relaxing in an iron lung	5%
Spitting up phlegm	3%
Arguing with stewardesses	3%
Learning to talk through hole in neck	2%

The Nonsmokers' Voice

Non-Profit Org.
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Boulder, CO 80302
Permit #653

Published quarterly.

Annual subscriptions with tax-deductible membership contributions of \$20 or more.

GASP is working to assure clean smoke-free air for everyone.

Printed portions may be copied or reprinted. Credit to GASP of Colorado is appreciated.

GASP of Colorado

Group to Alleviate Smoking Pollution

Box 12103

Boulder, CO 80303

(303) 444-9799 ISSN# 0897-9626

ADDRESS CORRECTION REQUESTED

ARE YOU A GASP MEMBER?

If your mailing label starts with the words SUPPORTER or EXMEMBER, **you are not** currently a dues-paying member of GASP. Members pay annual dues starting at \$20.

CONTRIBUTIONS ARE NEEDED FROM EXMEMBERS AND SUPPORTERS

GASP will continue to send our quarterly newsletter to exmembers and supporters as long as we are able to recover our expenses. Educating the public is important to GASP.

Tax-deductible contributions of any amount (use the coupon on page 3) will enable GASP to continue mailing this newsletter to you.

MEMBERSHIP BONUS

Dues-paying members will soon receive a special membership bonus in the mail: the Fall 1990 issue of *Doc News and Views* published by Dr. Alan Blum's Doctors Ought to Care. The Fall issue features a good story about Colorado's Tar Wars poster contest, and a good story on how the "Tobacco Pushers are Shopping for Teens" by using promotions in supermarkets. Members and supporters will soon also receive the *Tobacco and Youth Reporter* published by STAT (Stop Teenage Addiction to Tobacco).

GASP MODEL ORDINANCE BEING SENT TO 2,000 COMMUNITY LEGISLATORS

The Group to Alleviate Smoking Pollution released a model ordinance for Colorado that promotes public health by restricting smoking in public places. The "environmental tobacco smoke control ordinance" is designed to be a guide to those cities and counties looking for solutions to the indoor tobacco smoke problem. It will also be useful to those communities looking for ways to improve the ordinances they currently have on the books. The model ordinance has been sent to more than 2,000 community and state legislators in Colorado.

The model ordinance is endorsed by the Colorado Restaurant Association, the Colorado Trial Lawyers Association, the Colorado Department of Health, the Colorado Medical Society, the American Cancer Society of Colorado, the American Lung Association of Colorado, and the American Heart Association of Colorado. Other groups endorsing the model ordinance are: AMC Cancer Research Center, Americans For Nonsmokers Rights, Coalition for a Tobacco-Free Colorado, Colorado Academy of Family Physicians, Colorado School Health Council, Denver Public Health, and National Jewish Center for Immunology and Respiratory Medicine.

Currently, thirty cities and five counties in Colorado have laws restricting smoking in public places. However, 240 cities and 60 counties in Colorado have no smoking restrictions at all.

GASP of Colorado spent a year developing the model ordinance. The model ordinance basically prohibits smoking in most places frequented by the public, but allows the designation of smoking areas in restaurants. It makes employers responsible for providing smoke-free areas for nonsmoking employees. It exempts bars, tobacco stores, and private social functions.

A summary of the key provisions of GASP's Environmental Tobacco Smoke Control Ordinance appears on page 7. The ordinance also contains an educational question and answer piece titled "Answers to Frequently Asked Questions About Laws Protecting Nonsmokers in Public Places." Free copies of the complete ordinance are available from GASP upon request.

GASP of Colorado would like to thank the Coalition for a Tobacco-Free Colorado for providing funding for the printing costs of the model ordinance.

Contents on page 3

COMMENTS ABOUT GASP'S MODEL ORDINANCE

"I have completed a review of GASP's model clean indoor air ordinance. I am very impressed with its thoroughness and clarity. This model will be an excellent guide to those cities and counties looking for solutions to the indoor tobacco smoke problem. It will also be useful to those communities looking for ways to improve the ordinances they currently have on the books."

Walter Young, Colorado Department of Health

"We regard this model as a significant step toward creating a smoke-free environment for Colorado's nonsmokers. Fundamentally important in this ordinance is the assurance of protection for nonsmokers in all indoor public places, such as restaurants, health care facilities, businesses and educational facilities. Of equal importance is the placement of responsibility on employers to provide smoke-free work areas for nonsmoking workers. We also acknowledge and agree with the necessity to allow provisions and penalties in order to enforce this ordinance."

Joseph W. Cullen, AMC Cancer Research Center

"We appreciated being able to help write a model ordinance with our members' interests in mind."

Peter Meersman, Colorado Restaurant Association

"This model ordinance can serve as a guide for cities initiating smoking restrictions to provide health and well-being to their citizens. It corresponds directly with the Lung Association's purpose, the conquest of lung disease and promotion of lung health."

Liz Seelenfreund, American Lung Association

"Trial lawyers have always championed the rights of victims. Consistent with that philosophy is the growing area of litigation surrounding tobacco, its promotion and use. If we as trial lawyers can help prevent another dangerous product from harming both the smoker and the nonsmoker alike, then we will have been successful in our job."

"The financial cost of smoking and passive smoking to society is but another reason we join groups from around the state in endorsing this model ordinance."

John Sadwith, Colorado Trial Lawyers Association

KING SOOPERS TO REMOVE HAND BASKETS PROMOTING CIGARETTES

GASP POSTCARD CAMPAIGN SUCCESSFUL

King Soopers has responded to cards sent by GASP members and will soon be removing hand baskets that promote Merit cigarettes. GASP has learned that these baskets are provided by the tobacco companies free of charge. **Hand baskets with cigarette ads are still being used in Safeway, Albertson, and 7-11 stores.** GASP suggests members write to these other stores and ask them to remove hand baskets that advertise cigarettes because they send a bad message to all children who see them. Use the free suggestion cards provided at stores whenever possible. You may want to mention that King Soopers has removed these promotions, and that you would consider switching stores if the promotions continue.

WRITE

Bob Greene, Division Manager, **Safeway Inc.**,
Box 5927, Denver, CO 80217-5927 (or call 843-7585).

Dave Haskell, Vice-President, **Albertson's**,
2750 N. Tower Rd, Aurora, CO 80011 (or call 360-7424).

Ron Valentine, **Southland Corporation**,
7401 N Broadway, Ste 300, Denver, CO 80221 (or call 740-9333).

King Soopers' Response

"Thank you for your card, expressing your dissatisfaction in our use of Merit hand baskets. We began using these as a cost containment measure, and we certainly did not realize the negative feelings our customers would have in this decision."

"King Soopers has always tried to be sensitive to our customers' wishes. This situation is no exception. We have reevaluated our use of these baskets and have notified them that we no longer will be requesting additional Merit baskets. We have ordered our old style, red baskets for all our stores and will replace the brown Merit baskets, as they wear out. The new, red baskets will take approximately 12 weeks to arrive."

MILE HIGH STADIUM CORRECTION

In our last newsletter we reported that the Mayor Peña's Executive Order covers Mile High Stadium. An aide to the Mayor called GASP to point out that the order applies to "all indoor buildings and facilities owned or operated by the city." This means only the indoor areas of the stadium are covered. The Denver City ordinance prohibits smoking in arenas, but only the playing field of the stadium is considered an arena. GASP's model ordinance does prohibit smoking inside indoor and outdoor stadiums.

IMPORTANT ACTION ALERT

Mayor Peña is receiving a lot of negative mail (undoubtedly generated by the tobacco industry) about his Executive order which bans smoking in all city buildings, the airport, and McNichols auditorium. Express your support for the ban by writing letters to the Mayor, as well as letters to the editors of the major papers, and to your local newspaper.

WRITE:

Mayor Federico Peña, 1437 Bannock, Room 350, Denver CO 80202
The Denver Post, 1560 Broadway, Denver, CO 80202
The Rocky Mountain News, 400 W. Colfax, Denver, CO 80204

SMOKING PARENTS DOUBLE CHILDREN'S RISK OF LUNG CANCER

If a nonsmoker gets lung cancer, his or her parent's cigarette habit may be to blame.

According to a study published in the *New England Journal of Medicine*, nonsmokers who grew up with two parents who smoked are twice as likely as other nonsmokers to develop cancer.

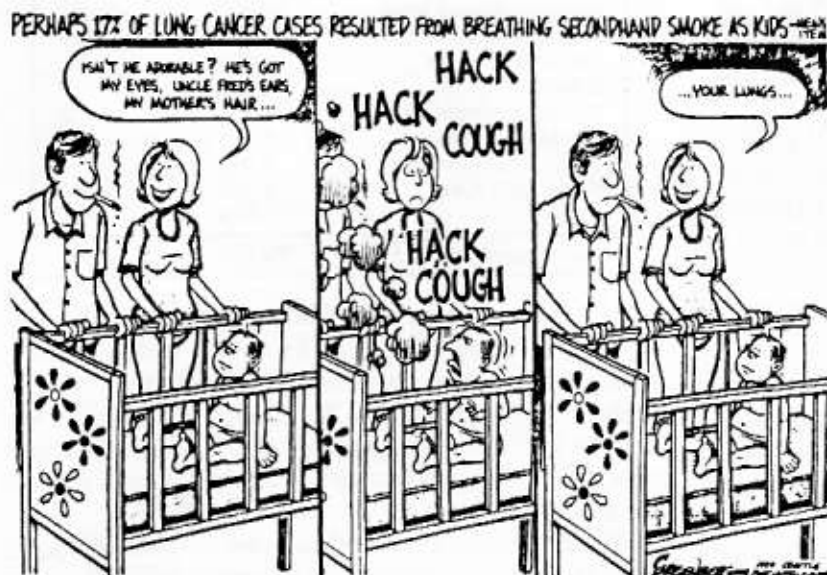
This is the first study to find an association between exposure to someone else's cigarette smoke during childhood and the development of lung cancer later in life. The report estimates that 17 percent of all lung cancer in the United States among people who never smoked cigarettes results from their exposure during childhood and adolescence.

"Here is another piece of evidence that smoke from other people's cigarettes is harmful to your health. This is the first finding that indicates that exposure early in life may be particularly important," said Dr. Dwight Janerich of the Yale School of Medicine, who directed the study.

The Environmental Protection Agency estimates that about 25,000 of the more than 150,000 new cases of lung cancer annually occur among nonsmokers, and that 40 percent of them, or 10,000 people, never smoked. If the latest estimate is correct, this means that about 1,700 cases each year are caused by childhood exposure to other people's cigarette smoke.

"It makes a strong case that exposure to secondhand smoke as a child increases your risk as an adult. This is quite convincing," commented Dr. Stanton Glantz of the University of California, San Francisco.

The Denver Post, September 6, 1990



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CIRCULATION THIS ISSUE: 2,500

Advertising space is available for our next issue. The deadline for ads is Feb. 1, 1991. Call GASP at 444-9799 for ad rates.

When you move, please notify GASP as soon as possible. The post office does not forward this newsletter because it is sent by bulk mail.

HOW TIMES CHANGE!

1980

NONSMOKERS: WE WANT SEPARATE NONSMOKING SECTIONS!

TOBACCO INDUSTRY: SECTIONS WILL RUIN AMERICA!

1990

NONSMOKERS: WE NEED 100% PROTECTION FROM TOBACCO SMOKE POLLUTION!

TOBACCO INDUSTRY: SECTIONS ARE THE AMERICAN WAY!

Americans For Nonsmokers Rights

SUPPORT GASP WITH YOUR TAX-DEDUCTIBLE CONTRIBUTION

- ☐ Yes, I support GASP's efforts to eliminate smoking in public places, at work, and in restaurants. Here is my contribution of ☐ \$20 ☐ \$30 ☐ \$50 ☐ \$100 ☐ \$250 ☐ \$500 _____ Other amount.

•Annual membership dues for GASP start at \$20.

- ☐ I am not a joiner, but I would like to contribute \$_____ to support your efforts.

Name _____

Address _____

City-State-Zip _____

Phone _____

Mail and make checks payable to:

GASP of Colorado

Box 12103, Boulder, CO 80303

GASP'S THREE SPECIAL PROGRAM FUNDS

GASP has three special program funds which are kept separate from our general program fund. Contributions to any of these funds should be made by separate check and do not constitute part of GASP's annual membership dues.

GASP's Counteradvertising Fund

The tobacco industry spends more than \$3 billion on advertising each year. It also spends another \$500 million promoting the smokers' rights movement. To convince people that smoking will help them gain social acceptability, the tobacco industry tries to link smoking to fitness, friendship, success, and romance. The tobacco industry strongly opposes smoking restrictions because they undermine billions of dollars in advertising with the message that smoking is a dirty habit that harms everyone. This GASP program counters the tobacco industry on the advertising front, where very little is being done anywhere else in the United States.

GASP realizes we cannot match the tobacco industry dollar for dollar, but we can make a difference. The counteradvertising fund is used to purchase advertising space to better educate the public on the dangers of tobacco, and to expose or poke fun at the tobacco industry.

Tax-deductible contributions should be made out to the **GASP Ad Fund**.

GASP Legal Fund

This fund is used to provide legal assistance and legal advice to people with problems created by tobacco smoke pollution.

Tax-deductible contributions should be made out to the **GASP Legal Fund**.

Coloradans For Clean Indoor Air

GASP has created a separate political organization to lobby for legislation restricting tobacco use and to promote issues related to how tobacco use affects the public.

Contributions should be made out to:
Coloradans for Clean Indoor Air.

* Please note that contributions to Coloradans for Clean Indoor Air are not tax-deductible.

MAIL ALL CONTRIBUTIONS TO THESE SPECIAL PROGRAMS TO:

Fund Name
Box 12103, Boulder, CO 80303-0020

GASP BROCHURE REVISED

GASP of Colorado has revised the brochure that describes GASP, its goals, programs, philosophy, and basic information about the effects of secondhand smoke. The brochure is available free of charge. Self-standing brochure holders are available to members who would like to place GASP brochures in their business.

COUNTERADVERTISING REPORT

Newspaper Campaign

GASP's ad with the theme "Smoking Around Children as Form of Child Abuse" will have been seen by up to 760,000 people. GASP placed the ad in seven more newspapers in Colorado, including five rural newspapers. The ad is being used in the up-coming issue of STAT's *Tobacco & Youth Reporter*. GASP members Larue Olsen and Bob Vocate paid to sponsor ads in the *Lakewood Sentinel* and the *Grand Junction Sentinel*.

A list of all the newspapers the ad appeared in during the 1990 ad campaign:

Newspaper	Circulation	Ad Cost
Rocky Mountain News	346,000	1,727
Westword	100,000	474
Tobacco & Youth Reporter	100,000	35
The Parent Newspaper	75,000	400
Colorado Woman News	50,000	552
Grand Junction Sentinel	30,000	264
Lakewood Sentinel	28,000	210
Burlington Record	7,500	85
Sterling Advocate	6,300	113
Fort Morgan Times	5,600	85
The Nonsmokers' Voice	5,500	0
Lamar Daily News	4,000	80
Limon Leader	2,600	75
Total Papers (13)	760,500	\$4,100

Television Campaign

GASP is currently developing a television spot with the help of television consultant **Gary Kenyon** of KRDO-TV (an ABC affiliate) in Colorado Springs. Mr. Kenyon worked with GASP during the 1987 Colorado Springs initiative. Gary helped produce one of the best TV spots that has ever been produced for a clean indoor air initiative.

GASP's Board of Directors has approved a plan whereby we will be testing the effectiveness of the spot on KRDO TV. The station broadcasts to Colorado Springs and Pueblo. The paid spot will air 65 times beginning December 31st, and will be seen during news programs. It will reach 150,000 to 900,000 homes (the higher numbers may include repeated viewing). KRDO will also run the spot as a PSA on an available time basis, and help GASP produce the film in a PSA format for use in the Denver area.

Continues on page 5

Advertisement

Roswitha Moehring, M.D.
Allergy and Asthma



Office Hours
By Appointment
Telephone (303) 733-9886

Expo-Colorado Plaza, Suite 450
695 South Colorado Blvd.
Denver, CO 80222

GASP WORKING ON TV ADS

(continued from page 4)

The audio and video portions of the ad are in the process of being developed and reviewed by GASP's Board.

Attention Colorado Springs and Pueblo Members and Supporters!

GASP would like your feedback on the ads which are slated to run starting December 31, 1990 on KRDO-TV Channel 13 during these programs in January:

Program	Times	Dates
ABC News This Morning	6-645AM	Dec. 31 and Jan. 2, 4, 7, 15, 23.
Good Morning Colorado	645-7AM	Dec. 31 and Jan. 8, 16, 24.
Good Morning America	7-9AM	Jan. 1, 9, 17, 25.
ABC World & KRDO Early News	5-6PM	Jan. 6, 8, 20, 24.
KRDO Late News	10-1035PM	Dec. 31 and Jan. 13, 18, 27.

The 1991 Ad Campaign

GASP will begin another fund-raising campaign for the 1991 counteradvertising campaign from January through March 1991. More than \$9,600 was raised this year for GASP's counteradvertising program; double the amount raised in 1989. Contributions to this exciting program are tax-deductible.

Your ideas and suggestions for the 1991 campaign are most welcome!

GASP CREATES A POLITICAL ORGANIZATION

GASP has created a separate political organization to lobby for legislation restricting tobacco use, and to promote issues related to how tobacco use affects the public. (see list of programs on page 4).

GASP is classified by the IRS as a 501-C-3 tax-exempt advocacy organization. IRS regulations limit the amount of funds a 501-C-3 organization can spend on lobbying depending on their annual budget. GASP of Colorado is allowed to spend up to 20% of our annual budget on lobbying activities. If GASP were to spend more, it could be fined or it could eventually lose its tax-exempt status.

At the end of last year, GASP's Board of Directors decided to set up a separate political organization, opened up a bank account, and registered the group with the Secretary of State.

Contributions to Coloradans for Clean Indoor Air are now being sought. Please note that contributions to the group are not tax-deductible.

Coloradans for Clean Indoor will not be a PAC that gives money to candidates. Instead, funds will be used to promote state and local legislation or initiatives, let the public know where legislators stand on tobacco issues, etc.

Your ideas and suggestions are welcome!

STATE AND LOCAL LEGISLATION

Councilwoman Debbie Ortega of Denver is sponsoring legislation that would prohibit the free distribution of tobacco. Currently, this practice is prohibited in two states and eighteen cities, including Boston, New York, and Minneapolis. GASP and several other groups have asked Councilwoman Ortega to broaden the legislation to include a ban of tobacco advertising on city property, and also possibly consider outlawing the sale of tobacco in vending machines.

Councilwoman Ortega is also interested in strengthening the Denver Clean Indoor Air Act. She has taken GASP's model ordinance and given it to the city attorney. Other local legislators in Colorado have expressed an interest in GASP's model ordinance.

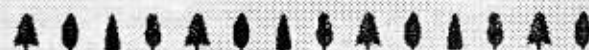
YOUTH ACCESS TO CIGARETTES

The U.S. Office of Inspector General recently surveyed 18 states and conducted 1,200 interviews regarding laws prohibiting the sale of cigarettes to minors. The study indicated that:

- ✓ Youth access to tobacco laws are not being enforced.
- ✓ Children can easily buy cigarettes.
- ✓ Enforcement is lax in most cases.

Based on this research, the U.S. Department of Health has come out with a model ordinance to restrict and control the sale of tobacco to minors.

GASP's Board of Directors wants to do something about improving the state law that prohibits the sale of tobacco to minors. Too many minors continue to smoke. Too many stores continue to sell cigarettes to minors. The law needs to be toughened. GASP is currently discussing such legislation with other groups belonging to the Coalition for a Tobacco-Free Colorado.



GASP WISHES YOU A HAPPY, SAFE, AND SMOKE-FREE HOLIDAYS!

GARAGE SALE RAISES \$450 FOR GASP Plan Now For Next Year!

GASP's annual garage sale raised \$450 thanks to donations of furniture, appliances and plants from GASP members. The sale occurs each year at the end of August.

To continue to build on the success of the garage sale, think about GASP all year round.

If a neighbor moves and leaves behind a pile of goodies, think of GASP. If you get married and have two sets of something, consider donating the extra one to GASP. Most importantly, keep GASP in mind and hold on to any saleable items. Please no clothes (except baby clothes). If you live outside the Boulder area, items that can be mailed to GASP include old postcards, stamps, foreign coins, and other collectibles.

Housewares, kitchenware, furniture, plants, old postcards, and stereos sell well. The sale takes place when CU begins fall classes, and so any item that students need sells quickly (bookcases, desks, file cabinets, kitchen appliances, lamps, and stereos). Proceeds from this year's sale went to GASP's counteradvertising fund program.

GASP would like to thank volunteers June Mercer, Roberta Nielsen, Brian Smith, and Joyful Montgomery for their help on the day of the sale. We would also like to thank our landlord, Mr. Lou Sharp, for donating space in our building complex for the storage of donated items, and Brian Smith for letting us use the front of his house for the sale.

The Key Provisions of GASP's Environmental Tobacco Smoke Control Ordinance

Smoking Prohibited in Most Indoor Places Open to and Accessible to the Public

- Elevators, elevator lobbies, stairwells, and escalators.
- Indoor public walkways, hallways, lobbies.
- Buses, taxicabs, and other means of public transit.
- Public restrooms.
- Public transportation depots.
- Airport terminal buildings.
- Service lines, check-out counters, cash register areas, or cashier areas.
- Indoor shopping mall areas and food courts.
- Grocery stores, supermarkets, convenience stores or any other retail food establishments.
- Educational facilities.
- Aquariums, galleries, zoos, libraries and museums.
- Motion picture theatres, and facilities used for drama, lecture, musical, recital or similar functions.
- Convention halls, sports arenas, and indoor and outdoor stadiums.
- Health care facilities.
- Child care establishments (including home-based).
- Polling places.
- City and County buildings and meetings open to the public.
- Courtrooms, jury waiting rooms, and deliberation rooms.
- * Any owner, operator, or manager of any establishment or facility may declare the entire establishment or facility a nonsmoking establishment.

Responsibility of the Owner, Operator, or Manager of Facilities

- Post appropriate signs.
- Request that anyone smoking in a no-smoking area comply with the law.
- Remove all ash receptacles for extinguishing smoking materials from all nonsmoking areas. However, ash receptacles for extinguishing smoking materials may be placed within five (5) to ten (10) feet from each public entrance with signs above them.
- The host or hostess in a restaurant shall ask patrons for their preference of nonsmoking or smoking prior to seating.
- Make public address announcements in sports pavilions, indoor and outdoor stadiums, and indoor malls.

Smoking Prohibited Except in Designated Areas

- Retail stores, commercial establishments, businesses, and nonprofit entities open to the public, except in enclosed areas not open to the public.
- Restaurants with a seating capacity of twenty-five (25) persons or more, except in smoking areas as long as nonsmoking areas shall be separate and/or contiguous and at least as large as the smoking areas.

Exempt From the Ordinance

- Bars.
- Private residences, except when used as a child care or a health care facility.
- Hotel and motel rooms when rented to guests.
- Retail tobacco stores.
- Restaurants with less than 25 seats.
- Conference or meeting rooms within restaurants, hotels, and motels while being used exclusively for private functions.
- Private enclosed office workplace occupied exclusively by a smoker or smokers, even though such an office may be visited by nonsmokers. However, an office workplace with a cash register or service counter open to the public is not excluded.

Signage Requirements

- Requires the posting of signs stating "No Smoking", "Designated Smoking Area", or "No Smoking Except in Designated Areas" at public entrances and entrances of the designated areas.

Enforcement

- By the designated agency (e.g. Health Department, Fire Department) while engaged in otherwise mandated inspections.
- Private citizens have the right to file complaints and bring civil action to enforce the Ordinance if necessary.

Smoking in Places of Employment

- Employers are responsible for providing smoke-free work areas for nonsmoking employees. Any employee shall have the right to work in a nonsmoking area.

Requires the employer to have a written smoking policy that includes:

- Prohibiting smoking in auditoriums, classrooms, conference and meeting rooms, elevators, elevator lobbies, stairwells, escalators, hallways, medical facilities, and restrooms.
- Expanding the size of the nonsmoking work area if the nonsmoking area does not sufficiently protect affected employees.
- Prohibiting smoking in cafeterias, lunchrooms, and employee lounges unless separate facilities are available to nonsmokers.
- Designating a person or persons to receive complaints for grievances about the smoking policy
- The health, welfare, and safety concerns of the nonsmoker shall take precedence in any dispute arising under the smoking policy.
- * Employers are not required to make structural modifications.

Violations and Penalties

- Failure of managers to comply with any of the provisions of the ordinance.
- Smoking in any area where smoking is prohibited by law.
- Retaliating against or discharging any employee for requesting a nonsmoking work area, or for filing a complaint or otherwise reporting a violation of this ordinance.
- Violations are a misdemeanor punishable by fines. (GASP of Colorado suggests a fine of no less than \$30, but no greater than \$300).

GASP OF COLORADO
(Group to Alleviate Smoking Pollution)
Box 12103, Boulder, Colorado 80303
(303) 444-9799

Pro-health advocates adopt words that help

The words we use to describe ourselves are important. Our position is positive and our vocabulary should be positive too.

Anti-Smoking is a negative label that the tobacco industry has put on us, and it hurts. **Anti-Smoking** inaccurately describes the way we feel. Most people do not care if smokers hurt themselves by smoking. We care, however, if smokers hurt us. We also object to the tobacco industry's targeting of children. But this is not negative. This is pro-health and pro-youth.

Anti-smoking implies that smoking is the norm. It defines the struggle as pro-smoking versus anti-smoking. The real struggle, however, is pro-health versus anti-health. And the tobacco industry is anti-health.

The most successful advocacy groups in this country have identified their positions with positive words. For example, if you ask a foreigner if he is pro-choice or pro-life, he will look at you funny and say, "I'm pro-choice and pro-life."

He would have no idea that you were talking about abortion. These advocacy groups have worked with the media, however, to identify their positions with very positive language. Pro-choice and pro-life are positive words. The advocacy groups behind them have successfully identified their position with positive words. We must do the same.

We must work with the media to identify our position as pro-health. We must reach a point where people know that pro-health means smokefree.

Even the word "non-smoker" is offensive. Do you call yourself a non-alcoholic, a non-rapist or a non-childabuser? Of course not. Why should you define yourself as the opposite of something you don't want to be? That's negative. Call yourself healthy, smokefree,

"We will never defeat the tobacco industry until we use positive language to describe our movement."

and in favor of clean indoor air.

We are the health advocates; they are anti-health advocates. In a battle of pro-smoking versus anti-smoking, we will always lose. In a battle of health versus anti-health, the health advocates will always win.

Smokefree Air, September 1990

Words That Help Us

Pro-health *Be positive and proud. People will support you more if you call yourself pro-health or a member of a pro-health group.*

Smokefree *If pro-health is too broad for your audience, add smokefree. After the first clarification, your audience will understand that pro-health means smokefree.*

Healthy *Use healthy in place of non-smoker. For example, "In 50 years of Superman comics, Lois Lane was healthy. After Philip Morris paid \$50,000 to feature Marlboro ads in Superman movies, Lois Lane chain-smoked Marlboro Lights."*

Health Advocate *Not Anti-smoker! Health advocate is positive. Anti-smoker is negative.*

Smoking-caused diseases *Much better than smoking-related diseases. Smoking causes lung cancer, emphysema, and heart disease. It is not merely related to these diseases.*

Words That Hurt Them

Anti-Health *Not pro-smoking. The tobacco industry is anti-health. No one wants to be anti-health.*

Anti-Clean Indoor Air *People who want to allow smoking indoors are anti-clean indoor air.*

Tobacco Smoke Pollution *It hurts more than secondhand smoke, involuntary smoke, or environmental tobacco smoke.*

Spitting Tobacco *Not smokeless tobacco.*

Addiction *Not habit. The Surgeon General's 1986 Report clearly defines smoking as an addiction.*

Semi-legal cancer-causing, addictive drug Tobacco companies call cigarettes, "a legal consumer product." Cigarettes are illegal to sell to children in most states and illegal to use in most public places.

Drug Pushers *Philip Morris, RJ Reynolds, etc. call themselves respectable corporate citizens. They are thinly disguised drug pushers.*

The Nonsmokers' Voice

Non-Profit Org.
U.S. Postage
PAID
Boulder, CO 80302
Permit #653

Published quarterly.

Annual subscriptions with tax-deductible membership contributions of \$20 or more.

GASP is working to assure clean smoke-free air for everyone.

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GASP of Colorado

Group to Alleviate Smoking Pollution

Box 12103

Boulder, CO 80303

(303) 444-9799 ISSN# 0897-9626

ADDRESS CORRECTION REQUESTED

AIRPORT BATTLE INTENSIFIES

Denver Councilmember **Kathy Reynolds**, a chain smoker, tried to overturn Mayor Peña's Executive Order prohibiting smoking at Stapleton except in restaurants and bars. The timing of the effort, five months after the order was announced and during the Christmas holidays, was suspicious. Was this an attempt to limit public outcry? Reynolds succeeded in having the ordinance changed, but then the Mayor vetoed the bill. The city council could overturn the Executive Order, but that is unlikely in the light of the fact that the tobacco industry is balking at paying for fully enclosed smoking areas. GASP members who have not contacted their Denver City councilmembers should call to express support for the Mayor's Executive Order and to oppose having to pay for any proposed "smoking areas."

GASP'S STRATEGY

To turn the tables on the tobacco industry, GASP used one of the arguments the tobacco industry tries to use to circumvent smoking restrictions: the economic issue. "The tobacco industry, and not the taxpayer (smokers or nonsmokers), should bear the costs for airport smoking areas. Taxpayer dollars or aviation fees should **not** be used to pay for these facilities," said GASP President Pete Bialick.

Councilwoman Mary DeGroot, a key supporter of the Mayor's order, suggested that the tobacco industry has a self-serving motive for not making a commitment. "It would have to go into every airport in this country and put in smoking rooms if it does so at Stapleton," she said. GASP feels that if the tobacco industry pays for such lounges, it is shooting itself in the foot. It would be an admission that smoking areas must be fully enclosed and that a separate ventilation system exhausted to the outside is needed in order to keep tobacco smoke out of public places.

GASP was successful in obtaining many key concessions in the city council bill. GASP requested that:

- The number of smoking areas be limited.
- Each "smoking area" be fully enclosed, and has a separate ventilation system that is exhausted to the outside. Restaurants and bars should be included. The City, and not the tobacco industry, should decide which ventilation system is the most effective.
- Double door entrances and/or negative pressure systems should be required to keep tobacco smoke pollution outside concourse areas.

Continued on page 2.

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Circulation this issue: 1,000.

Sent to GASP members and other prohealth groups.

BOARD MEMBERS NEEDED

GASP of Colorado is accepting applications for Board Directors. Board members serve in an advisory capacity and play a role in the decision making process. The Board meets in the evening in Denver every month and a half. Applicants must be dues-paying members of GASP. Applicants are encouraged to attend a Board meeting to get an idea of what is involved. GASP's Board meetings are open to all GASP members. Call Pete Bialick at 444-9799 for an application.

OTHER KEY DEVELOPMENTS IN AIRPORT BATTLE

- ✓ Philip Morris indicated it has developed a “new ventilation system to stem some of the mounting anxiety over secondhand smoke.”
- ✓ Tobacco lobbyists indicated that the industry would help pay for the costs of constructing smoking areas. During the council debate, the tobacco industry avoided this issue. Instead, tobacco lobbyist Mary Cramer went into a tirade on how much smokers pay to use the airport.
- ✓ During the debate on smoking at the airport, the tobacco industry provided toll-free numbers to smokers from all over the country to call Denver City Council members.
- ✓ At the public hearings on the airport issue, smokers’ rights activists were well coached, well-organized, polite, effective, and out-numbered the pro-health forces.
- ✓ GASP’s new political organization, Coloradans for Clean Indoor Air, took out newspaper ads in the *Rocky Mountain News* and the *Denver Post*. The ad asked the public to contact Denver City councilmembers and express opposition to paying for airport smoking rooms (see ad on page 8).

NEWS OF INTEREST

- ◆ The **Interstate Commerce Commission** voted unanimously to **ban smoking on all regularly scheduled bus service in the United States**. Charter bus companies have the option of allowing passengers to smoke if the passengers agree it should be allowed.

The ICC lawyers said smoking has been proven injurious to the health and that tobacco smoke cannot be adequately ventilated from buses to assure the health and comfort of nonsmokers.
- ◆ Proposals to **ban smoking in all airports and on overseas airline flights** will be submitted to Congress by ASH, Action on Smoking and Health.
- ◆ The **Environmental Protection Agency** has banned smoking inside their 120 agency facilities nationwide.
- ◆ **Richard Daynard**, President of the Tobacco Products Liability Projects has succeeded in getting the American National Standards Institute (ANSI) to overturn a standard for ventilation adopted by the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE).

LEGISLATION GEARED TOWARD PREVENTING YOUTH FROM PURCHASING TOBACCO

GASP is working with other pro-health groups in the Coalition for a Tobacco-Free Colorado on House Bill 1088, by Representative Pat Sullivan. The bill is aimed at making it more difficult for teenagers to have access to tobacco products. The bill has passed the House 55-5. Representatives Tony Grampas (R-Jefferson), Pat Miller (R-Jefferson), Jeannie Reeser (D-Adams), Carol Snyder (D-Adams), and Dan Williams (R-Eagle) **voted against the bill**. Reps. Coffman (in Middle East), Epps (voted for bill in committee), Foster, and Lawrence (conflict of interest) were excused. Rep. Paul Schauer was absent. The bill will be considered by the Senate soon.

The bill increases the fine from \$25 to \$200 for selling or furnishing tobacco products to minors. House Majority Leader Scott McInnis, a cosponsor of the bill and an attorney, said during testimony on the bill that it is unlikely minors will be charged \$200 for the first offense. He said that most judges will probably subject minors to lower fines and defer the larger fines under the condition that the offense is not repeated.

“You do not need to be a great social scientist, and you don’t need a study to see that tobacco products are readily available to children,” said McInnis.

The bill requires stores and vending machines to post signs warning that the sale of tobacco to minors under 18 is illegal.

The bill was amended to make the sale of cigarettes or tobacco products through vending machines illegal except:

- 1) In factories, business, offices, or other places not open to the general public;
- 2) Places to which persons under the age of eighteen are not permitted access; or

3) Places where the vending machine is under the direct supervision of the owner of the establishment or an adult employee or the owner, including but not limited to, establishments holding a valid liquor license. “Under direct supervision” means the vending machine shall be in plain vision of the employee or owner during regular business hours.

The inclusion of this third amendment, supported by the tobacco industry, would virtually allow tobacco vending machines to be placed anywhere as long as they are in “plain vision” of an employee or owner during operating hours.

Rep. Pat Sullivan stated during the debate before the HEWI committee that the bill will not stop all teenagers from smoking but that it will make it harder for youngsters to obtain the product.

“Cigarette smoking causes more premature deaths than AIDS, cocaine, heroin, alcohol, fire, automobile accidents, homicides and suicides combined.”

Representative Pat Sullivan, MD

GASP’S POSITION

- GASP supports the increased fines of \$200 and the requirement to place larger 5 by 7 signs. However, there should be higher fines levied for second offenses by store owners.
- The bill should make it illegal for minors to **possess** tobacco. Kids laugh at the state law because they can still smoke and not violate the law.
- The bill should ban the sale of tobacco in vending machines or limit sales to places where minors cannot go. Placement limitations should not harm sales of tobacco to adults. Vendors can offset losses by selling other products in vending machines.

Continued on page 3.

● GASP opposes the tobacco industry amendment that would allow the placement of tobacco vending machines anywhere as long as they are in “plain vision” of an employee or owner at all times (which could mean 200 feet away). Tobacco vending machines should be banned. **If alcohol is barred in vending machines, tobacco should be barred in vending machines.** If tobacco vending machines cannot be banned, then they should be allowed only in places not normally open to the public and in places not legally open to minors. The law should also require that any vending machines in such places should be under direct supervision and within 25 feet of an employee or person in charge of these establishments during operating hours.

SOME ADDITIONAL FACTS

We see many kids under 18 smoking. This means that minors are continuing to purchase cigarettes, and that stores are continuing to sell tobacco to minors. The state law needs to be toughened, and stores selling tobacco should be required to post signs saying it is illegal for children to purchase tobacco.

Research has documented that children smoke. Each day more than 40 children start smoking in Colorado. Minors buy about one billion packs of cigarettes each year, according to the U.S. Department of Health. **Because nicotine is an addictive drug, a minor who starts smoking is likely to be a lifelong customer — and one in four will die prematurely of lung cancer or other smoking-related disease later in life.** These are preventable deaths, and many of them occur because youth can obtain tobacco products with ease. Over eighty percent of teenagers correctly believe that it is very easy for them to buy cigarettes, says the U. S. Department of Health.

There is a dramatic association between smoking and illicit drug use. 95% of pack-a-day smokers in the senior class had used an illicit drug, 81% had used an illicit drug other than marijuana, 49% had used cocaine, and 67% were actively using an illicit drug. **Here is an opportunity for the state legislature to help kids JUST SAY NO to drugs.**

HOW TO WRITE YOUR ELECTED OFFICIALS

- Be courteous and polite. Be calm. Avoid being abusive or threatening; this type of letter is ignored and hurts the cause.
- If you are phoning, call their capitol office first. If you cannot reach them there, try their home numbers but take care not to phone at odd hours.
- Be brief and type your letters if possible. One page is a good limit. Type your letter or write it neatly so your legislator can respond. Make sure you sign it and give your name and address. Do not write anonymous letters.
- Be sure to mention the name and number of the bill. Then give clear reasons why and how the legislation affects you and your community. Use a separate paragraph for each reason. Express why you as an individual are concerned about the problem.
- Write in a simple, natural, pleasing style. Avoid personally attacking an elected official. If you are going to criticize someone, focus on the tobacco industry.
- **Refer to any personal experiences that may be relevant to the issue.** This is the most persuasive part of such letters.
- Research the issue to show that you are well informed. Use facts that include names of people, organizations, places, etc.
- Concentrate on the health issues involved. Stay away from moral issues.
- Ask questions and request a reply. Ask your elected official how they plan to vote.
- Follow through. If you do not get a reply, write again. Enclose a photocopy of your last letter and ask why you have not received a response. When you receive a reply, follow up with a response saying why you disagree or agree with the response.
- **Write letters to the editors of local newspapers.**
- **Copy and pass this information on to three friends.**
- **Make sure your school and PTA are contacted.**
- **DO NOT PUT IT OFF. THIS BILL WILL BE VOTED ON SOON!**

FOR ADDITIONAL INFORMATION ABOUT HOUSE BILL 1088, CALL GASP AT 444-9799.

Continued on page 3 on bottom left column.

NEWS CONTINUED...

According to Daynard, the action “puts a crimp in the tobacco industry’s efforts to obtain a scientific standard it could cite as evidence that environmental tobacco smoke was not hazardous. The industry had succeeded in molding ASHRAE’s standard to its liking, and was already citing the standard as evidence for its position. ANSI’s Board agreed that the standard was not substantiated and that approving the standard would be contrary to the public interest. The rejection of the standard, particularly for the reasons given, will substantially discredit any further tobacco industry efforts to use the ASHRAE standard in this manner.”

From Tobacco on Trial.

◆ **Ben & Jerry’s Homemade Ice Cream** no longer uses Oreos in its ice cream because Oreos are made by a tobacco company (RJR Nabisco). Now the company should do something to reduce the fat in their products or

YES, WE DO ACCEPT ADVERTISING FOR THE NONSMOKERS’ VOICE.

CALL GASP AT 444-9799 FOR OUR 1991 RATES.

A 10% discount is given to GASP members.

53,000 DIE FROM ENVIRONMENTAL TOBACCO SMOKE YEARLY

Exposure to environmental tobacco smoke (ETS) kills 53,000 nonsmokers in the U.S. each year, making it the third leading preventable cause of death.

The analysis is a synthesis of all available studies that scrutinize the coronary health effects on a nonsmoker living with a spouse who smokes. It appears in *Circulation*, a journal published by the American Heart Association. Those studies indicate that a nonsmokers' risk of heart disease is raised by 30 percent if they live with smokers.

"There is evidence that exposure to ETS reduces exercise tolerance of healthy individuals and people with existing coronary heart disease. Such reduced exercise capacity is one of the landmarks of acute compromise to the coronary circulation. There is good evidence, from both human and animal studies, that exposure to tobacco smoke, including passive smoking, increases aggregation of blood platelets. Such increases in platelet aggregation are an important step in the genesis of arteriosclerosis," according to researchers Stanton Glantz and William Parmley.

*** Dr. Glantz will be GASP's guest speaker at our annual meeting in September.**

Sidestream Smoke Attacks the Heart

Research has shown that the toxic fumes generated by smokers can cause heart damage in the people who breathe them.

Decreasing Heart Strength

The carbon monoxide in cigarette smoke can hinder red blood cells in carrying oxygen to the body, forcing the heart to work harder.

Damage to Blood Vessels

Chemicals in sidestream smoke, the smoke absorbed in passive smoking, can injure cells in the lining of arteries, encouraging the formation of fatty plaques. Passive smoking also makes clot-forming platelets stickier, encouraging them to clot on the plaques and promoting arteriosclerosis, the underlying cause of most heart attacks.

A *New York Times* report on Glantz's research.

BOARD OF HEALTH ENDORSES MODEL ORDINANCE

The state **Board of Health** endorsed GASP's model ordinance controlling environmental tobacco smoke on January 16. The **Denver Medical Society** has also endorsed the ordinance. A total of 16 state groups have endorsed GASP's model ordinance.

Copies of the model ordinance and a one-page summary sheet are available from GASP upon request.

PHILIP MORRIS' BILL OF RIGHTS TOUR

The Coalition For a Tobacco-Free Colorado is gearing up plans for activities to be held during the Philip Morris Bill of Rights Tour. The tour takes place at Currigan Hall in Denver from August 29 through September 6.

The coalition will encourage the public to see the Bill of Rights exhibit. However, the coalition will also educate the public about the hypocrisy of Philip Morris' sponsorship of the Bill of Rights tour, and the health risks associated with tobacco.

Philip Morris' \$60 million national tour of Virginia's original copy of the Bill of Rights is touring the country. True to its promotion, the exhibit features a high-tech display of the Bill of Rights and arrives at each location in a specially equipped truck accompanied by 26 ex-Marine honor guards.

As a result of the tour, Philip Morris will try to further cement their relationship with "American values" that began when they stole the cowboy for the Marlboro man. They hope to promote the issue of smoking as a constitutionally protected right. "If they think well of the company through our support of the Bill of Rights, it follows that they will think well of our products," said Guy Smith (Philip Morris Vice President for Corporate Affairs).

Philip Morris has sought the participation of area schools, in some cases transporting school children to the exhibit. Observers have indicated that the majority of exhibit-goers have been children. The coalition is planning to put together a special curriculum to be sent to all area schools. It will teach students the tactics behind Philip Morris' sponsorship of the exhibit as well as the health consequences of tobacco use.

The coalition needs volunteers to help staff information booths. Call Betty Beal at 426-7079.

"Philip Morris says it wishes to show the American People the Bill of Rights; we feel the company wants to sell them a bill of goods to improve its own tarnished image."

Dave Albert, NY State Coalition on Smoking or Health.

From the *Tobacco Free Times*, published by the Coalition for a Tobacco Free Colorado. GASP is a member of this coalition.

offer low fat ice creams.

NEW TOTALLY SMOKE-FREE DISCOVERIES

- ☞ **Columbia College** at 2600 S. Parker Road in **Aurora**.
- ☞ **The Telluride Ski Area**.
- ☞ **Healthy Habits** at the Meadows Shopping Center in **Boulder**.
- ☞ **Ristorante Catalano** at 5970 S. Holly in **Englewood**. GASP member Philip McKenna reports it is a gourmet Italian restaurant. Call for reservations at 220-8181.
- ☞ **Papa Gyo's** restaurant at 110 Canon Ave in **Manitou Springs**. GASP member Mary Ann Roberson reports it serves Mexican food.

**Report your smoke-free discoveries.
GASP will print them in this column.**

Cartoon

GASP ANNUAL REPORT 1990

	Revenue	Expenses
General Fund	25,548	24,411
Legal Fund	196	4
Ad Fund	11,149	6,512
Total all Funds	\$36,893	\$30,927

* A full financial report with a complete breakdown of revenues and expenses is available to all GASP members upon request.

Sales of Ties and Pins Discontinued

GASP of Colorado is no longer offering its line of ties and pins bearing the no-smoking symbol. Sales of these items has dropped to the point where stocking these items is no longer worthwhile. These items are available through other pro-health groups.

GASP will continue to offer its line of 50 educational brochures and papers. The prices of the materials has been raised to help cover higher postage costs. Request GASP's order form.

COUNTERADVERTISING REPORT

GASP's counteradvertising fund raised more than **\$11,000** last year. This was almost three times the amount raised in 1989. Our goal for 1991 is to raise \$15,000.

A majority of the funds raised for the 1990 campaign (about 85%) came from contributions from GASP's members and supporters. The other 15% came from the public and from ad sponsorships.

GASP President Pete Bialick has just completed some research on advertising. Frequency is the key element to effective advertising. To obtain frequent advertising in the major newspapers would be very costly. GASP spent \$4,100 on newspaper ads last year. These ads appeared once in 13 papers. The total circulation of these papers was 760,000 people. Bialick's research indicates that 25% to 35% of those readers may have seen the ad because of the size of the ads. For the same amount of money, GASP could purchase:

- Two Denver area billboards that would rotate locations for four months.
- Twenty TV spots on Good Morning America (ABC, 6-9 a.m.)
- One hundred and sixty spots on ABC's Early World News (5-6 a.m.)
- Forty-eight spots on KBCO radio.

GASP's Board of Directors will soon be evaluating Bialick's research and deciding the direction of the campaign for 1991.

The Television Campaign

GASP has developed a television commercial and is running it in Colorado Springs. The public response to the ad has been good. GASP will soon be using the ad as a public service announcement (PSA) for television and cable stations in the Denver area. In addition, since PSA's often get a low priority, GASP's Board of Directors will consider buying paid advertisements through the counteradvertising fund. A description of the TV ad can be found on page 6.

WORKPLACE VICTORIES

A California workers' compensation case settled in December marked the first workers' compensation decision based on heart disease induced by environmental tobacco smoke (ETS). Avtar Uhbi, a nonsmoker with no history and little risk of heart disease, suffered a heart attack after working for five years at a combination bar and restaurant. The California Worker's Compensation Fund agreed to pay a total of \$85,000 for Uhbi's medical bills in addition to a \$10,000 settlement. The restaurant he works at, Carl's Junior, implemented a smokefree policy shortly after the worker's compensation decision.

In another precedent-setting case, the Wisconsin state Labor and Industry Review Commission ruled in favor of a Wisconsin Bell employee who claimed that she had suffered a permanent disability from exposure to ETS over an eight year period. Deborah Kufahl, 37, who worked as an accountant at Wisconsin Bell, was awarded 23,400 in workers' compensation.

From The Advocacy Institute

A DESCRIPTION OF GASP'S 30 SECOND TV SPOT.

AUDIO	VISUAL
The tobacco industry spends 3 billion dollars yearly to glamourize and promote smoking.	A woman is smoking next to a coworker. The coworker, a woman, is noticeably affected by the smoke. The coworker uses a Kleenex to wipe her tearing eyes while waving away the smoke. Two volunteers helped GASP with this scene.
What the tobacco industry doesn't want you to know is that secondhand smoke causes lung cancer and heart disease in nonsmokers.	This scene takes place in a restaurant and focuses on a man lighting up inside. The scene shows others in the restaurant surrounded in smoke while coughing and waving the smoke away. Nearly a dozen volunteers helped GASP with this scene. The Olive Branch in Colorado Springs let GASP use one of their smoke-free restaurants for the scene. A special smoke generating machine (but not tobacco smoke) is used in this scene.
In fact, the EPA recommends eliminating smoking near children...entirely.	This scene takes place in a car and shows two parents smoking in the front seat of a car. The scene then shows the smoke drifting back into the back seat and bathing the three children. One of the children is a baby and is crying. The other two children are shown being affected. Two adults and three children volunteered to help GASP with this scene.
The Group to Alleviate Smoking Pollution is fighting the tobacco industry and educating the public on the dangers of tobacco smoke. To help, send your tax-deductible contribution to the GASP ad fund. * Richard Ray of KBCO radio in Boulder helped GASP make the audio portion of the spot.	GASP's logo and address appears over a lovely crisp and clear scenic shot of the mountains. The text on the screen says, "Send your tax-deductible contribution to: GASP AD FUND, BOX 12103, BOULDER, CO 80303 or CALL 444-9799". GASP used a post office box in Colorado Springs for the TV ads there. GASP would like to thank all the volunteers who helped make the spot possible. Gary Kenyon, Andrea Gibson of KRDO-TV, and Board member Richard Breidenbach in Colorado Springs were most helpful.

SMOKING DEATHS INCREASE

More Americans are quitting smoking but 450,000 are dying from illness caused by smoking as the habits of the 1950s and 1960s take an increasing toll, according to federal health officials.

The National Centers for Disease Control reports that 435,175 Americans died from smoking in 1988. This is an 11% increase from the 390,000 deaths caused by smoking in a 1985 study.

"The problem is that we are now paying for what happened 20 to 30 years ago when large numbers of people smoked in large amounts," said Dr. William Roper, the center's director. "It takes 10, 20 years for cancer caused by smoking to result," he said.

DEATHS CAUSED BY SMOKING IN 1988

Deaths	Disease
200,802	Cardiovascular diseases such as heart & arterial disease.
111,985	Lung cancer.
82,857	Respiratory diseases such as bronchitis and emphysema.
37,000	Deaths from heart disease caused by passive smoking.
30,851	Mouth & pancreatic cancer.
3,825	Deaths from lung cancer caused by passive smoking.
2,552	Deaths of infants attributed to the mothers' smoking.
1,303	Deaths in fires caused by smoking.
471,175	TOTAL DEATHS

* This graph includes 37,000 heart disease deaths from passive smoking from recent studies. The CDC did not include this figure in its total.

VERNON LEAVES

Dr. Tom Vernon, the director of the Colorado Department of Health, recently left to take a job awarding grants for a foundation in Philadelphia. Dr. Vernon is a GASP member. He has been a member of GASP's support committee for several years. He has been active and vocal in promoting smoke-free lifestyles. His main concern is keeping children from taking up tobacco. GASP will miss his leadership on tobacco issues in this important state position. Joel Kahn, an attorney, has replaced Dr. Vernon as temporary director and has indicated that tobacco use is an important issue to him.

TURTLE POWER USED TO TURN KIDS OFF SMOKING

The Teenage Mutant Ninja Turtles — Leonardo, Michaelangelo, Donatello, and Raphael — have been enlisted by the Australian Drug Offensive to spread the message to Australia's children that smoking is "Brain Reducto Absurdo," "Mutant Pollutant," "Destracto Mento," "Ultra Unmondo," and "Turtley Unbodacious."

Canberra ASH in Australia

ARE YOU HELPING SUPPORT THE TOBACCO INDUSTRY?

by Stephen Schmidt & Lorraine Jones

In 1979, 551,000 Americans died of coronary heart disease and 403,00 died of cancer. Last year heart disease killed 498,000 and cancer 496,00. In other words: cancer is about to overtake heart disease as our number-one killer.

Yet the death rate from most cancers is stable or declining. So what gives? Lung cancer, that's what. Its rates are *increasing*.

Meanwhile, cigarette manufacturers are using their billions in profits to sanitize their image (and increase their economic clout). They are everywhere — sponsoring exhibits, defending the Bill of Rights... and selling food.

Everyone knows that Philip Morris makes Marlboro. But did you know that it also makes Maxwell House Coffee? Or Breyer's ice cream? Or kraft cheese?

R. J. Reynolds, the makers of Winston and Camel, gobbled up Nabisco. Now they make Planters nuts and Grey Poupon mustard.

Philip Morris and (RJR) Nabisco would like you to believe that diversification will help wean them away from making cigarettes. Wrong. Cigarettes are just too profitable. Tobacco accounts for just forty percent of Philip Morris' net sales, but two-thirds of its profits.

Here's a list of the major foods that are produced by subsidiaries of Philip Morris (PM) and (RJR) Nabisco.

ALCOHOL

Lowenbrau (PM)
Meister Brau (PM)
Miller, Miller Lite (PM)
Milwaukee's Best (PM)

BEVERAGES

Country Time (PM)
Crystal Light (PM)
Kool-Aid (PM)
Tang (PM)

BREADS & BREADINGS

Lender's frozen bagels (PM)
Oroweat (PM)
Shake'n Bake breading (PM)

CANDY & SNACKS

Bonkers (RJR)
BreathSavers (RJR)
Bubble Yum bubble gum (RJR)
Care-free sugarless gum (RJR)
Chuckles (RJR)
Lifesavers (RJR)
Mister Salty pretzels (RJR)
Nabisco cookies & crackers (RJR)
Planters nuts (RJR)

CANNED & PACKAGED MEALS

Impromptu shelf-stable meals (PM)
Lunchables (PM)
Ortega Mexican Foods (RJR)
Zappetites microwave snacks (PM)

CEREALS

Shredded Wheat (RJR)
All other Nabisco cereals (RJR)
Grape Nuts (PM)
All other post cereals (PM)

Make copies of this page. Place one copy on your refrigerator. Place another copy in your wallet or purse. Give copies to your friends.

GASP OF COLORADO

2885 Aurora Ave #16
Boulder, CO 80303
(303) 444-9799

CHEESES

Cheez Whiz (PM)
Cracker Barrel (PM)
Dairylea (PM)
Easy Cheese (RJR)
Light N' Lively (PM)
Philadelphia Brand (PM)
Polly-O (PM)
Velvetta (PM)

COFFEE

Brim (PM)
Gen. Foods Int'l Coffees (PM)
Gevalia (PM)
HAG (PM)
Maxim (PM)
Maxwell House (PM)
Sanka (PM)
Yuban (PM)

CONDIMENTS

A-1 Steak Sauce (RJR)
Brer Rabbit syrup & molasses (RJR)
Claussen pickles (PM)
Good Seasons salad dressing (PM)
Grey Poupon mustard (RJR)
Log Cabin syrups (PM)
Miracle Whip (PM)
Regina wine vinegars (RJR)
Seven Seas salad dressing (PM)
Vermont Maid syrup (RJR)
Wright's liquid smoke (RJR)

DESSERTS & SWEETS

Baker's chocolate & cocoa (PM)
Breyer's ice cream (PM)
D-Zerta gelatin & pudding (PM)
Entemann's cakes & pastries (PM)
Frusen Gläggé ice cream (PM)
Jello-O (PM)
Knudsen dairy products (PM)
Light N' Lively milk (PM)
My-T-Fine puddings & pie fillings (RJR)
Oreos (RJR)
Royal Pudding & gelatin (RJR)
Sealtest ice cream products (PM)
Toberlone chocolates (PM)

FAST FOOD

Hardee's (BAT Industries, makes Kool)
Kentucky Fried Chicken (RJR)

FROZEN FOODS

Birds Eye (PM)
Budget Gourmet (PM)
Jell-O frozen pops (PM)
Tombstone pizza (PM)

LUNCHEON MEATS

Louis Rich (PM)
Oscar Meyer (PM)

MISCELLANEOUS

Calumet baking powder (PM)
College Inn broths (RJR)
Davis baking powder (RJR)
Milk-Bone dog biscuits (RJR)

SEAFOOD

Louis Kemp seafood (PM)

SIDE DISHES

Minute Rice (PM)
Stove Top Stuffing (PM)

SPREADS & DAIRY PRODUCTS

Blue Bonnet margarine (RJR)
Breakstone's (PM)
Breyer's yogurt (PM)
Fleishmann's margarine (RJR)
Fleishmann's Egg Beaters (RJR)
Light N' Lively (PM)

TOPPINGS

Cool Whip (PM)
Dream Whip (PM)

* From the *Nutrition Action Healthletter* printed by the Center for Science in the Public Interest. Each month this newsletter evaluates specific foods for fat, sugar, fiber, and other contents. If a product is manufactured by a tobacco subsidiary, this is noted.

TAR WARS POSTER CONTEST

The 1991 Tar Wars poster contest takes place at 11 a.m. on **March 12** at the **Museum of Natural History** in Denver. More than 400 schools are participating in this year's contest.

Tar wars began in 1988 as a poster contest between the Aurora and Denver schools. GASP President Pete Bialick came up with the name for the event.

Fifth grade children participate in the event by creating pro-health posters on the dangers of tobacco. A curriculum developed by the Hall of Life is being presented in many schools by volunteer physicians, resident physicians, school nurses, and classroom teachers. Each participating school has its own contest and then enters their winning poster in the statewide competition.

The first prize is a family vacation to Disneyland, the second prize is a ski vacation to Vail, and the third prize is \$100 from **GASP's Advertising Fund**. The event is sponsored by the Coalition for a Tobacco-free Colorado, Colorado Academy of Family Physicians, the Hall of Life, and Denver DOC (Doctors Ought to Care).

ARE SMOKERS ILLITERATE?

Humor by Carolyn Jackson, a GASP member

At first, I was concerned that smoking created visual problems. Many smokers appear unable to read No-Smoking signs. But then I decided that with all the research done by the tobacco industry, surely they would have discovered this by now. Later, I realized there was another solution. I have read statistics that 20% of the people in this country are illiterate, and that 25% of the U.S. population smokes. Could there be a correlation? Is it possible that most smokers are illiterate?

Consider the following facts:

1) The average smokers' inability to read No-Smoking signs, and their indifference to the warning labels on cigarette packs. Maybe they can't read the warning?

2) Distinctive graphics allow smokers to purchase their brand without reading a label. Did you ever see cigarette cartons displayed in stores in alphabetical order? I have not.

3) The trend towards cartoon characters in cigarette advertising was assumed to be directed toward a younger market. Perhaps it was intended to attract an illiterate market.

4) The prison population has a very high percentage of smokers, and an equally high percentage of illiterates. Are most smokers criminals? Many exhibit a real lack of consideration for the health and comfort of others. I would categorize that as antisocial behavior. But more study may be necessary to resolve this issue.

We can now easily identify the people in need of remedial reading classes by the stench of rancid tobacco smoke. Once they learn to read, they will then be able to assimilate the information on smoking hazards. This should lead to a decrease in smoking.

One thing strikes me as truly ironic. Disguised as a smoker, I receive the Philip Morris magazine. If you overlook the propaganda parts, it is a great little magazine. Too bad the smokers do not know it.

—————
* GASP welcomes written articles and letters for this newsletter. They should be typed. Macintosh disks can be accepted and are most welcome.

* Due to space limitations, this ad has been reduced in size.

TAR WARS POSTCARDS

The Coalition For a Tobacco Free Colorado has printed color postcards of the 1990 Tar Wars poster contest winner. The post card says, "Feel Free, Tobacco Free." These are available through the American Lung Association at 25¢ each or 25 for \$5.00.

Printed portions may be copied or reprinted.
Credit to GASP of Colorado is appreciated. ISSN# 0897-9626

GASP OF COLORADO

Group to Alleviate Smoking Pollution
2885 Aurora St. #16C
Boulder, CO 80303
(303) 444-9799

ADDRESS CORRECTION REQUESTED

GASP'S ANNUAL MEETING

With a Very Special Guest Speaker
PROFESSOR STANTON GLANTZ



FRIDAY, SEPTEMBER 27

SUPER 8 HOTEL & CONFERENCE CENTER IN DENVER AT 6:30 P.M.

Professor Glantz recently completed research that indicates that ETS kills 53,000 nonsmokers in the U.S. each year, making it the third leading preventable cause of death. The tobacco industry has tried to prevent the Environmental Protection Agency from reviewing and releasing his findings and other findings on the dangers of environmental tobacco smoke in a compendium of technical information.

Stanton Glantz is a Professor of Medicine at the University of California, San Francisco. He has been a leading activist in the pro-health movement since 1978. In 1983 he helped successfully defend the strong workplace smoking restrictions passed in San Francisco from a tobacco industry attempt to repeal it by referendum. This local referendum victory was the first time the tobacco industry was beaten on the ballot and is often viewed as a major turning point in the battle for nonsmokers' rights. Professor Glantz helped advise GASP activists on how to successfully beat the tobacco industry in the 1984 Fort Collins referendum that restricted smoking in public places, restaurants, and in workplaces. He was one of the keynote speakers at the seventh World Conference on Tobacco and Health held in Australia in 1990.

**DON'T MISS THIS TALK BY ONE OF AMERICA'S MOST
EXCITING ACTIVISTS IN THE NONSMOKERS' RIGHTS MOVEMENT!**

Admission is \$18 for dues-paying members of GASP, and \$25 for nonmembers. **Please reserve your space in advance, because tickets are not sold at the door.** A reservation coupon can be found on page two.

SMOKER'S RIGHTS MOVEMENT DESIGNED TO COUNTERACT GASP'S SUCCESS AT THE LOCAL LEVEL

Walker Merryman, Vice President of the Tobacco Institute recently said in an article in the *San Francisco Examiner* that, "We can't possibly be everywhere at once. I give the anti-smoking people credit in that area." The article said that Merryman indicated that anti-smoking activists won't take the tobacco industry on at the state level because they are too good. "It sounds arrogant, but it is true," said Merryman.

What he means is they are "too rich." The tobacco industry is successful at the state level because it has a dozen lobbyists at the State Capitol. **It is also apparent that the reason the tobacco industry is spending so much money on the smokers' rights movement is to try to counter GASP's effectiveness at the local level.**

Smoker's rights groups were successful in watering down Arvada's no-smoking ordinance. Last Christmas they put together a well-organized effort when the Denver City Council debated setting up smoking areas in the airport. They are attempting to water down Grand Junction's no-smoking ordinance so that they can have smoking areas in outdoor stadiums.

The tobacco industry practically owns the state legislature. Now, they want to turn the tables on the local level with their smokers' rights movement in Colorado. **It is important that GASP stay strong and improve its effectiveness around the state in rural areas.** Here's how you can help.

1) Recruit new members for GASP by sending or giving GASP brochures to people you think might be interested in joining GASP. Be sure to attach a personal note urging them to join. Follow up with a personal call. Please do not give GASP's brochures to smokers, unless they are considerate or concerned smokers. Free brochures are available from our office. Call or write us.

2) Be sure GASP has your home and work telephone number so that we may contact you about legislative actions in your area.

3) Send GASP the name of your legislators in the Colorado legislature. If you do not know who these are, call your local election commission. Be sure to write down your legislator's district number, address, and phone number. Calls from constituents are always effective. GASP will be adding some of this information into our computers. Use the coupon below.

GASP MEMBER ACTION ALERT INFORMATION

Help GASP of Colorado become more effective.
Please fill out the following information and return it to GASP.

Your Name _____
City _____ Zip Code _____
Hm Phone _____ Wk Phone _____
House Dist.# _____ Representative _____
Senate Dist. # _____ Representative _____

Mail to:
GASP of Colorado
2885 Aurora St #16C
Boulder CO 80303

GASP ANNUAL MEETING RESERVATION FORM

FRIDAY, SEPTEMBER 27

Special Guest Speaker and Dinner
Featuring Professor Stanton Glantz
6:30 p.m.

Super 8 Hotel & Conference Center in Denver
I-25 and Speer Blvd North Exit
2601 Zuni St
(Turn left at first light)

- ☐ \$18 for members of GASP
☐ \$25 for nonmembers

Please reserve _____ (number of seats).

Baked chicken breast is the dinner entree.

* A vegetarian plate is available upon request.

Name _____
Address _____
Phone _____

Return this coupon and make checks payable to:
GASP OF COLORADO
2885 Aurora #16C
Boulder, CO 80303.

AD CAMPAIGN

1990 Newspaper Ad Receives Awards

GASP's 1990 newspaper ad campaign on the danger of smoking around children won a first place award in the statewide Tobacco-Free Challenge. It also won second place in the Rocky Mountain regional competition. *Encyclopedia Britannica* has requested GASP's permission to print the ad in their medical encyclopedia. Nevada's for Nonsmoker's Rights has used the ad to achieve new policies on smoking around children placed with foster parents. More than a dozen other pro-health groups have reprinted the ad in their newsletters. GASP is considering making a poster out of the ad (see page 12).

1991 Television Campaign

Media experts tell us we need to raise at least \$25,000 to have an impact with our television ad. This will enable GASP to run the ad on television hundreds of times and reach more than a million Coloradans with the message that secondhand smoke is deadly. Channel 13 in Colorado Springs donated the costs for the ad production on the 30 second spot, and so all we need to do is raise money to deliver the message. **It is a powerful ad**, and other pro-health groups, including ASH (Action on Smoking and Health), are interested in using it. A description of the spot appears on the next page.

Anti-smoking campaigns like this undercut the social support network for smoking by implicitly defining smoking as an antisocial act. GASP's ad campaign is having this kind of impact. When we ran the TV ad in Boulder, we received many calls from irate smokers. This indicates that the ad has touched a nerve. **The more smokers hear the message that smoking is socially unacceptable and unhealthy to others; the more likely they are to quit.** This is precisely what the tobacco industry fears the most according to their own research.

GASP is currently the only pro-health organization in the Colorado, and one of the few in the nation, that uses advertising to educate the public on the dangers of tobacco. A recent poll on family values indicated that the tobacco issue placed 34 on a list of issues of concern. This statistic illustrates the reason GASP of Colorado needs to do something to counter the 3 billion dollars the tobacco industry spends on advertising to glamorize and promote smoking.

GASP members are excited about the TV ad and have contributed more than \$10,000 to help purchase ad spots by making tax-deductible contributions to the GASP ad fund. However, we still need to raise another \$20,000. Your ideas and suggestions on how GASP can raise these funds are appreciated.

AIRPORT ACTION ALERT

Mayor Elect Wellington Webb has hinted he is considering rescinding Peña's Executive order prohibiting smoking in City facilities and in most areas of Stapleton International Airport.

GASP members should write or call Mr. Webb to encourage him to maintain the ban. You might also ask Mr. Webb to work on tightening up Denver's no-smoking ordinance.

**Write: Wellington Webb, 2329 Gaylord St.,
Denver, CO 80205.**

**Call the Mayor's office at:
640-2721 (Fax #640-2329)**

NEW MAILING ADDRESS

**2885 AURORA ST #16C
BOULDER, CO 80303**

The Boulder Post Office recently closed down the contract station at Ludwig's Pharmacy where GASP had its postal box. GASP has opted to have mail delivered to our office address rather than rent a new box far away. Please jot down this new address.

A DESCRIPTION OF GASP'S 30 SECOND TV SPOT.

AUDIO	VISUAL
The tobacco industry spends 3 billion dollars yearly to glamourize and promote smoking.	A woman is smoking next to a coworker. The coworker, a woman, is noticeably affected by the smoke. The coworker uses a Kleenex to wipe her tearing eyes while waving away the smoke. Two volunteers helped GASP with this scene.
What the tobacco industry doesn't want you to know is that secondhand smoke causes lung cancer and heart disease in nonsmokers.	This scene takes place in a restaurant and focuses on a man lighting up inside. The scene shows others in the restaurant surrounded in smoke while coughing and waving the smoke away. Nearly a dozen volunteers helped GASP with this scene. The Olive Branch in Colorado Springs let GASP use one of their smoke-free restaurants for the scene. A special smoke generating machine (but not tobacco smoke) is used in this scene.
In fact, the EPA recommends eliminating smoking near children...entirely.	This scene takes place in a car and shows two parents smoking in the front seat of a car. The scene then shows the smoke drifting back into the back seat and bathing the three children. One of the children is a baby and is crying. The other two children are shown being affected. Two adults and three children volunteered to help GASP with this scene.
The Group to Alleviate Smoking Pollution is fighting the tobacco industry and educating the public on the dangers of tobacco smoke. To help, send your tax-deductible contribution to the GASP ad fund. * Richard Ray of KBCO radio in Boulder helped GASP make the audio portion of the spot.	GASP's logo and address appears over a lovely crisp and clear scenic shot of the mountains. The text on the screen says, "Send your tax-deductible contribution to: GASP AD FUND, BOX 12103, BOULDER, CO 80303 or CALL 444-9799". GASP used a post office box in Colorado Springs for the TV ads there. GASP would like to thank all the volunteers who helped make the spot possible. Gary Kenyon, Andrea Gibson of KRDO-TV, and Board member Richard Breidenbach in Colorado Springs were most helpful.

Anti-smoking campaigns like this undercut the social support network for smoking by implicitly defining smoking as an antisocial act.

The more smokers hear the message that smoking is socially unacceptable and unhealthy to others, the more likely they are to quit.

This is precisely what the tobacco industry fears the most, according to their own research.

You can help educate the public on the dangers of secondhand smoke with your tax-deductible contribution to the GASP AD FUND.

PRESIDENT'S CORNER

By Pete Bialick

GASP's Board of Directors is **discussing ways to improve our effectiveness on the local level, especially in rural areas.** We would like to hear your ideas and suggestions. Call or write.

If you have never been to an **annual meeting**, this would be a good year to try one. Our speakers have always been entertaining and interesting. Stan Glantz is no exception. The price, \$18 for members, also includes your meal. Overnight accommodations are available at Denver area hotels.

The *Rocky Mountain News* made some editorial comments on the Philip Morris Bill of Rights Tour that were totally unprofessional. Criticism is fine when it is well documented. However, this editorial criticized pro-health organizations on the basis of one statement. The editorial does not mention how Philip Morris has subverted freedom of speech through its actions. I think that the *Rocky Mountain News* editorial's on tobacco are often poorly documented, often poorly researched, and often based on values and ideas that are behind the times. I wonder if it has anything to do with the fact that the newspaper continues to accept tobacco advertising? Perhaps they feel they need to justify their addiction to tobacco advertising and their guilt about helping to promote a lethal product that kills more than 3,000 Coloradans every year.

Fund-raising is very time-consuming but necessary function for GASP. Membership recruitment by direct mail occurs once a year to keep the amount of time spent on fund-raising limited. Fund-raising for the ad fund occurs once a year. Membership renewals are divided into four quarters. I want to change that so that membership renewals occur once a year in November. This will help GASP better plan its activities and budget for the entire year. It will also save me much work during the year. Watch for details when you receive a notice to renew your membership.

One way each member can help cut GASP's expense is to renew your membership early. Renewal notices go out about one week before expiration dates. The expiration date of your membership appears on the top of your mailing label. If you renew early, be sure to let me know that the check you are mailing is a membership renewal. Otherwise, it will be considered an additional

contribution.

Speaking of fund-raising, GASP has been using paid solicitors to help raise funds for the GASP Ad Fund. The solicitors were hired after GASP mailed out a plea to all members. GASP's Board is concerned about using phone solicitors and has worked to make it a positive experience. The move has been cost-effective. Our phone campaign in July brought in seven times the amount paid to the solicitors. This means more than 85% of the funds raised will go directly toward the program!

GASP members who do not want to be contacted by phone solicitors in the future should let me know. I will add this information to your membership records.

I would like to see GASP double its membership and increase its annual revenue from \$35,000 to \$50,000. I would appreciate your ideas and suggestions.

A lack of volunteers has made my job much more difficult. For instance, last month I nearly spent two weeks looking up 5,000 phone numbers because I could not find enough volunteers to help me. I have yet to find a volunteer to help poll Boulder restaurants. I have also lost many volunteers who used to help stuff envelopes at home. If the situation does not change, I will have to hire a part-time assistant soon. This could lead to an increase in membership dues.

BOARD MEMBERS NEEDED

GASP of Colorado is accepting applications for Board Directors. Board members serve in an advisory capacity and play a role in the decision making process. The Board meets in the evening in Denver every month and a half. Applicants must be dues-paying members of GASP. Applicants are encouraged to attend a Board meeting to get an idea of what is involved. GASP's Board meetings are open to all GASP members. Call Pete Bialick at 444-9799 for an application.

KEEP YOUR ADDRESS UP TO DATE

If you move, please let GASP know at once. The Post Office does not forward bulk mail. This means your newsletter or action alert could be delayed two or three weeks.

WAYS TO GIVE TO GASP

1. Giving the right amount. It is important to give without jeopardizing your family's or your own financial well-being. Ideas presented in this booklet show how you may be able to make a substantial gift without undue risk to your financial security.

2. The importance of timing. Tax benefits can often be enhanced by carefully planning the timing of your gifts.

For example, what if you find you will need more deductions in order to itemize on your federal income tax return? You may want to consider making more frequent or larger gifts, or completing a pledge ahead of schedule. Charitable gifts are probably the most flexible and easiest to control of all deductions now allowed. Gifts made by December 31 will be deductible on the current year's tax return.

At some point, you might wish to consider a bequest or other deferred gift in addition to your regular gifts, as a way of making an "ultimate" gift after providing for your needs and those of your loved ones.

3. Giving the right property. As pointed out below, *what* you give may be as important as *when* you give.

4. Giving in the best way. Different types of gifts may be best at different times. Your advisors can assist you in determining the plan that best meets your needs.

Ways You Can Give Now

What you give can make a difference in the cost of your gifts. Exploring the assets you own may lead you to less familiar—but highly economical—forms for your gifts.

Cash—A popular choice

Cash—usually in the form of a check—is probably the most common and popular gift.

Your charitable gifts of cash may be deducted in the year the gift is made as long as you itemize deductions. You can deduct an amount up to 50 percent of your adjusted gross income; any excess may be deducted over the next five tax years.

Actual savings from the deduction depend on your tax rate and other factors. Generally, the higher your tax rate, the greater your savings.

For example: Mr. Smith is in the 33 percent tax bracket. When he plans a cash gift of \$1,000, his deduction saves him \$330 in taxes (33 percent of the gift amount). So, Mr. Smith gives \$1,000 at an after-tax cost of just \$670.

Other property— Surprising opportunities

Property other than cash such as real estate or securities (including mutual funds, certain bonds, and stocks) may help you make a larger gift at the lowest possible cost.

When property has risen in value. If the property has increased in value and you have owned it long enough to qualify as long-term property, the best course will probably be to give the property itself.

A charitable gift of appreciated property allows you to avoid capital gains tax payable if you sold the property. You also receive a deduction for the full value, in most cases.

When value has decreased. If the property you would like to give has dropped in value, you will probably be better off selling it and giving the cash proceeds.

You will establish a capital loss for income tax purposes and can also deduct the charitable gift.

When value has fluctuated. You may have property such as stock that has greatly increased in value, then declined somewhat. It is worth more than your original cost ("basis"), but you are not sure if the stock's value will continue to fall or not.

Consider giving it, then use cash you would have given to purchase more of the same shares. As a result, (1) you do not have to pay tax on the capital gains of the gift property and (2) you establish a higher basis. If the value drops further, you'll have a capital loss for tax purposes; if it increases you'll have less taxable gain.

Other possibilities

Collections of value, works of art, jewelry, antiques, and other tangible personal property may also make practical gifts. The deduction depends on the appraised value and how the gift will be used by the recipient.

Gifts to Make Now...for Later

Just as many types of property may be given, so can gifts be arranged in a variety of ways. Some result in a gift immediately, while others may create a gift received months or years from now. All are welcome.

Giving by will

In your will, you can include charitable gifts in the form of:

- specific property—cash, securities, works of art, etc.;
- a percentage of your estate; and/or
- the "residue" of your estate—property remaining after other bequests have been fulfilled.

Your attorney can help you plan the best kind of bequest. Often a bequest may be arranged with the simple addition of a *codicil* (an amendment to your will).

Giving through life insurance

Life insurance presents a variety of ways to give. You can give a policy you already own, assign the dividends as a gift, or name a charitable first, second, or last beneficiary for part or all of the proceeds.

A new policy may be purchased to assure a large eventual gift.

It may also be possible to use life insurance benefiting your heirs to "replace" charitable gifts you make from your estate.

Tax benefits accompany many life insurance gifts. Ask your life insurance representative for more details.

Giving through retirement plans

Similarly, naming a charitable beneficiary for part or all funds in a retirement plan (when loved ones are not available to use

them) can be easy. The person or financial institution administering your Individual Retirement Account, other retirement plan, or profit-sharing account can help.

Giving for income

When a supplementary income is necessary for yourself or a loved one, a *giving-for-income* plan may be ideal. Such plans result in either fixed or variable payments to you (or someone you name) annually. Ask your financial advisors for guidance in deciding which plan suits you best.

For example: As part of Mr. and Mrs. Smith's estate planning, they have arranged a life income gift. They are both 65 and place \$35,000 in a gift plan with the following benefits:

- An income tax deduction of about \$14,000 when the gift is arranged and possible estate tax benefits later.
- Annual income of \$2,450 to the Smiths for as long as either is living.
- The enjoyment of making the gift.

Borrowed from a brochure of the American Red Cross.

COURTESY BASKET ALERT

It appears King Soopers has started using courtesy baskets to promote cigarettes again. GASP has no objection to King Soopers having advertisements on these baskets, but they should find a sponsor other than tobacco. Courtesy baskets with tobacco advertising send a bad message to all the children who see them. **Cigarette ads have no place on courtesy baskets and shopping carts.** Last Winter King Soopers responded to cards sent by GASP members and removed hand baskets promoting Merit cigarettes. Apparently, someone at King Soopers is suffering from a case of amnesia or greed (the tobacco companies provide these baskets free of charge).

GASP members who shop at Kings and notice these promotions should complain. Pick up suggestion cards, send a fax (free through stores) or write Donald E. Gallegos, President, King Soopers, 65 Tejon St, Denver, CO 80223. Let Mr. Gallegos know you will consider boycotting King Soopers if these promotions are not removed immediately.

Scientists paid by tobacco industry admit smoking danger

By The Associated Press

WASHINGTON — A survey of scientists who get research money from the tobacco industry shows that most of those responding believe cigarette smoking causes serious, often fatal diseases.

According to a report in the American Journal of Public Health, 94 percent agreed that even secondhand smoke is harmful to nonsmokers, and 91 percent agreed that most lung cancer deaths are caused by smoking.

In all, 77 of 166 researchers who were mailed the survey answered.

"The industry says that there is controversy about smoking and disease, and it's our position that saying there's controversy is the same as saying there's controversy over the shape of the Earth," said K. Michael Cummings, a senior research scientist at Roswell Park Cancer Institute, Buffalo, N.Y.

Cummings charged that the tobacco industry is using the council as "a public relations vehicle intended to foster a false impression that cigarette manufacturers are interested in investigating the smoking and health issue."



THE DENVER POST, JUNE 16, 1991

Office smoke affects fetuses

Study shows moms' risk in passive exposure at work

By Christina Robb
Boston Globe

Women who do not smoke but breathed the smoke of others at home or work gave birth to infants who showed subtle but significant deficits in speech and language development, intelligence, school performance and behavior up to at least age 9, a Canadian study has found.

The deficits found in several measures of achievement and intelligence were "similar but milder" than those suffered by children whose mothers smoked during pregnancy, wrote Judy Makin, a Canadian school psychologist, in the journal *Neurotoxicology and Teratology*.

The study, which is likely to add momentum to the movement for smoke-free workplaces, is the first to show that passive exposure to smoke in the workplace may be just as harmful as exposure at home, Makin said. Previous studies have focused on harmful ef-

fects in the children of women whose husbands smoked during the pregnancy. The earlier studies primarily measured physical effects such as ear infections and birth weight.

In Makin's study, which she designed with psychologist Peter A. Fried of the Carleton University in Ottawa, "half of the women in the passive group reported that their exposure wasn't from their husbands but in their working environments," she said.

"My interest is in school psychology, so I see a lot of kids with learning disabilities," said Makin. "Parents often ask you why," she said, so she decided to see whether tobacco had anything to do with learning problems.

Makin used data that Fried had been collecting since 1979 for the Ottawa Prenatal Prospective Study, an analysis of the habits and backgrounds of 698 pregnant women. Fried, who has written widely about the effects of mari-

juana, alcohol and tobacco on pregnant women and their offspring, had asked the women about their passive exposure to smoke during pregnancy.

In order to separate the effects of tobacco from other possible harmful agents, Makin focused on 91 children of women who did not use marijuana and drank little or no alcohol during pregnancies.

The 91 children, who were by then between the ages of 6 and 9, fell into three groups: 33 whose mothers smoked during pregnancy, 35 whose non-smoking mothers were exposed to other people's smoke during pregnancy, and 23 whose mothers did not smoke and were not exposed to smoke during their pregnancies.

She gave the children a battery of speech, language, intelligence and behavior tests and found that the active smoking group did worst, the passive smokers had intermediate scores, and the non-smokers got the highest scores.

THE DENVER POST July 17, 1991

Keep City Hall smoke-free

THE DENVER POST, JUNE 28, 1991

MAYOR-ELECT Wellington Webb has hinted that he might rescind the Peña administration's ban on smoking in city buildings because it's not always convenient for tobacco users to pursue their habit outside.

While his concern for the morale of city employees and visitors is commendable, Webb's priorities here are a bit skewed. It's the long-term health hazards posed by smoking itself, not the brief periods of discomfort caused by going outdoors, that should concern him most.

And that should be the priority both at Stapleton and the new Denver International Airport as well as at City Hall and other municipal buildings.

As a matter of public policy, smoking should not be permitted in city-owned buildings in Denver

— except perhaps in separately ventilated lounges built and financed by smokers or tobacco companies themselves.

The city has an obligation to protect non-smokers from the health threats posed by second-hand smoke, and to enhance the health of its employees — and thus improve their productivity — by doing what it can to discourage smoking in general.

After all, any employer should be less concerned about the comfort and convenience of a smoker on a 10-minute work break than about the climate and health of a non-smoker on an eight-hour work shift.

Mayor Federico Peña clearly recognized the need to be out in front on this critical public-health issue, and Webb should do nothing to slow down the momentum.

Thursday, July 18, 1991

The Philadelphia Inquirer

Government says cigarettes cause cancer in nonsmokers

By Paul Raeburn
Associated Press

NEW YORK — The National Institute for Occupational Safety and Health has concluded that cigarette smoke causes cancer and possibly heart disease in nonsmokers. It said "all available preventive measures should be used to minimize occupational exposure."

Those measures include banning smoking outright or restricting it to enclosed, separately ventilated areas, the agency said yesterday.

Bryan Hardin, who supervised preparation of the report, said it was the first official government statement on the dangers of smoking in the workplace. He said it was likely to persuade many employers to toughen restrictions on smoking and would help the Occupational Safety and Health Administration establish regulations for smoking in the workplace.

The institute is part of the Centers for Disease Control. It conducts research and makes policy recommendations for the Labor Department, of which OSHA is a part.

"The official course of events is for OSHA to take the recommendations and incorporate them into a rule-making," Hardin said.

"But on a more personal level, one would hope that individual employers would go ahead and read it and act on their own, without waiting for regulation," he said.

The agency recommended that employers and unions cooperate to eliminate smoking, establish smoking-cessation programs and offer workers incentives to stop smoking.

In the absence of a ban, employers should establish separately ventilated smoking areas and the "air from this area should be exhausted directly outside and not recirculated within the building," the report said.

Brennan Dawson, a spokeswoman

for the Tobacco Institute, which represents the industry, criticized the research linking second-hand smoke and cancer, and said that studies show workers are not exposed to substantial amounts of cigarette smoke on the job.

"The house of cards to try to climb to this conclusion is missing a lot of pieces," she said. "It is unfortunate that people are getting a very skewed view of this. Studies continue to be published that don't show increases in risk. No one writes about them."

The report, "Environmental Tobacco Smoke in the Workplace," is an 18-page review and analysis of existing research on second-hand cigarette smoke.

It said the weight of the evidence "is sufficient to conclude that ETS [environmental tobacco smoke] poses an increased risk of lung cancer and possibly heart disease to occupationally exposed workers."

Smoke-filled wombs

THE DECLINE in student test scores over the past generation is often blamed on television, which admittedly has turned millions of young Americans into passive observers rather than active learners.

But there's another possible contributing factor that deserves serious attention: smoking.

In this case, it's not smoking by adolescents that may be at fault, though this is a legitimate concern in itself. Rather, it's smoking by pregnant women, a practice that can adversely affect the neurological development of their fetuses in the same way that heavy drinking can cause the mental impairment now identified as fetal alcohol syndrome.

Just as cigarette smoking by adults has been linked to asthma, bronchitis and even ear infections in children exposed to second-hand smoke in their homes, smoking by mothers has been found to stunt the growth of their offspring *in utero*.

Babies born to women who smoke are often premature, smaller than usual or even stillborn. Moreover, such infants typically

develop mentally at a slower rate than normal, and as a newly published Canadian study has found, they tend to score lower than their peers on language, intelligence and behavior tests when they reach school age.

What hasn't been explored, though, is the larger question of whether these deficiencies may account for much of the oft-decried decline in brain power among American young people, as measured by math and verbal scores on college entrance exams.

It may be that an increase in the incidence of fetal tobacco syndrome, as this arrested development might be described, could be correlated directly with both the rise in smoking by American women during the past 20 to 30 years and the general drop in educational achievement among their children.

Certainly the thesis is worth pursuing, not only to minimize the risk to future generations, but also to clarify the role of biological vs. environmental factors in causing what is widely regarded as one of the nation's most critical problems.

Toward smoke-free worksites

THE FEDERAL government, responding to mounting evidence that cigarette smoke menaces even non-smokers, is moving slowly but surely toward a nationwide ban on smoking everywhere indoors except in private homes.

The foundation for such a far-reaching order was laid last week by the National Institute for Occupational Safety and Health, which recommended that "all available preventive measures" be used to minimize people's on-the-job exposure to tobacco fumes.

If incorporated into workplace regulations by the Occupational Safety and Health Administration, as now seems likely, this could result in a near-universal prohibition on indoor smoking — even in bars, restaurants and small businesses, which are often exempt from existing state and local restrictions.

Such a move would no doubt be opposed by the owners of most bars and nightclubs, whose patrons typically seem to be smokers. But it would be widely applauded by the non-smokers who

have quit going to such establishments in recent years because they can't stand to be in smoke-filled rooms.

More important, in view of the strong measures the federal government has taken to protect Americans from asbestos and other airborne contaminants, it would be hypocritical to ignore the equally demonstrable health hazards posed by second-hand cigarette smoke.

The U.S. surgeon general and the National Academy of Sciences have both concluded that such fumes can cause lung cancer and heart disease in non-smokers, and the Environmental Protection Agency is reviewing an advisory group's recommendation that cigarette smoke be declared a known carcinogen.

No employer who professes to be concerned about the rising cost of group health insurance can afford to dismiss these warnings. Even if the government fails to protect workers from this toxic pollutant, the insurance industry may well compel employers to do so — by raising premiums for those who don't.

THE DENVER POST, JULY 29, 1991

THE DENVER POST, JULY 22, 1991

Don't pass it on.



Your smoking hurts others.

Here's How Philip Morris Really Feels About Your Rights

Philip Morris vs Freedom of Speech

Philip Morris barred an attempt by CBS' "60 Minutes" to buy a copy of the 1976 documentary, Death in the West, and attempted to have all copies destroyed. The film documents fatal lung diseases of six cowboys.

Philip Morris tried to get a restraining order to prevent the Texas activist group, Doctors Ought to Care, from satirizing Philip Morris' "Miller Lite, We're having a Party" t-shirts. When this failed, Philip Morris sued DOC, threatening to destroy the group. Philip Morris subsequently settled out of court.

Tour Fact

By the end of the Exhibit's 26,163 mile journey across the United States, 521,588 of our citizens will have died from smoking cigarettes.

"Having Philip Morris sponsor the Bill of Rights is like having EXXON sponsor Earth Day."

Philip Morris vs Freedom of the Press

Philip Morris advertising money influences what topics are covered in magazines. *Harper's Bazaar* decided not to run an article about cancer because it "focused too much on tobacco and the magazine is running three full page, color (tobacco) ads."

Philip Morris vs Freedom of Life, Liberty, and the Pursuit of Happiness

During a 1986 Congressional testimony, Olympic diver Greg Louganis related that he was threatened with the loss of the training facility he used if he acted as chairman of the Great American Smoke-Out. The facility was owned by Philip Morris.

*Part of a brochure distributed by the Coalition for a Tobacco-Free Colorado during the Philip Morris Bill of Rights tour in Denver.

GASP MAILS EDUCATIONAL MATERIALS TO 900 SCHOOLS

The GASP Ad Fund paid for mailing packets of materials to nearly 900 schools within proximity of Denver. The packet contained a twenty-page information and activity guide titled "Tobacco, Health and Advertising." The materials are intended to help teachers build a teaching unit on tobacco health hazards and the influences of tobacco advertising. The packet was developed by the Coalition for a Tobacco-Free Colorado. It was part of the group's effort to educate children and the public on the hypocrisy of Philip Morris' Bill of Rights Tour.



**Tobacco smoke is not just an annoyance;
it hurts more than feelings.**

The Environmental Protection Agency (EPA) says, "Passive smoking induces serious respiratory symptoms in children. Asthmatic children are particularly at risk. Children of smokers have significantly higher rates of hospitalization for bronchitis and pneumonia, and a number of studies report that chronic ear infections are more common in young children whose parents smoke. Also, lung development is slower in children exposed to environmental tobacco smoke (ETS). Lung problems caused by ETS exposure in childhood can extend into adult life."

Please don't smoke around children.

Thank you.

GASP OF COLORADO
(Group to Alleviate Smoking Pollution)
(303) 444-9799

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The Nonsmokers' Voice

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GASP OF COLORADO

Group to Alleviate Smoking Pollution
2885 Aurora St. #16C
Boulder, CO 80303
(303) 444-9799

ADDRESS CORRECTION REQUESTED

GASP'S ANNUAL MEETING

With a Very Special Guest Speaker
PROFESSOR STANTON GLANTZ

FRIDAY, SEPTEMBER 27

SUPER 8 HOTEL & CONFERENCE CENTER IN DENVER AT 6:30 P.M.

Professor Glantz recently completed research that indicates that ETS kills 53,000 nonsmokers in the U.S. each year, making it the third leading preventable cause of death. The tobacco industry has tried to prevent the Environmental Protection Agency from reviewing and releasing his findings and other findings on the dangers of environmental tobacco smoke in a compendium of technical information.

Stanton Glantz is a Professor of Medicine at the University of California, San Francisco. He has been a leading activist in the pro-health movement since 1978. In 1983 he helped successfully defend the strong workplace smoking restrictions passed in San Francisco from a tobacco industry attempt to repeal it by referendum. This local referendum victory was the first time the tobacco industry was beaten on the ballot and is often viewed as a major turning point in the battle for nonsmokers' rights. Professor Glantz helped advise GASP activists on how to successfully beat the tobacco industry in the 1984 Fort Collins referendum that restricted smoking in public places, restaurants, and in workplaces. He was one of the keynote speakers at the seventh World Conference on Tobacco and Health held in Australia in 1990.

**DON'T MISS THIS TALK BY ONE OF AMERICA'S MOST
EXCITING ACTIVISTS IN THE NONSMOKERS' RIGHTS MOVEMENT!**

Admission is \$18 for dues-paying members of GASP, and \$25 for nonmembers. **Please reserve your space in advance, because tickets are not sold at the door.** A reservation coupon can be found on page two.

SMOKER'S RIGHTS MOVEMENT DESIGNED TO COUNTERACT GASP'S SUCCESS AT THE LOCAL LEVEL

Walker Merryman, Vice President of the Tobacco Institute recently said in an article in the *San Francisco Examiner* that, "We can't possibly be everywhere at once. I give the anti-smoking people credit in that area." The article said that Merryman indicated that anti-smoking activists won't take the tobacco industry on at the state level because they are too good. "It sounds arrogant, but it is true," said Merryman.

What he means is they are "too rich." The tobacco industry is successful at the state level because it has a dozen lobbyists at the State Capitol. **It is also apparent that the reason the tobacco industry is spending so much money on the smokers' rights movement is to try to counter GASP's effectiveness at the local level.**

Smoker's rights groups were successful in watering down Arvada's no-smoking ordinance. Last Christmas they put together a well-organized effort when the Denver City Council debated setting up smoking areas in the airport. They are attempting to water down Grand Junction's no-smoking ordinance so that they can have smoking areas in outdoor stadiums.

The tobacco industry practically owns the state legislature. Now, they want to turn the tables on the local level with their smokers' rights movement in Colorado. **It is important that GASP stay strong and improve its effectiveness around the state in rural areas.** Here's how you can help.

1) Recruit new members for GASP by sending or giving GASP brochures to people you think might be interested in joining GASP. Be sure to attach a personal note urging them to join. Follow up with a personal call. Please do not give GASP's brochures to smokers, unless they are considerate or concerned smokers. Free brochures are available from our office. Call or write us.

2) Be sure GASP has your home and work telephone number so that we may contact you about legislative actions in your area.

3) Send GASP the name of your legislators in the Colorado legislature. If you do not know who these are, call your local election commission. Be sure to write down your legislator's district number, address, and phone number. Calls from constituents are always effective. GASP will be adding some of this information into our computers. Use the coupon below.

GASP MEMBER

ACTION ALERT INFORMATION

Help GASP of Colorado become more effective. Please fill out the following information and return it to GASP.

Your Name _____
City _____ Zip Code _____
Hm Phone _____ Wk Phone _____
House Dist.# _____ Representative _____
Senate Dist. # _____ Representative _____

Mail to:

GASP of Colorado
2885 Aurora St #16C
Boulder CO 80303

GASP ANNUAL MEETING

RESERVATION FORM

FRIDAY, SEPTEMBER 27

Special Guest Speaker and Dinner

Featuring Professor Stanton Glantz

6:30 p.m.

Super 8 Hotel & Conference Center in Denver

I-25 and Speer Blvd North Exit

2601 Zuni St

(Turn left at first light)

☐ \$18 for members of GASP

☐ \$25 for nonmembers

Please reserve _____ (number of seats).

Baked chicken breast is the dinner entree.

* A vegetarian plate is available upon request.

Name _____

Address _____

Phone _____

Return this coupon and make checks payable to:

GASP OF COLORADO

2885 Aurora #16C

Boulder, CO 80303.

AD CAMPAIGN

1990 Newspaper Ad Receives Awards

GASP's 1990 newspaper ad campaign on the danger of smoking around children won a first place award in the statewide Tobacco -Free Challenge. It also won second place in the Rocky Mountain regional competition. *Encyclopedia Britannica* has requested GASP's permission to print the ad in their medical encyclopedia. Nevada's for Nonsmoker's Rights has used the ad to achieve new policies on smoking around children placed with foster parents. More than a dozen other pro-health groups have reprinted the ad in their newsletters. GASP is considering making a poster out of the ad (see page 12).

1991 Television Campaign

Media experts tell us we need to raise at least \$25,000 to have an impact with our television ad. This will enable GASP to run the ad on television hundreds of times and reach more than a million Coloradans with the message that secondhand smoke is deadly. Channel 13 in Colorado Springs donated the costs for the ad production on the 30 second spot, and so all we need to do is raise money to deliver the message. **It is a powerful ad**, and other pro-health groups, including ASH (Action on Smoking and Health), are interested in using it. A description of the spot appears on the next page.

Anti-smoking campaigns like this undercut the social support network for smoking by implicitly defining smoking as an antisocial act. GASP's ad campaign is having this kind of impact. When we ran the TV ad in Boulder, we received many calls from irate smokers. This indicates that the ad has touched a nerve. **The more smokers hear the message that smoking is socially unacceptable and unhealthy to others; the more likely they are to quit.** This is precisely what the tobacco industry fears the most according to their own research.

GASP is currently the only pro-health organization in the Colorado, and one of the few in the nation, that **uses advertising to educate the public on the dangers of tobacco.** A recent poll on family values indicated that the tobacco issue placed 34 on a list of issues of concern. This statistic illustrates the reason GASP of Colorado needs to do something to counter the 3 billion dollars the tobacco industry spends on advertising to glamorize and promote smoking.

GASP members are excited about the TV ad and have contributed more than \$10,000 to help purchase ad spots by making tax-deductible contributions to the GASP ad fund. However, we still need to raise another \$20,000. **Your ideas and suggestions on how GASP can raise these funds are appreciated.**

AIRPORT ACTION ALERT

Mayor Elect Wellington Webb has hinted he is considering rescinding Peña's Executive order prohibiting smoking in City facilities and in most areas of Stapleton International Airport.

GASP members should write or call Mr. Webb to encourage him to maintain the ban. You might also ask Mr. Webb to work on tightening up Denver's no-smoking ordinance.

**Write: Wellington Webb, 2329 Gaylord St.,
Denver, CO 80205.**

Call the Mayor's office at:
640-2721 (Fax #640-2329)

NEW MAILING ADDRESS

**2885 AURORA ST #16C
BOULDER, CO 80303**

The Boulder Post Office recently closed down the contract station at Ludwig's Pharmacy where GASP had its postal box. GASP has opted to have mail delivered to our office address rather than rent a new box far away. Please jot down this new address.

Anti-smoking campaigns like this undercut the social support network for smoking by implicitly defining smoking as an antisocial act.

The more smokers hear the message that smoking is socially unacceptable and unhealthy to others, the more likely they are to quit.

This is precisely what the tobacco industry fears the most, according to their own research.

You can help educate the public on the dangers of secondhand smoke with your tax-deductible contribution to the GASP AD FUND.

PRESIDENT'S CORNER

By Pete Bialick

GASP's Board of Directors is **discussing ways to improve our effectiveness on the local level, especially in rural areas.** We would like to hear your ideas and suggestions. Call or write.

If you have never been to an **annual meeting**, this would be a good year to try one. Our speakers have always been entertaining and interesting. Stan Glantz is no exception. The price, \$18 for members, also includes your meal. Overnight accommodations are available at Denver area hotels.

The **Rocky Mountain News** made some editorial comments on the Philip Morris Bill of Rights Tour that were totally unprofessional. Criticism is fine when it is well documented. However, this editorial criticized pro-health organizations on the basis of one statement. The editorial does not mention how Philip Morris has subverted freedom of speech through its actions. I think that the *Rocky Mountain News* editorial's on tobacco are often poorly documented, often poorly researched, and often based on values and ideas that are behind the times. I wonder if it has anything to do with the fact that the newspaper continues to accept tobacco advertising? Perhaps they feel they need to justify their addiction to tobacco advertising and their guilt about helping to promote a lethal product that kills more than 3,000 Coloradans every year.

Fund-raising is very time-consuming but necessary function for GASP. Membership recruitment by direct mail occurs once a year to keep the amount of time spent on fund-raising limited. Fund-raising for the ad fund occurs once a year. Membership renewals are divided into four quarters. I want to change that so that membership renewals occur once a year in November. This will help GASP better plan its activities and budget for the entire year. It will also save me much work during the year. Watch for details when you receive a notice to renew your membership.

One way each member can help cut GASP's expense is to renew your membership early. Renewal notices go out about one week before expiration dates. The expiration date of your membership appears on the top of your mailing label. If you renew early, be sure to let me know that the check you are mailing is a membership renewal. Otherwise, it will be considered an additional

contribution.

Speaking of fund-raising, GASP has been using paid solicitors to help raise funds for the GASP Ad Fund. The solicitors were hired after GASP mailed out a plea to all members. GASP's Board is concerned about using phone solicitors and has worked to make it a positive experience. The move has been cost-effective. Our phone campaign in July brought in seven times the amount paid to the solicitors. This means more than 85% of the funds raised will go directly toward the program!

GASP members who do not want to be contacted by phone solicitors in the future should let me know. I will add this information to your membership records.

I would like to see GASP double its membership and increase its annual revenue from \$35,000 to \$50,000. I would appreciate your ideas and suggestions.

A lack of volunteers has made my job much more difficult. For instance, last month I nearly spent two weeks looking up 5,000 phone numbers because I could not find enough volunteers to help me. I have yet to find a volunteer to help poll Boulder restaurants. I have also lost many volunteers who used to help stuff envelopes at home. If the situation does not change, I will have to hire a part-time assistant soon. This could lead to an increase in membership dues.

BOARD MEMBERS NEEDED

GASP of Colorado is accepting applications for Board Directors. Board members serve in an advisory capacity and play a role in the decision making process. The Board meets in the evening in Denver every month and a half. Applicants must be dues-paying members of GASP. Applicants are encouraged to attend a Board meeting to get an idea of what is involved. GASP's Board meetings are open to all GASP members. Call Pete Bialick at 444-9799 for an application.

KEEP YOUR ADDRESS UP TO DATE

If you move, please let GASP know at once. The Post Office does not forward bulk mail. This means your newsletter or action alert could be delayed two or three weeks.

WAYS TO GIVE TO GASP

COURTESY BASKET ALERT

It appears King Soopers has started using courtesy baskets to promote cigarettes again. GASP has no objection to King Soopers having advertisements on these baskets, but they should find a sponsor other than tobacco. Courtesy baskets with tobacco advertising send a bad message to all the children who see them. **Cigarette ads have no place on courtesy baskets and shopping carts.** Last Winter King Soopers responded to cards sent by GASP members and removed hand baskets promoting Merit cigarettes. Apparently, someone at King Soopers is suffering from a case of amnesia or greed (the tobacco companies provide these baskets free of charge).

GASP members who shop at Kings and notice these promotions should complain. Pick up suggestion cards, send a fax (free through stores) or write Donald E. Gallegos, President, King Soopers, 65 Tejon St, Denver, CO 80223. Let Mr. Gallegos know you will consider boycotting King Soopers if these promotions are not removed immediately.

**“Having Philip Morris sponsor the
Bill of Rights is like having EXXON
sponsor Earth Day.”**

*Part of a brochure distributed by the Coalition for a Tobacco-Free Colorado during the Philip Morris Bill of Rights tour in Denver.

**GASP MAILES EDUCATIONAL
MATERIALS TO 900 SCHOOLS**

The GASP Ad Fund paid for mailing packets of materials to nearly 900 schools within proximity of Denver. The packet contained a twenty-page information and activity guide titled "Tobacco, Health and Advertising." The materials are intended to help teachers build a teaching unit on tobacco health hazards and the influences of tobacco advertising. The packet was developed by the Coalition for a Tobacco-Free Colorado. It was part of the group's effort to educate children and the public on the hypocrisy of Philip Morris' Bill of Rights Tour.

Tobacco smoke is not just an annoyance; it hurts more than feelings.

The Environmental Protection Agency (EPA) says, "Passive smoking induces serious respiratory symptoms in children. Asthmatic children are particularly at risk. Children of smokers have significantly higher rates of hospitalization for bronchitis and pneumonia, and a number of studies report that chronic ear infections are more common in young children whose parents smoke. Also, lung development is slower in children exposed to environmental tobacco smoke (ETS). Lung problems caused by ETS exposure in childhood can extend into adult life."

Please don't smoke around children.

Thank you.

GASP OF COLORADO
(Group to Alleviate Smoking Pollution)
(303) 444-9799

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The Nonsmokers' Voice

Membership and subscription information inside.

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GASP OF COLORADO

Group to Alleviate Smoking Pollution
2885 Aurora Avenue #16C
Boulder, CO 80303
(303) 444-9799

ADDRESS CORRECTION REQUESTED

EXCLUSIVE GASP REPORT

TOBACCO INDUSTRY SPENT \$649,000 ON 1990 CIGARETTE TAX INITIATIVE

The 1990 cigarette tax initiative failed to qualify for the ballot by less than 500 signatures. Another 3,000 signatures were thrown out after the tobacco industry filed a protest of signatures. The group promoting the initiative, Committee for Better Health Care for all Colorado Citizens (BHC), has appealed the dismissal of the ballot to the Colorado Supreme Court. The Court heard arguments on October 9. A decision is expected sometime soon. BHC contends that the Secretary of State went too far in throwing out a number of petitions and signatures.

GASP has learned, according to a report filed with the Secretary of State, that six different tobacco companies spent \$648,970 to oppose the cigarette tax initiative in 1990. The tobacco companies spent more money to oppose the initiative and keep it off the ballot than any other group spent on any other initiative that was on the ballot!

The report indicates that the tobacco companies contributed a total of \$651,471 to the Colorado Executive Committee. This may seem like a strange name for a committee opposing a cigarette tax initiative. However, it is not unusual for the tobacco companies to choose a name for a campaign group to hide the identity of the tobacco industry backers. The biggest contributors were Philip Morris (\$212,625) and R. J. Reynolds (\$206,354). All the tobacco funds opposing the initiative come from out of state.

Charts and additional coverage on page four.

AIRPORT POLICY TO STICK

Mayor Wellington Webb stated recently that he does not intend to change Peña's Executive Order unless the tobacco industry pays for the costs of building and maintaining separate smoking rooms. The tobacco industry has stated that it will not pay for such lounges.

Continues on page two.

NEW GUIDE TO SMOKE-FREE DINING BEING COMPILED

GASP of Colorado has begun to work on a new Colorado Guide to Totally Smoke-Free Dining. This guide will list restaurants throughout the state that are 100% smoke-free. More than fifty volunteers have been helping us poll local restaurants. We have found more than 190 smoke-free dining spots in the state.

More on page three, column two.

AIRPORT EFFORTS CONTINUE

GASP SENDS OUT 2,600 ACTION ALERTS

GASP sent out 2,600 action alerts to our members and supporters after newspapers reported that the Mayor was discussing the issue with the tobacco industry. We sent 1,900 of those alerts to Denver residents. The cost of printing and mailing the alerts ran about \$500.

The Mayor's office received many letters and calls from GASP supporters, and the general public. The letters apparently helped convince the Mayor that if smoking areas were added; they would have to be enclosed and separately ventilated.

Again, GASP turned the tables on the tobacco industry by using one of their favorite arguments to circumvent smoking restrictions: the economic issue. GASP President Pete Bialick said, "The tobacco industry, and not the taxpayer (smokers or nonsmokers), should bear the costs for airport smoking areas. Taxpayer dollars or aviation fees should not be used to pay for these facilities." If the tobacco industry pays for totally separated smoking lounges it would be an admission that ETS is dangerous. It would be an admission that the only way you can keep ETS out of the air is to have fully enclosed, separately ventilated smoking areas.

WE MEET WITH THE MAYOR

On November 20, representatives of various health groups met with Mayor Webb to discuss the airport issue. The American Lung Association pressured the Mayor's office to meet with pro-health groups. Four people attended the meeting: Lea Ann Purvis, Executive Director of the Lung Association; Talmage King, Past President of the Lung Association; Snip Young of the Colorado Department of Health and Past President of the Coalition for a Tobacco-Free Colorado; and Pete Bialick, President of GASP.

Mayor Webb started the meeting by pointing out his past. He said he had worked with Health Secretary Joseph Califano, and that he had issued a smoke-free workplace policy when he was Director of the Colorado Department of Regulatory Agencies. He said he was committed to the Surgeon General's goal of a smoke-free society by the year 2,000. He said that he had not personally met with the tobacco companies, but that his staff was having the discussions. He said he was meeting with the tobacco companies because his office would "be an open office, open to all." He said he would not use city money to pay for smoking areas. He said he had become interested in looking at the problem due to complaints from employees who work in bars and restaurants. The Mayor's Executive Order allows smoking in bars and restaurants. Tobacco smoke pollution inside these places has become unbearable.

Mayor Webb said he felt he had two options: either ban smoking or set up certain smoking lounges. He did not commit himself to totally separate smoking enclosed areas during the meeting. Pete Bialick explained that separate smoking areas would not be adequate unless they are totally enclosed, and separately ventilated to the outside. At the end of the meeting, Pete asked the Mayor what he would do if the tobacco industry does not come up with any money to pay for smoking areas. He replied he would leave the policy as it is.

GASP TO PURSUE TOTAL BAN

Mayor Peña made a mistake when he decided to allow smoking in the restaurants and bars at the airport. **It would be more economical and healthiest to make the inside of the airport totally smoke-free.** It would be in keeping with the conception that Colorado is a "healthy" place to visit. Most smokers would like to quit smoking, and so a smoke-free airport may give them some extra incentive to quit smoking. A total ban would also be the easiest to enforce. If you set aside certain enclosed places for smoking, this presents a major problem for airport employees. A Continental supervisor told GASP that trying to direct smokers to the right areas is a major problem for their employees. The supervisor said tobacco smoke pollution is seeping out of the restaurants into the concourse and affecting airline employees. A total ban, on the other hand, is self-enforcing if there is proper sign placement throughout the airport.

OTHER SMOKE-FREE AIRPORTS

Sacramento, Flagstaff, San Francisco, Albuquerque, and John Wayne International in Anaheim. O'Hare in Chicago and all New York airports are smoke-free by law.

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LEGAL FUND WILL HELP AIRPORT EMPLOYEES

A totally smoke-free airport is especially important to airport employees who have to breathe tobacco pollution all day. The problem has become particularly unhealthy in the restaurants and the bars at the airport because this is where all smokers are being directed. A group of nine restaurant employees has contacted GASP for assistance in filing a lawsuit to protect their health. These nine employees have been working at the airport 8 to 22 years. Each has seen a doctor for lung problems. Four of them now have to use lung inhalers. One woman is pregnant. OSHA checked the air at the airport, but OSHA does not have the proper equipment to measure for most of the deadly toxins in tobacco smoke.

GASP has referred the employees to Denver Attorney Frederick Y. Yu, a member of GASP's Advisory Board. **GASP's Legal Fund will support the group's lawsuit and will help with \$1,000 to help pay for the legal bills.** The GASP Legal Fund is a special fund used to help provide legal assistance and advice to people with problems created by tobacco smoke pollution. GASP members and supporters can make tax-deductible contributions to this fund with a check made out to the **GASP Legal Fund**, 2885 Aurora Ave #16, Boulder, CO 80303-2250.

SUPPORT GASP WITH YOUR TAX-DEDUCTIBLE CONTRIBUTION

- ☐ Yes, I support GASP's efforts to eliminate smoking in public places, at work, and in restaurants. Here is my contribution of ☐ \$20 ☐ \$30 ☐ \$50 ☐ \$100 ☐ \$250 ☐ \$500 _____ Other amount.

**Annual membership dues for GASP start at \$20.*

- ☐ I am not a joiner, but I would like to contribute \$_____ to support your efforts.

Name _____

Address _____

City-State-Zip _____

Phone _____

Mail and make checks payable to:

GASP OF COLORADO

2885 Aurora Ave #16

Boulder CO 80303

Continued from page one...

GASP'S NEW RESTAURANT GUIDE

GASP would like to print and distribute 25,000 to 50,000 copies of the new guide. "My goal is to make this the nicest guide we have ever produced," said GASP President Pete Bialick. "I see this as a great opportunity to provide an important service and to further educate the public about the dangers of secondhand smoke," he added. To accomplish our goal, GASP will have to raise more than \$5,000. Underwriting and advertising will be available for the guide. A task force will be meeting in Boulder soon to discuss ideas for the guide and fund raising. For more information, call Pete at 444-9799.

The new guide will list only restaurants that are 100% smoke-free because:

- ♦ Local laws require most metro area restaurants to provide no-smoking areas. GASP will help promote restaurants that have gone further to protect the health, welfare, and safety of their patrons.
- ♦ A scientific panel of the EPA has classified environmental tobacco smoke (ETS) as a Class A carcinogen. There is no safe exposure level to a Class A carcinogen. Therefore, the public should avoid restaurants that permit smoking.
- ♦ The EPA says that the only effective way to minimize exposure to tobacco smoke pollution is to: (1) restrict smoking to smoking areas that are fully enclosed with a separate ventilation system that is directly exhausted to the outside, or (2) eliminate smoking entirely. GASP has not found too many restaurants in Colorado that have smoking areas that are completely enclosed, completely separated, and have a totally separate ventilation system that is exhausted to the outside.

MORE RESTAURANT POLLERS NEEDED

GASP needs more volunteers all over the state to poll restaurants listed in local yellow pages. It takes less than one hour to poll 50 restaurants. GASP would like to complete the data collection for the guide by the end of **December 1991**. We need volunteers to call restaurants in: Aspen, Colorado Springs, Fort Morgan, Fountain, Montrose, Rifle, Salida, Snowmass Village, Steamboat Springs, Sterling and many other communities throughout the state.

Call or write us for instructions.

Continued from page one.

Who Benefitted From The Tobacco Money?

The report reveals that Colorado's top tobacco lobbyists made good money managing the opposition (see chart on right). The firm of **Hays, Hays, and Wilson** made \$126,000. **Walley Stealey & Associates** received \$45,371. Another consultant, **Roger Walton**, received \$36,733. The industry spent another \$6,000 on other consultants.

How Was The Tobacco Money Used?

The tobacco companies spent a great deal of money keeping the initiative off the ballot. According to the report, the 1990 bill for legal fees was more than \$110,000. The firm of **Bender/Beimford** received \$60,780 for legal fees, while the firm of **Hays, Hays, and Wilson** received \$50,574. In addition, the tobacco companies also spent at least \$1,845 to investigate and check out signatures on petitions.

The tobacco companies started preparing their media strategy as early as April 1990. They paid the firm of **Evans/Kraft Inc. of Seattle** \$33,016 for "advertising." This company specializes in developing tax issue campaigns, said David Bean, the man who worked on the campaign. Although Mr. Bean would not tell GASP the tobacco industry's specific strategy, he did say he was hired to develop an ad campaign to defeat the initiative. The report also indicates that **Reich Communications** of Colorado, was paid \$68,500 for "advertising—media buy." **Talmey-Drake Associates** of Boulder received \$26,500 to conduct polls for the tobacco industry. The report indicates that the first payment to the polling company was received April 12, 1990. GASP was not able to obtain a copy of the poll because it was privately funded.

BHC spent \$5,533 promoting the initiative according to another report. They received \$800 in contributions. Dr. Bob Schrier, the key leader, says the committee was able to recoup expense after the report was filed.

Meanwhile, a new cigarette tax effort is underway with a new group of people. See story on page 6.

GASP'S NEW MAILING ADDRESS

2885 AURORA AVE #16
BOULDER, CO 80303-2250

•Please note our new address for all correspondence.

CIGARETTE TAX INITIATIVE CONTRIBUTORS & EXPENSES 1990

Based on a Report Filed With the Secretary Of State

TOBACCO INDUSTRY CONTRIBUTORS

Amount	Contributor
\$18,186	Smokeless Tobacco, Washington, DC
\$42,732	Brown & Williamson, Kentucky
\$47,525	American Tobacco, Connecticut
\$55,385	Lorillard, Inc., New York
\$68,664	Tobacco Institute & Others
\$206,354	R. J. Reynolds, North Carolina
\$212,625	Philip Morris U.S.A., California
\$ 651,471	TOTAL CONTRIBUTIONS

(Given between January 11, 1990 to June 29, 1990)

TOBACCO INDUSTRY EXPENSES

Amount	Name	Purpose
\$ 768	Secretary of State	Fees, Copying
\$1,000	Robert Kirscht	Consultation
\$1,000	Colorado Media Group	Consultation
\$1,000	Ruben Valdez	Consultation
\$1,050	G-Soft & Others	Software
\$1,575	Andrew Bradley & Assts	Expert Witnesses
\$1,845	Numerous People	Investigation of Petitions
\$3,000	James Christiansen	Consultation
\$3,160	Peter Webb	Public Relations
\$3,197	Midyett Reporting/Others	Transcripts
\$4,000	CRL Assts	Consultation
\$7,565	General	Office Rental, Supplies, Telephone, Furniture
\$10,751	Numerous People	Contract Labor, Accounting, Fees, Courier & Other Services
\$12,000	Kenton Kuhn	Office management
\$26,500	Talmey-Drake	Polling
\$33,016	Evans/Kraft Inc, Seattle	Advertising
\$36,733	Roger A Walton	Consultation
\$45,371	Stealey & Associates	Campaign Management
\$60,780	Bender/Beimford	Legal Fees
\$68,500	Reich Communications	Advertising
\$126,159	Hays, Hays, & Wilson	Campaign Management/Legal Fees
\$200,000	Tobacco Institute	Transfer of Funds
\$ 648,970		TOTAL EXPENDITURES

(Made between January 12, 1990 to November 14, 1990)



Drawing by Erin Fels of Brooklyn from the book *Kids Say Don't Smoke*. The book is now available from GASP. Ordering information on the back page.

AD CAMPAIGN

GASP TAKES ON TOBACCO INDUSTRY WITH TELEVISION ADVERTISING CAMPAIGN

GASP of Colorado aired one of the few television advertisements in the country aimed at countering the tobacco industry's massive, three billion-a-year efforts to glamorize and promote smoking. The 30-second spot ran on KUSA-TV, Channel 9 and on TCI Cable TV in Boulder for a four week period that ended November 14. The hard-hitting ad will have reached more than 975,000 Colorado residents per week. GASP developed the spot with the help of KRDO Channel 13, an ABC affiliate in Colorado Springs.

Bonnie Smith Communications, a media buyer, helped GASP secure a good variety of spots on Channel 9 in Denver. The station aired the spot 62 times. TCI Cable in Boulder aired the spot 360 times. KRDO in Colorado Springs aired the spot 65 times. Most of the funds for the \$15,000 TV ad campaign came from GASP's 1,200 members, says the organization's president Peter Bialick. GASP has been unable to secure any grants for the ad campaign.

The TV ad focuses on the dangers of secondhand smoke. "We want to make people aware that breathing other people's smoke is deadly," said Bialick. "It is especially dangerous and unacceptable to smoke around children," he added. The ad starts with two office workers, one smoking and one coughing and using a tissue to wipe tearing eyes. The second scene takes place in a restaurant where a smoker is polluting the air, ruining the meal of the other diners. The third scene is the most dramatic because it depicts three children being subjected to their parents' cigarette smoke in a car. The smoke noticeably affects all three. One of the three children, a baby, cries as smoke filters into the back seat of the car.

GASP hired Guy Murrell to help publicize the campaign. Newspaper stories and a newspaper editorial about the campaign appeared in Colorado's four major papers: *The Denver Post*, *The Rocky Mountain News*, *The Daily Camera* (Boulder), and *The Gazette Telegraph* (Colorado Springs). *The Denver Post* applauded the ad campaign in an editorial. See newspaper articles on page 9 & 10.

More than 100 people called GASP as a result of the TV ads. Most of the people called for information and assistance. Most of the calls were positive. Many people left messages on our recording device. Here is a part of our phone log response to the TV ad campaign.

1991 TV AD RESPONSE LOG

TV ads ran for four weeks Monday through Thursday, plus some early Saturday spots.

Date Message or Information Wanted.

- 10/15 Smoker, says ad is misleading and untrue.
- 10/15 Bob Harris, Morrison. Wants to get involved. He used to raise funds for American Cancer Society in Arizona.
- 10/16 Donald Thompson, Denver. Asked for our restaurant guide. He had heard about it on KOA radio.
- 10/16 Smoker, says GASP stinks.
- 10/16 Gary Hurd, Denver. Needs help with the problem of smoking in the workplace.
- 10/16 Kelley Wolley, Littleton. She wants information on how ETS affects kids.
- 10/16 J J Worthy, Denver. He wants information about GASP.
- 10/16 73 year old man claims that secondhand smoke can't be bad because it has never affected him.
- 10/21 Father Milton Ryan, Denver. A Roman Catholic Priest with a congregation of 3,000. He is very sensitive to ETS. Joined GASP, gave \$25.
- 10/22 Shari Lee, Longmont. She saw ad on "Night Line", she wants to do something about smoking in schools.
- 10/28 Isabel Sandoval, Aurora. She is concerned about smoking in her church.
- 10/29 Smoker. Left message: why aren't you doing something about car pollution?
- 10/30 Phone message, man. "You anti-smokers health Nazis are at it again."
- 10/31 Man, left no name. He loves the ad, especially scene with children in car.
- 11/1 Winnie Kamins, Denver. Asthmatic affected by ETS. She volunteered to help with restaurant poll.
- 11/4 Viola Cathryn, Lakewood. She wants information, and to volunteer to come talk to legislators.

- 11/4 Lorraine Barnett, Lakewood. She is a chiropractor and would like ETS information for her patients.
- 11/6 Chris Gibson, Aurora. He is doing a report for his middle school and would like information on ETS.
- 11/6 Jina Price, Glenwood Springs. She is concerned about enforcement of local laws.
- 11/6 Woman smoker. Said some smokers are considerate. She asked why we were not doing something about perfume. I responded that the Surgeon General hasn't determined perfume fumes to be detrimental to one's health.
- 11/11 Pat Murphy, Westminster. Wants to join GASP and get on Board. He said GASP could use his Realty office for meetings. He Contributed \$100.
- 11/11 Bill Blodgett, Aurora. He is concerned about smoking in local malls.
- 11/14 Sharon Mollica, Redstone. She saw the ad, and thinks it is great. Sent \$50.

BOARD MEMBERS NEEDED

GASP of Colorado is accepting applications for Board Directors. Board members serve in an advisory capacity and play a role in the decision making process. The Board meets in the evening in Denver every month and a half. Applicants must be dues-paying members of GASP. Applicants are encouraged to attend a Board meeting to get an idea of what is involved. GASP's Board meetings are open to all GASP members. Call Pete Bialick at 444-9799 for an application.

• The next Board meeting is January 16.

NEW CIGARETTE TAX COMMITTEE FORMED

After the news of the failure of the initiative spread, some new people took a keen interest in the issue. These people include some very important people in Colorado. The new "players" include: Swanee Hunt, daughter of oilman H.L. Hunt; Buie Seawell, former head of the Colorado Democratic Party; and Bruce Rockwell, former head of the Colorado Trust Foundation. Mr. Seawell now runs a political consulting firm. These people have formed a new group called "Citizens for a Healthy Colorado."

The group has drafted a new proposal. It has conducted polls and surveys. The wording of the initiative is similar to the 1990 initiative, only much simpler. It would increase taxes on tobacco products by 25¢. As it stands, it would use a minimum of 50% of the tax funds for the medically uninsured, and for people who do not qualify for or cannot afford health insurance or adequate health care. It would use a minimum of 25% of the tax funds for education, for prevention and research of tobacco related illness, and for smoking cessation. One percent of the tax funds would be used to administrate the program. The remainder of the funds would be divided among the areas described as determined by a commission of seven people.

**"If we don't allow asbestos
in public places, malls, and
schools...**

**then we shouldn't allow
environmental tobacco smoke --
a much deadlier substance -- in
all public places."**

Pete Bialick, GASP President

SCORE CARD

SUBSTANCE	ANNUAL DEATHS
ASBESTOS	15
PASSIVE SMOKING	53,000

• See Glantz article on the next page.

PRESIDENT'S CORNER

My View of the New Cigarette Tax Initiative

The new cigarette tax proposal will use 50% of the funding to help the medically indigent. However, 25% of the tax will go to tobacco prevention and education. **The goal of this cigarette tax is to reduce smoking amongst children.** Therefore, I think the bulk of the money should be spent to educate kids, and the general public, about the danger of tobacco use.

California's cigarette tax (Prop 99) has not done much to improve the problem of the medically indigent in California. The consensus is that the problem has not changed. A number of groups and individuals I contacted contend that the money has done little but to improve payment to medical practitioners for the care of the medically indigent. It has not improved the number of people served. Even the California Medical Association says that the prime benefit of Prop 99 has been to pay the doctors who already treat these people, especially in emergency rooms.

I think a portion of the tax funds should be used to **improve schools and public education (K-12) in Colorado.** This can be done by dividing the tax proceeds into three categories: 33% to improve public education (K-12), 33% for tobacco prevention and education, and 33% for the medically uninsured. The remaining 1% could be used for administration. Another possibility would be to have four categories, with a quarter of the tax to be used to improve the environment, recycling, etc.

I would like to see the cigarette tax used to help improve general public education because:

- Statistics indicate that people with a better education are less likely to smoke.

- Polls indicate using cigarette tax funds to improve public education "was picked either first or second by a majority of those surveyed."

- Colorado desperately needs more money to improve public education.

- If the lottery can allocate funds for parks and recreation, then the cigarette tax can be used to allocate funds to improve public education.

- It will be much harder for the tobacco industry to buy the election if part of the tax is going to improve public education.

- This new effort will need some new blood and some new enthusiasm to offset the burnout and disappointment factors that remain from the failure of the last two efforts. Using some funds to improve public education will help draw in people in the education field, schools, PTA's, etc.

* These views do not necessarily represent the position of GASP's Board of Directors.

GLANTZ IMPRESSES GASP

Professor Stanton Glantz was GASP's special guest at our annual meeting in September. Glantz gave an informative and impressive presentation about the danger of environmental tobacco smoke. The talk was informative, educational, and humorous.

Glantz specializes in research in heart disease. His technique for measuring the danger of ETS on the heart is extremely thorough. For instance, his research takes into account all other influences that could be responsible for increases in heart disease including diet, stress, cholesterol levels, blood pressure, and family history. His work has undergone rigorous independent scientific review.

HOW SIDESTREAM SMOKE ATTACKS THE HEART

Glantz said that research has shown that the toxic fumes generated by smokers can cause heart damage in the people who breathe them. He said exposure to ETS has an immediate effect:

- It reduces exercise tolerance.
- It increases the risk of irregular heart beats.
- The carbon monoxide in cigarette smoke can hinder red blood cells in carrying oxygen to the body, forcing the heart to work harder.
- The nicotine in tobacco reduces heart muscle workability by 30% by making arteries get small.
- The chemicals in sidestream smoke, the smoke absorbed in passive smoking, can injure cells in the lining of arteries, encouraging the formation of fatty plaques.
- It makes clot-forming platelets stickier, encouraging them to clot on the plaques and promoting arteriosclerosis, the underlying cause of most heart attacks.

Glantz said his research indicates that exposure to environmental tobacco smoke (ETS) kills 53,000 nonsmokers in the U.S. each year. This means that ETS is the third leading preventable cause of death in the United States. He pointed out that ETS kills many more people than other Class A carcinogens. See the charts on this page.

Other Topics Covered

Glantz talked said it is important to attack the tobacco industry at the local level. He said GASP groups are the most effective against the tobacco industry on the local level. He demonstrated how the tobacco industry manipulates statistics and deceives the public. He pointed out that the tobacco companies must know that tobacco smoke irritates smokers because tobacco ads never show tobacco smoke coming out of a cigarette. He said that there is a grain of truth in the tobacco industry's ad campaign that says that smoking bans in restaurants and businesses will lead to a 30% loss in business. The truth is that several surveys indicate that smoking restrictions reduce tobacco consumption by 30% to 70%. The truth is smoking restrictions lead to a decline in the tobacco business.

ESTIMATED ANNUAL DEATHS FROM CLASS A CARCINOGENS

<i>Substance</i>	<i>Number of Deaths</i>
Passive Smoke	53,000
Radon	3,800
Vinyl Chloride	27
Airborne Radionuclides	17
Asbestos	15
Coke Oven Emissions	15
Benzene	8
Arsenic	5

U.S. ANNUAL DEATHS IN 1989

Active Smoking	434,000
Alcohol	105,000
Passive Smoking	53,000
Accidents (including drunk driving)	49,000
AIDS	31,000
Suicide	31,000
Homicide	22,000
Illegal Drugs	5,700
<i>(Heroin, Morphine, Crack, Cocaine)</i>	
Fires	3,000

TOBACCO INDUSTRY CONTRIBUTIONS TO STATE POLITICIANS

GASP recently obtained a list of tobacco industry political contributions for the 1990 elections from Colorado Common Cause. The graph on this page lists the total amount of contributions political candidates received from tobacco interests. Tobacco companies that contributed to candidate campaigns were Philip Morris (\$21,102), R.J. Reynolds (\$4,900), Tobacco & Candy Assn (\$2,800), and The Tobacco Institute \$1,600. It is not usual for candidates to the state legislature to receive \$500 from major corporations. However, the public has a negative impression of candidates who accept contributions from the tobacco industry, according to The Roper Report — a 1969 poll conducted by tobacco companies.

If one carefully studies the names of the legislators who received contributions from the tobacco industry, a general pattern emerges. Contributions from the tobacco companies tend to go to the campaigns of those who support the industry's positions. For example, House Rep. Jeannie Reeser received \$950, and Senate Rep. Jeff Wells received \$1,150. These two legislators were the main sponsors of the 1989 "smokers' rights law" that passed in 1989. Most of the legislators who voted for this bill received a re-election contribution from the tobacco industry. Governor Roy Romer, received \$3,500 from Philip Morris. Romer did not veto the "smokers' rights" bill. The legislature would have had a hard time trying to over-ride the veto, if Romer had vetoed it.

What Can You Do?

If your state legislator received a contribution from the tobacco companies, you may want to write or call them. Start out on a positive note and praise their work. Tell them you are concerned that they accepted campaign contributions from the tobacco industry in 1990. Ask them to help educate kids about the dangers of tobacco by turning their next tobacco contribution over to a local school. Send a note of thank you to legislators who did not accept tobacco contributions during the 1990 election campaign.

POLITICAL CONTRIBUTIONS 1990

Total\$	Politician/Candidate
\$50	Charles Duke, Jim Dyer
\$100	Maggie Aro, Tom Blickensderfer, Ken Chlouber, Stan Johnson, Tony Tilger
\$150	Brian McCauley, David Owen
\$200	Steve Arvashoug, Chuck Berry, Robert Eisenach, MaxHarper, Pat Killian, Donald Mares, BettyNeal, Peggy Reeves, Gil Romero, Bill Schroeder, RogerSherman, Juan Trujillo, Wilma Webb, Samuel Williams, Kathi Williams
\$250	Lewis Entz, Bill Martin, Barbara Philips, Shirleen Tucker, John Ulvang
\$300	Vickie Agler, Norma Anderson, Tim Foster, Joan Johnson, Ray Peterson, Jim Pierson, Betty Swenson, Claire Traylor
\$350	Mary Epps, Marlene Fish, Tony Grampsas, John Irwin, Matthew Jones
\$400	Mike Bird, Robert Pastore, House Democratic Committee, Colorado Republican Committee
\$450	Jeanne Adkins, Daniel Hyatt, Pat Grant
\$500	Tilman Bishop, Peggy Kerns, Scott McGinnis, Natalie Meyer
\$550	Fay Fleming, MicheleLawrence, Tom Ratterree, Jeff Shoemaker, Dan Williams
\$600	Sally Hopper
\$700	Paul Shauer
\$750	Dan Prinster, James Rizzuto
\$800	Don Ament
\$850	Dick Mutzebaugh
\$950	Jeannie Reeser
\$1,000	Democratic Senate Committee
\$1,150	Larry Trujillo, Jeff Wells
\$1,300	Margaret Masson
\$3,500	Roy Romer
\$20,000	Baseball for Colorado Committee

Tobacco Lobbyist Represents School District (see next page)

CHERRY CREEK SCHOOL DISTRICT HIRES TOBACCO LOBBYIST

Tobacco lobbyist Frank L. Hays has taken on a new client; the Cherry Creek School District, according to records GASP obtained from the Secretary of State. GASP has written the School Board, the District, and the Cherry Creek High School. Cherry Creek Schools adopted a policy prohibiting tobacco use on school grounds last year. Then why is the district employing a lobbyist that promotes smoking — the number one cause of disease and death in Colorado? What kind of message does this send to the kids?

What Can You Do?

If your children are enrolled in this district, you may want to express your concerns to the School Board.

Write: Nancy Spence, President, Board of Education, 6330 S Olathe St, Aurora, CO 80016.

ADVERTISING WATCH

■ **GASP**, the Boulder-based anti-smoking group, has launched a statewide TV ad campaign to publicize the dangers of second-hand cigarette smoke. GASP has budgeted \$10,000 for the four-week campaign, which kicked off Monday with a 30-second spot on KUSA-TV Channel 9. GASP spokesman Guy Murrell said the campaign was designed to counter the tobacco industry's "\$3 billion-a-year effort to glamorize and promote smoking."

The TV spots, which shows the effect of second-hand smoke in an office, car and restaurant, are expected to reach 900,000 Coloradans a week.

"We want to make people aware that breathing other people's smoke is deadly," said GASP president Peter Bialick.

The group started its counter-advertising efforts in 1988 with a modest print campaign. A 1990 print campaign carried the theme line, "Smoking around children is a form of child abuse."

Rocky Mountain News

Thurs., Oct. 17, 1991

A COMPLETE CLIENT LIST OF COLORADO'S TOP THREE TOBACCO LOBBYISTS

(Based on the Secretary of State's 1991 list of Registered Professional Lobbyists)

Lobbyists: Frank L. Hays, Frank L. Hays, & James Wilson

Company: Hays, Hays, & Wilson
Represent the Tobacco Institute

Clients include:

AMAX
Building Owners & Managers Assn
Cherry Creek High School District
Colorado Assn of Realtors
Colorado Life Convention
Colorado Municipal Bond Dealers Assn
Colorado Restaurant Assn
Colorado Ski Country, USA
Colorado Society of Anesthesiologists
COPIC Insurance Co
Diamond Shamrock
E-470 Authority
Flex-O-Lite, Inc.
Forbes Trinchera Ranch
International Council of Shopping Centers
Independent Bankers of Colorado
Metro Taxi, Inc - Yellow Cab of Colorado Spgs
Motion Picture Assn of America
National Assn of Independent Office Parks
Newmont Mining
R.L. Polk & Co
Rio Grande Water Conservation District
Shell Oil Co
Taubman Companies
Trial Judges Assn
Unisys
U S Sprint
West Publishing CO
Wine & Spirits Wholesalers of Colorado

Lobbyists: Michelle, Pat, and Wallace Stealey
Company: Stealey & Associates
Represent R.J. Reynolds Tobacco Co

Clients include:

American College of Emergency Physicians —
Colorado Chapter
Archer Daniels Midland CO
Car & Truck Rental & Leasing Assn of Colorado
Colorado Business Coalition for Health
Colorado License Beverage Assn
Colorado Org of Substance Abuse Programs
Colorado Radiological Society
Colorado Restaurant Assn
Conolly's Towing
Diamond Shamrock
E-470 Authority
Ethanol Management CO
Forbes Trinchera Ranch
Health Insurance Assn of America
Independent Bankers of Colorado
Joseph E Seagrams & Sons
Klode Towing & Salvage
Metro Taxi, Inc
Newmont Mining
Professional Travel Co
Rio Grande Water Conservation District
Shell Oil Co
The Taubman Co
Trial Judges Assn
U S West
UNISYS
West Publishing Co
Workers Comp Education Assn

Lobbyist: Ruben A. Valdez
Represents Philip Morris USA

Clients include:

ASARCO
City of Thornton
Colorado Cable Television Assn
Colorado Chiropractic Assn
Colorado Health Care Assn
Piper Jaffray & Hopwood
Rose Medical Center

IDEAS FOR ACTIVISTS

1) Contact the group or business and ask them to disassociate themselves with a lobbyist that helps promote smoking -- the number one cause of disease and death in Colorado.

2) If you are not satisfied with the response, you may want to consider boycotting the business, withdrawing your financial support, etc. Be sure to let them know why.

3) Make others aware. Pass this list on to people you know who work with or are familiar with these groups or businesses. Ask them if they will write or call the Chairman of the Board or the Corporate Officer.

GASP uses ad on TV to educate

By CHRIS ROBERTS
Camera Staff Writer

Secondhand smoke is a killer. And parents who light up in enclosed areas with their children in tow are being abusive, according to the president of a local group dedicated to informing people about the dangers of tobacco smoke.

To get the message that non-smokers are affected, particularly by smoke coming from cigarettes, the Group to Alleviate Smoking Pollution (GASP), which has been fighting since 1977 to limit involuntary exposure to cigarette smoke.

The 30-second spot, to be aired on Denver's Channel 9 through mid-November, was produced by the Group to Alleviate Smoking Pollution (GASP), which has been fighting since 1977 to limit involuntary exposure to cigarette smoke.

This isn't the first time that such counter-advertising has been used in Colorado to undermine the manufacturers' slick efforts to promote and glamorize their products. GASP has been running print ads since 1988, and the American Lung Association of Colorado developed

a public service spot aimed at teen-aged girls last year.

But the \$10,000 ad campaign mounted this week, and funded almost entirely by contributions from GASP members, may be the most effective yet. It depicts smokers poisoning the air in an office, in a restaurant and — most poignantly — in a car where two children and a baby are riding.

The message of this "anti-commercial" has been reinforced this year by the federal government's long-overdue moves toward declaring tobacco smoke a known carcinogen — and therefore subject to strict controls in the workplace.

As scientists have demonstrated, and GASP is now reiterating, secondhand smoke is not merely offensive and irritating. It's potentially lethal — and shouldn't be tolerated in any area where the health of innocent bystanders may be endangered.

THE SUNDAY CAMERA

October 27, 1991

Hardly a last gasp

THE DENVER POST Sunday, October 20, 1991

A report sponsored by the American Cancer Society, the American Heart Association and the American Lung Association quotes government statistics that state: "As many as 5,000 non-smokers die each year of diseases caused by inhaling smoke released into the air by tobacco products. Environmental tobacco smoke is second only to asbestos in causing more deaths than all other known airborne pollutants combined."

GETTING OUT THE MESSAGE: The Group to Alleviate Smoking Pollution spent \$12,000 in contributions on this television ad.



THE NONSMOKERS' VOICE Vol. 13 #4 p. 10

Six Cigarette Makers Are Sued By a Group of 'Passive Smokers'

By JONATHAN M. MOSES
And WADE LAMBERT

Staff Reporters of THE WALL STREET JOURNAL

Flight attendants who do not smoke sued six cigarette manufacturers in Miami in what is believed to be one of the first lawsuits filed on behalf of "passive smokers" against tobacco companies.

The plaintiffs, who seek class-action status on behalf of 60,000 nonsmoking flight attendants, claim they are suffering from cancer and other diseases or face increased risk of disease by inhaling tobacco smoke on airplanes.

Lawyers who have been following smoking litigation pending across the country said the case filed in Florida state court could spur similar suits. They said it could pose new challenges for cigarette companies, but they saw major obstacles to its success.

Calling the suit "a novel approach," Arvin Maskin, an attorney at the New York law firm Weil, Gotshal & Manges who specializes in defending corporations in toxic liability suits, said plaintiffs would have difficulty proving that passive smoke caused an individual's cancer. He also said the defendants might argue that they are not liable because the federal government strictly regulates the airline industry.

"We're asking for enough money to put the cigarette makers out of business," said Stanley M. Rosenblatt, a Miami attorney who filed the suit in Dade County Circuit Court. The lawsuit specifies \$5 billion in damages. Mr. Rosenblatt said he picked that number because he "liked it."

The defendants are Philip Morris Inc., New York; RJR Nabisco Inc., New York; parent of cigarette maker RJ Reynolds; Loews Corp., New York, which owns Loril-

lard Tobacco Co.; American Brands Inc., Greenwich, Conn., which owns the American Tobacco Co.; Brooke Group Ltd., Durham, N.C., which owns Liggett Group Inc.; and Desal Tobacco Corp., Miami.

Steven Parrish, vice president and general counsel of Philip Morris, said the plaintiffs will have trouble proving that "environmental tobacco smoke" increases the risk for disease. The other defendants did not return phone calls or declined to comment on the suit.

In the past, plaintiffs seeking damages from cigarette manufacturers because of tobacco-related diseases, such as emphysema and heart disease, have had little success in the courtroom. The U.S. Supreme Court is considering a case that raises the issue of whether the surgeon general's warning prevents cigarette smokers from bringing suits at all.

But tobacco litigation experts said a case by passive smokers would differ from suits brought by smokers because it wouldn't face jury skepticism about awarding damages to people who choose to smoke.

John F. Banzhaf III, a professor of law at the National Law Center of George Washington University in Washington, D.C., and executive director of Action on Smoking and Health, said that his organization is also preparing a passive smoking suit. He added that another potential area for smoking litigation might be suits brought by people damaged in fires caused by lit cigarettes.

While this case marks one of the first passive smoking suits against tobacco companies, some employees, including flight attendants, already have had limited success bringing similar workman's compensation suits against their employers.

Mr. Rosenblatt said he prepared the suit after he was contacted by Norma R. Broin, who has worked as a flight attendant with American Airlines since 1976, and her husband, Major Mark L. Broin of the U.S. Marine Corps. The Broins are

at a military base in Okinawa and could not be reached for comment.

But several other flight attendants said that there has been great concern among their colleagues about passive smoking. "The current feeling among flight attendants is that we develop cancer at a higher rate," said Kathryn J. Renz, a flight attendant and official of the Independent Flight Attendants Union. Cigarette smoking is now banned on almost all domestic flights, and Ms. Renz said the unions want it banned on international flights as well.

(Norma R. Broin et al. vs. Philip Morris Companies Inc. et al., 11th Fla. Circuit Court, Miami, 91-49738)

* * *

LEGAL BEAT



STUDIES

Tobacco fight is on

The tobacco industry is quietly encouraging the formation of "smokers' rights" groups to try to block the enactment of local ordinances restricting smoking, says a study being released today. Nevertheless, the industry's superior financial resources and its lobbying do not guarantee that it will succeed, said the study in the *Journal of the American Medical Association*. The industry's lobbying includes "real efforts to stay in the background, to pull all the strings, but not to really appear, because they know they have no credibility," it said.

Rochester, N.Y. News

Where There is a Will, There is a Way

Wills are a way to insure that the nonprofit organizations you support continue to receive support once you have passed away. In your will you can include charitable gifts to GASP of Colorado in the form of:

- specific property -- cash, securities, works of art, stamp or coin collections, etc.
- a percentage of your estate; and/or
- the "residue" of your estate -- property remaining after other bequests have been fulfilled.
- as a beneficiary in a life insurance policy.

Often a bequest may be arranged with a simple addition of a codicil (an amendment to your will). Dick Duff, a member of GASP's Advisory Board, will be glad to help plan the best kind of bequests with GASP members. He is a life insurance agent and an attorney. Call him in Denver at 756-3599.

STUDY FINDS DOCTORS ARE KEY IN LOCAL ANTI-SMOKING LAWS

The health community holds the key to the success of local tobacco control initiatives, says a report in the Oct. 16 Journal of the American Medical Association.

"When the health community is seriously committed to the cause from beginning to end, the tobacco industry will have a difficult task keeping tobacco control measures from being enacted," writes Stanton A. Glantz, PhD, of the University of California, San Francisco. "When it fails to make such a commitment, the tobacco industry prevails, more by default than by superior financial resources."

Dr. Glantz wrote that while tobacco regulatory activity was limited to the federal and state levels, "the tobacco industry combined its money and lobbying skills to maintain an impressive record of political victories."

When the non-smokers' movement brought initiatives to the local level, ordinances began to pass. The author studied political battles over tobacco-control ordinances in Beverly Hills, Los Angeles and Sacramento, Calif.

"The industry's strategy for directly opposing local legislation includes sending consultants to establish local smokers' rights troupes throughout the nation, encouraging local political action among smokers through mailings and expensive publications, creating groups, in the form of business coalitions, funded by the industry and directed by individuals tied to the tobacco industry, in some cities, contributing money to election campaigns and hiring lobbyists to lobby against proposals, and keeping a low profile and denying or minimizing tobacco industry involvement in local politics," the report says.

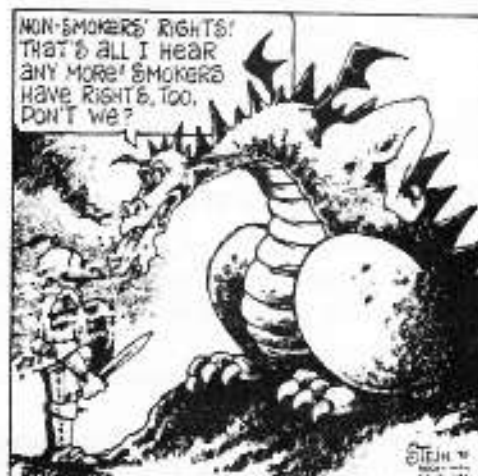
Local initiatives can, nevertheless, succeed. "Despite the tobacco industry's superior financial resources, enactment of a specific local ordinance depends not on the tobacco industry but on how seriously the health industry advocates mobilize in support of the legislation," the author says.

In an accompanying editorial, Health and Human Services Secretary Louis W. Sullivan, M.D., notes that smoking kills more than 1,000 Americans every day.

"If we are to stop this continuing tragedy, it is clear to me that we must move forward toward a smoke-free society by the year 2000, if not sooner", he writes. "Clearly physicians and other health professionals are central players. Because of their credibility and expertise, they have a unique ability to present an anti-smoking message to their patients and to the community at large."

AMA NEWS, October 21, 1991

The Smoke-free European is a news international newsletter focused on promoting smoke-free air. For further information write: ANSR, Melgund Centre, Melgund Terrace, Edinburgh, Scotland EH7 4BU.



Berry's World



Reprinted from the newsletter of Miami GASP.

Tobacco Industry's Scheme to Preempt Local Nonsmokers' Rights Laws Documented

For years ASH has been warning local and national antismoking groups about a particularly underhanded tactic by the tobacco industry: seeking to pass "preemption" laws at the state level which prevent individual cities, counties and towns from passing tough laws limiting smoking in public places, and often overriding such local laws where they have already been passed.

To accomplish this the industry usually tries to promote the state laws as comprehensive protections for nonsmokers, hoping to fool legislators into passing the bills, and nonsmokers' groups into not opposing the preemption clause. However, a careful reading usually shows that the state laws lack any teeth, and provide little protection.

Another common tactic is for the preemption clauses to be introduced at the last minute so that state and local nonsmokers' groups can't mount an effective attack against them.

Sometimes ASH has been successful in helping to block such preemption clauses, but often legislators and/or antismoking representatives weren't convinced that what might appear to be nonsmokers' rights legislation was really a trick by the tobacco industry.

Now, all doubt has been removed. A secret internal memo of a telephone conference call between various tobacco-industry strategists in California reveals both their strategy and duplicity.

Throughout the memo, the industry representatives stress the need to create the "perception" or the "appearance" of a comprehensive regulatory scheme, even to the point of making it appear that the tobacco industry opposed the bill.

However, it was clear that the industry didn't want to give up tactics like passing out free coupons, sponsoring events, and even giving out samples in the park.

The memo also illustrates how the industry often works closely but behind the scenes with leading political figures, often seducing them with huge contributions.

Here, working hand-in-glove with the industry is Speaker of the California Assembly, Willie Brown, who received more than \$250,000 in campaign funds from the tobacco industry over the past four years.

Indeed, over all, the tobacco industry gave more than \$7.3 million to California politicians between 1986 and 1990.

After the tobacco industry's scheme was disclosed, the preemption clause in California was dropped, but statewide laws containing preemption clauses have been passed in several states including Florida, Iowa, Illinois, and Pennsylvania.

Currently, preemption legislation which would prevent any tough nonsmokers' rights laws is pending in Georgia.

From the newsletter of ASH, Action on Smoking & Health

The memo explicitly confirms what many tobacco control advocates have been claiming for some time, that the tobacco industry is embracing a strategy of supporting weak anti-tobacco legislation at the state level as long as it preempts local efforts. When successful, this strategy completely circumvents battles at the local level, an area where the tobacco industry is weakest and where several national anti-tobacco trends have started, including vending machine bans, restaurant smoking bans, and sports arena and public transit advertising restrictions.

The industry's strategy behind the California bill was two-fold. First, they insisted on having the preemption clause and, second, they knew that any bill would have to appear to be comprehensive in order to succeed. According to the memo, "The speaker [Willie Brown] believes that the *trick* for doing this would be that such an act would have the appearance of a comprehensive scheme." (emphasis added)

Although the preemption clause of the California bill was withdrawn after release of the memo, statewide laws containing preemption clauses have been passed in several states including Iowa, Illinois, and Pennsylvania. Preemptive legislation is currently being considered in Georgia and Wyoming. Preemptive clauses are often introduced into anti-tobacco bills at the last minute, making them more difficult for anti-tobacco advocates to defeat. The leaked memo spells out, however, that this strategy is not an afterthought but a well-conceived tactic designed to deceive lawmakers and the public.

From the Advocacy Institute, Washington, DC

Health groups seek ban on cigarette character

Major health associations asked the Federal Trade Commission on Tuesday to immediately ban advertising featuring a cartoon character that studies show is boosting cigarette sales to children.

"This campaign represents one of the most egregious examples in recent history of tobacco advertising targeted at children," said the American Cancer Society, American Heart Association and American Lung Association.

The data appear in studies being published today in the *Journal of the American Medical Association*.

"It's time for the federal agencies and Congress to wrench themselves free from the 25-year political stranglehold of the tobacco industry," said Scott Ballin, vice-president of public affairs for the heart association.

The Coalition on Smoking or Health, made up of the lung, cancer and heart associations, said tobacco-related illness costs the nation \$65 billion a year.

Ballin said 3,000 children begin smoking every day.

In its petition to the FTC, the coalition argues that the ads featuring a cartoon camel for Camel cigarettes should be banned because they are misleading and deceptive.

CU RESEARCH CENTER SOLD TO PHILIP MORRIS

By VICTORIA GITS
Camera Business Writer

U.S. West Inc. sold its newly built high-technology communications think tank in the University of Colorado research park to Philip Morris Capital Corp. of Westchester, N.Y., for \$54 million on Tuesday.

The Jack MacAllister Center for Advanced Technologies, a research and development center employing 600, will continue to occupy the building off Foothills Parkway between Colorado and Arapahoe avenues under a 20-year lease. Terms were not disclosed. The change will have no impact on day-to-day operations, company officials said.



DON'T BUY THESE...

UNTIL HE STOPS ENCOURAGING KIDS TO SMOKE.



RJR Nabisco encourages children and teenagers to smoke by using slick ads with cartoon characters and sports themes. These ads are carefully crafted to appeal to adolescent values and vulnerabilities. Many of RJR Nabisco's cigarette ads violate even the tobacco industry's own code of advertising ethics.

IF IT'S GOT A RED NABISCO TRIANGLE IN THE CORNER, DON'T BUY IT!

For more information about how RJR Nabisco encourages children to smoke and what you can do to make them stop, contact STAT, 121 Lyman Street, Suite 210, Springfield, MA 01103, 413-732-7828.

Dear Peter,

I want to thank you and your organization for your support of the American Lung Association of Colorado's efforts to prevent designated smoking sections from being instituted in Grand Junction's public stadium. The assistance that I received from the membership of GASP in Grand Junction was a great help.

Members of GASP wrote letters to the Parks and Recreation advisory board who were reviewing the request for smoking sections in the stadium. They also gathered petitions, in addition to those gathered by the ALAC, for presentation to the advisory board. My special thanks goes to La Rue Olsen who rallied GASP members and provided support to the ALAC in our effort.

I hope that we can work closely in the future to insure that laws which are on the books remain there and to work toward new legislation where none exists.

Sincerely,

Steve Denney
Steve Denney

Program Associate

AMERICAN  LUNG ASSOCIATION
of COLORADO, West Region

HELP GASP BECOME MORE EFFECTIVE

GASP recently attended a lobbying workshop in Denver moderated by Jerry Johnson. Johnson's firm is one of the top lobbying firms in Colorado. GASP learned that to become more effective on the state level; we need to know the names of your legislators in the Colorado legislature. Johnson said,

"You can beat the tobacco industry at the state level if each legislator gets 100 to 200 calls supporting your issues."

GASP is finding out that most of our members do not know what district they are in or who represents them in the Colorado legislature. This is not unusual, because most Coloradoans do not know this information either. However, you can find out quickly and easily by calling your local election commission, party of affiliation, or League of Women Voters. If you are a Denver resident, the number for the Denver Election Commission is 640-2351. For Boulder, the number is 441-3042.

GASP would like all our members to take 5 minutes of their time to find out who represents them in the state legislature. Then, call GASP with the information or fill out the blanks below and return it in the mail.

• Please read the top of the next column before you fill this information out.

WHO IS YOUR LEGISLATOR?

Your Name _____
Zip Code _____
House Dist# _____ Rep. _____
Senate Dist# _____ Rep. _____
City Council District # _____

Mail to:
GASP OF COLORADO
2885 AURORA AVE #16
BOULDER CO 80303-2250

WHAT GASP NEEDS FROM YOU

GASP has started entering this information into our computer database. It may come in handy if GASP needs to focus its efforts on particular legislators. Please find out what districts you are in and the name of your legislators in the Colorado legislature. You have one local representative in the House and one in the Senate. Please **do not** send GASP the names of your U.S. Congress representatives. We will also add your City Council District number into our computer records if you will get this information for us. Please do not give us precinct numbers.

12-year-olds targeted by cigarette marketing

Children as young as 12 were targeted in the cigarette marketing strategy of a subsidiary of a British company, according to tobacco industry documents.

The documents, laid before a court in Canada, show that Imperial Tobacco Ltd., the local subsidiary of BAT Industries (British American Tobacco), included 12- to 17-year-olds in the target groups for its Player's Filter brand.

For Player's Light, the first target group was English-speaking "men and women" age 12 to 24. For the du Maurier brand, the target group was "men and women" age 12 to 34.

Other papers show that the company conducted 33 studies on the 15- to 25-year-old age group before the planned launch of a product.

BAT headquarters in London denied it had ever promoted cigarettes to children under 18, insisting that any research project on younger adolescents was to give them an insight into the older age group.

British medical and anti-smoking groups reacted angrily to the revelations.

"The information reaffirms our views that the tobacco industry has to target children with its publicity if it is to replace the 300 people who die daily from tobacco-related diseases," a British Medical Association spokesman said.

ASSOCIATED PRESS



**GASP WISHES YOU A HAPPY, SAFE, AND
SMOKE-FREE HOLIDAYS!**

KEEP YOUR ADDRESS UP TO DATE

If you move, please let GASP know at once. The Post Office does not forward bulk mail. This means your newsletter or action alert could be delayed two or three weeks.

GASP'S NEW BROCHURE

A new **three-color brochure** describing GASP, its aims, membership information, and information on the dangers of ETS is now available. **It is the nicest brochure GASP has ever produced.**

GASP has simplified the new brochure. The type face is larger. We use more positive phrases and wording. The brochure also stresses GASP's accomplishments.

An Example of the Wording Changes

Old Brochure "GASP's number-one priority is *to work to protect the rights of nonsmokers.*"

New Brochure "GASP's number-one priority is **to promote smoke-free air.**"

You can obtain the new brochure by calling GASP's office at 444-9799. We also have self-standing holders that can be used to display the brochures. These displays can hold up to 50 brochures. The brochures can be displayed in offices, libraries, stores, and community centers.

GASP received special assistance in developing and printing the brochure from consultant Mary Lee Hanewall, former restaurateur Wayne Dozier, public relations assistant Guy Murrell, activist Joe Cherner, and the GASP Board of Directors. The brochure was done by Hays Printing in Boulder at the printer's cost.

BOOK NOW AVAILABLE FROM GASP

KIDS SAY DON'T SMOKE

Every day the tobacco industry spends \$9 million telling people to smoke. This paperback book has 125 invaluable reasons not to. The book combines full-color student's posters from the first annual Smoke-Free Ad Contest with all the grown-up facts eloquently compiled by Time magazine writer Andrew Tobias. This book presents the best of what must be said to kids, their peers, and their parents. Give it to someone you love. Give it to a friend.

\$5.95 + \$1.00 for postage

or

10 copies for \$55, including postage

ORDER FORM

Please send me _____ copies of "Kids Say Don't Smoke." I enclose \$_____.

Name _____

Address _____

City _____ State _____ Zip _____

Make checks out to GASP and mail to:

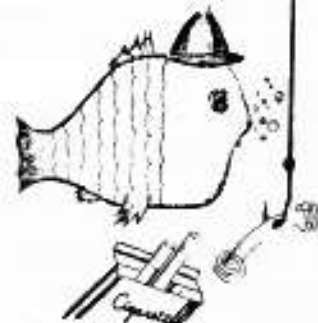
GASP OF COLORADO

2885 Aurora Ave #16

Boulder, CO 80303

* NOTE: STARTING DECEMBER 1, PEOPLE WHO CONTRIBUTE \$100 OR MORE TO GASP WILL RECEIVE THIS BOOK FREE.

IF YOU DON'T BITE...



THEN YOU'LL NEVER
GET HOOKED

● DUES-PAYING MEMBERS OF GASP CAN ORDER "KIDS SAY DON'T SMOKE" BY PHONE. Call us at 444-9799. We will bill you.

The Nonsmokers' Voice

Our 14th Year...GASP OF COLORADO: Group to Alleviate Smoking Pollution 303-444-9799

PROPOSITION 99 IS REVOLUTIONIZING TOBACCO CONTROL

GASP President Pete Bialick recently attended a national conference in California titled "Tobacco Control in the 90's: The State of the Art." Part of the conference focused on Prop 99; the 1988 ballot initiative approved by California voters to raise cigarette taxes by 25¢. Thirty-five percent of the \$600 million in cigarette tax funds go to help pay for the care of the medically poor in hospitals. Twenty percent of the tax goes to tobacco education; ten percent to uncompensated care by doctors; five percent to research for tobacco-related diseases; five percent for wildlife and parks; and the remaining twenty-five percent for fire prevention and for any of the other programs.

Smoking Decreases Due to Cigarette Tax

California's smoking prevalence decreased by 17% in the last three years according to a \$2.5 million report paid for by the tax. The study also found that most smokers want to quit smoking.

Effect of Tax Increase Stabilizes After One Year

Before the cigarette tax went into effect, smoking prevalence in California was going down an average of three percent each year. In 1990, the first year after the tax went into effect, smoking prevalence fell nine percent. Prop 99 research indicates that the decrease was due to the increase in the price of cigarettes, media coverage on the passage of the tax, and the programs supported by the tax. The next year, smoking prevalence fell four percent. Prop 99 research indicates that the decline was due to "the acute impact of the tax fades."

Tobacco Control Programs Reduce Smoking

This year, smoking prevalence is down by seven percent. Researchers for Prop 99 are finding that this year's seven percent decline in smoking prevalence is due to a combination of educational programs, media campaigns, and smoking policy interventions.

A New Pro-Health Industry is Created

California's Tobacco Education campaign is an 18-month, \$221 million effort aimed at educating residents on the dangers of tobacco use. The funds go to schools, local health departments, community groups, and for a comprehensive public education media campaign. The annual media campaign budget is \$16 million.

"If Colorado were to enact a similar law, we would have \$15 million a year for tobacco education," Pete Bialick, GASP

Continues on page 2.

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Sixteen Wonderful Prop 99 Things

1. Each health department has a tobacco control unit, creating more than 100 new professionals in tobacco control.
2. The program allocated more than 200 grants for tobacco control in the last year.
3. Voluntary agencies have increased their tobacco control programs.
4. Activist groups like GASP have increased tobacco control programs.
5. Tobacco education is prominent and received in most schools.
6. A statewide computer network connects all tobacco control agencies.
7. The creation of the California Smoke-Free Cities Project — a comprehensive statewide effort to assist municipal leaders and health officials in the development and implementation of tobacco control strategies.
8. The creation of the Tobacco Education Clearinghouse — a resource and distribution center of pamphlets, booklets, teaching aids, posters, and audio/visual tapes.
9. The creation of the California Tobacco Control Resource Partnership — it provides technical assistance and training in tobacco control.
10. Tobacco education networks and funds for every California minority group.
11. Support for the creation of California DOC (Doctors Ought to Care). This group uses satire to laugh the tobacco pushers out of town.
12. Smoke-free restaurant guides.
13. Gadgets, clocks, bibs, bumper stickers, postcards, trinkets, T-Shirts, buttons, posters, etc. on the subject of tobacco use.
14. A 200-page book evaluating the project titled "Tobacco Use in California, 1990-1991."
15. Research on how much money the tobacco industry spends in California.
16. Research indicating that smoke-free ordinances do not affect the restaurant business.

Exciting Conference Coming Up

Revolt Against Tobacco is the title of a conference celebrating 3 years of progress in tobacco control. Conference participants have the opportunity to learn from the successful accomplishments of Proposition 99 funded programs, and to see first hand what the "state of the art" is in tobacco control. The conference will take place at the Biltmore Hotel in Los Angeles September 30 through October 2. The fee is \$175, not including rooms. For a brochure about the conference call the Western Consortium for Public Health at 408-629-1811.

If you plan to go, please call GASP. **GASP is seeking sponsors to help send a number of people to the conference.** Call us if you would like to help.

First Newsletter of the Year

This is our first newsletter of the year. GASP has been very busy since December developing and raising funds for the restaurant guide. Since May 15, we have been busy distributing the guide to 25,000 people. Please consider the forty-page guide the equivalent to two 16-page newsletters.

GASP of Colorado is in its fourteenth year. The Volume number of this newsletter (14-1) indicates that this newsletter is the first newsletter in our fourteenth year.

Up-Date on Colorado's Cigarette Tax Efforts

The 1990 petition effort went to the Colorado Supreme Court. The court restored a number of signatures, but they were not enough to place the measure on the ballot. The sponsors recently obtained a court order to have the Secretary of State recount the valid signatures.

A bill by Rep. Pat Sullivan to increase cigarette taxes by 25¢ failed due to intense lobbying by the tobacco companies. Letters were running eight to one against the bill.

The 1992 effort lead by Swanee Hunt failed because many people were burnt out by the 1990 effort. Organizers also felt that there are too many other initiatives competing for the ballot to be able to marshal enough forces in two months..

There is talk about mounting a 1994 effort. GASP will keep our members and supporters posted. **GASP wants to take a more active role in the campaign.**

Tobacco control efforts would increase substantially in Colorado if a Prop 99 measure were passed. GASP's Board feels that the money generated by additional cigarette taxes should be used where it will have the greatest impact on reducing smoking. **Research in California indicates that the funds used for tobacco education, media campaigns, and policy interventions do have a sustained impact on reducing smoking.**

Restaurant Guide is a Hot Item

GASP of Colorado has received **more than 1,000 calls** in a month from people requesting copies of GASP's new **Guide to Smoke-free Dining in Colorado**. The guide, one of the most comprehensive directories of its kind in the country, lists more than 300 restaurants in the state that are **100% smoke-free**. The convenient, pocket-sized guide is especially helpful to those people affected by tobacco smoke pollution.

GASP raised enough money to print **35,000 copies** of the guide. **We have mailed or distributed more than 25,000 copies in the first two months.** A second printing is being considered.

GASP needs volunteers to help distribute the guide to more public places such as recreation centers, community centers, health food stores, health clubs, churches, fraternal organizations, and businesses. We also need volunteers to help with office work, and telephone calls to the media from your home.

"The number of smoke-free restaurants in Colorado has tripled since our last guide was published in 1989," said Peter Bialick, the president and founder of the Colorado chapter of GASP. "We see the trend of more smoke-free restaurants as a positive step toward the day when all restaurants are smoke-free."

GASP arranged the listings in the guide alphabetically in five regions. The Metro area listings contain more than 160 smoke-free restaurants in Denver, Boulder, Arvada, Aurora, Englewood, Golden, Lakewood, Littleton, and in other metro suburbs. Listings in Western Colorado include mountain cities of Aspen, Estes Park, Snowmass, Steamboat Springs, and Telluride, as well as Western slope cities of Grand Junction and Montrose. Listings in Southern Colorado include Colorado Springs and Pueblo. Northern Colorado listings include Fort Collins, Longmont, and Loveland. The guide also has listings for Laramie and Cheyenne, Wyoming.

The Phone Rings Off The Hook

GASP of Colorado recorded a **record number 139 requests** on June 8, 1992. Callers responded to an article in *The Denver Post*, and a noon news item on the guide on Channel 9 (KUSA in Denver).



A stack of more than 1,000 requests next to GASP's computer.



This bib is a product of Prop 99.

➤ More Guide News on pages 5, 6, 10

YOUR TAX-DEDUCTIBLE CONTRIBUTION HELPS GASP CLEAR THE AIR

☐ Yes, I support GASP's efforts to eliminate tobacco smoke from the air we breathe. Here is my contribution of ☐ \$25 ☐ \$35 ☐ \$50 ☐ \$100 ☐ Other amount.

•Annual membership dues for GASP start at \$20.

☐ I am not a joiner, but I would like to contribute \$_____ to support your efforts.

Name _____

Address _____

City-State-Zip _____

Phone _____

Mail and make checks payable to:

GASP OF COLORADO

2885 Aurora Ave. #16

Boulder CO 80303

☐ Charge my: ☐ MasterCard ☐ VISA

Credit Card Number _____

Exp. Date _____

Signature _____

Ad Campaign

For the second year in a row, GASP's ad campaign placed first in the statewide Rocky Mountain Tobacco-Free Challenge. GASP's TV ad on the dangers of secondhand smoke won a first place award in the community information category, and placed second in the counteradvertising category. The state submits those entries into an eight state competition in the Rocky Mountain area. Colorado won the competition last year.

GASP's President Pete Bialick gave a presentation on the use of advertising for tobacco education at a national conference held at Fallen Leaf Lake near Lake Tahoe, California. American's for Nonsmokers' Rights sponsored the conference.

This year, GASP's ad campaign will conduct a radio campaign on the dangers of secondhand smoke. We will be using a 30-second spot produced for GASP by KBCO radio in Boulder. **Again, our goal will be to reach more than one million Coloradans.** GASP members have generously contributed to the campaign, and account for most of the funds raised in the last three years.

GASP'S AD CAMPAIGN

GASP's ad campaign is aimed at countering the tobacco industry's massive, three billion dollar yearly effort to glamorize and promote smoking.

GASP is currently the only pro-health organization in Colorado, and one of the few in the nation, that uses advertising to educate the public on the dangers of tobacco.

GASP realizes we cannot match the tobacco industry dollar for dollar, but we can make a difference. GASP uses the ad fund to purchase advertising space to better educate the public on the dangers of tobacco.

Since the inception of this program in 1989, we have purchased radio spots, newspaper ads, and TV advertisements. Our hard-hitting ads reached more than 1 million Coloradans in 1990 and 1991.

To contribute to the 1992 campaign, send your tax-deductible contribution to:

The GASP Ad Fund

2885 Aurora #16, Boulder CO 80303.

Call us at 444-9799 to charge your donation to your Visa or MasterCard.

☛ Contributors of \$100 or more will receive a cassette tape with a copy of the 30-second spot.

BOARD MEMBERS NEEDED

GASP of Colorado is accepting applications for Board Directors. Board members serve in an advisory capacity and play a role in the decision making process. The Board meets in the evening in Denver every month and a half. Applicants must be dues-paying members of GASP. Applicants are encouraged to attend Board meetings before applying. Our Board meetings are open to all GASP members. Call Pete Bialick at 444-9799 for an application.

Airport Restaurants & Bars Go Smoke-Free

Concession Air Inc., operators of 16 bars and restaurants at Stapleton International, recently made all but three of their establishment's smoke-free. General manager Brooker Graves said the policy was initiated to bring the facility in line with the city policy that does not allow smoking in the rest of the airport. He said, "We made a decision that this is the best way for us to run our business." But airport spokesman Chuck Cannon said the company tightened the policy because "they got a number of complaints from people who were trying to eat and were overcome by smoke."

Previously, smokers were being directed to the restaurants and the bars at the Stapleton. A waitress at one bar said she welcomed the change. "Working in these bars was like smoking 10 packs of cigarettes a shift." A group of nine restaurant employees had contacted GASP for assistance in filing a lawsuit to protect their health. However, the cost of the lawsuit was too much for the GASP legal fund, and for the workers.

GASP has learned through a reliable source that the company's owners made the decision because they were concerned about how smoking was driving away customers. Smokers lining up at entrances, and the problem of smoke-filled bars created a poor image for a company in a smoke-free facility. **Denver's new airport will be 100% smoke-free, according to a policy implemented by the Peña administration.** Meanwhile, GASP members should avoid the three smoke-filled places at Stapleton: Timberline Bar & Dining Room, Signature Bar & Dining Room, and the Mountain Greenery Bar.

☛ Say Thank You

GASP members can express their appreciation for the new smoke-free policy by Concession Air Inc by writing: Mr. Norris, Delaware North, 1 N Delaware, 438 Main, Buffalo, NY 14202.

Guide Inspires More Restaurants to Go Smoke-Free

A number of restaurant owners have called to inform us that they are now smoke-free. "My wife and I decided to make our restaurant smoke-free after we heard about your the guide, and when we heard there are 300 other smoke-free-restaurants," said Steve Gordon of Frontroom Pizza in Lakewood. GASP has found 29 more smoke-free restaurants as a result of the publicity about the guide.

GASP's Smoke-Free Restaurant Project

GASP's Board of Directors approved a plan to work on a program to encourage more restaurants to become smoke-free. The project would conduct research as to why restaurants have gone smoke-free, develop a booklet outlining the reasons to go smoke-free, and then mail the booklet to all 6,000 restaurants in Colorado. Call GASP at 444-9799 if you would like to work on this project.

Tourism Board Refuses to Take Guide for Visitor Centers

GASP would like to make the guide available to tourists that stop at Colorado's five welcome centers. These centers supply tourist information. However, Kent Abernathy, coordinator for Colorado Welcome Centers, says he will not accept the guides because of their "political nature." Welcome Center guidelines prohibit the distribution "religious or political propaganda." GASP President Pete Bialick feels that while parts of the guide promote smoke-free policies, the guide is of special value to people who are affected by tobacco smoke pollution. "This is a health issue, not a political issue," he told Abernathy.

Your Legislative District Is on Your Label

The mailing label on this newsletter identifies the district number of your state legislators. The letters "HD" identify your House district. The letters "SD" identify your Senate district. GASP member Bob Wendler of Boulder volunteered to look up the district numbers of 2,000 Denver members and supporters. A directory of the all state legislators will be sent to GASP members after the November election. If your label has no number by "HD" or "SD", call us at 444-9799 to update your records. You can obtain this information from your local election commission.

SMOKE-FREE DINING IN COLORADO

UP-DATE

Here's twenty-nine new listings to add to GASP's Guide to Smoke-Free Dining in Colorado. Copy or cut this column out and insert it in your guide.

METRO AREA

ARVADA		
Penguin's Harvest Express	7310 W 52nd Ave	431-7958
BOULDER		
Celestial Seasonings	4600 Sleepytime Dr	581-1201
Juan's Burrito	1672 30th St #B	786-8484
Q's Restaurant	2115 13th St	442-4880
DENVER		
Bluepoint	92 S Pennsylvania	744-3621
Common Grounds Coffeehouse	3484 W 32nd	458-5248
Mountain Tower Cafe	4100 E Mississippi	758-4858
Ranelle's	1313 E 6th Ave	831-1992
LAKEWOOD		
Fontroom Pizza	13795 W Jewell Ave	969-8880
LOUISVILLE		
Garden Terrace Cafe	Avista Hospital	673-1000

WESTERN COLORADO

BRECKENRIDGE		
City Market Deli	400 N Park Ave	453-0818
Maint Street Bistro	2165 Main St	453-0514
Pasta Jay's	326 S Main St	453-5800
Quizno's	100 N Main #214	453-8111
Rudolph's German Bakery	161 Adams Ave	453-4926
Subway	411 S Main St	453-6822
ESTES PARK		
Penelope's	229 W Elkhorn Ave	586-2277
LAKE CITY		
The Crystal Lodge	2 Mi. S of Lake City	944-2201
LEADVILLE		
Charlotte's	700 Harrison Ave	486-1418
NEDERLAND		
Bob's Bakery	229 E Hwy 119	258-7346
Chalet Suisse	24 Big Spring Dr	258-0123
OHIO		
Gold Creek Inn	Box HH	641-2086
PARACHUTE		
Ciao	333 E 2nd	285-7509
STEAMBOAT SPRINGS		
Nic-N-Willies	1104 Lincoln Ave #D	879-5864
The Shack	740 Lincoln Ave	879-9975

SOUTHERN COLORADO

COLORADO SPRINGS		
Hometown Buffet	3650 Austin Bluffs Pkwy #120	
590-1111		

NORTHERN COLORADO

LONGMONT		
Loaf & Ladle	1134 Francis	776-7575
Wild Hare	831 Main St	776-1360
LOVELAND		
The Parsonage	405 E 5th St	962-9700

PLEASE DELETE FROM THE GUIDE

The Boulder Dinner Theater (page 9) allows smoking in the lounge and allow actors to smoke. Actors can pretend to smoke. Iron's Cafe in Boulder (page 12) has closed.

SMOKE-FREE DANCING

The Let's Dance Ballroom at 4101 E Evans Ave has started to offer smoke-free dance evenings on the 4th Friday of each month. Contact them at 758-2622.

Thank You For Your Assistance!

Many People Help Put Together the Guide

To assemble the guide, GASP President Pete Bialick met with a number of people to discuss their ideas. Our goal was to raise \$6,000 for the guide; we raised more than \$15,000. The extra funds were used to print more copies, increase distribution, and improve graphics. Additional funds will be used to promote smoke-free dining with more publicity and through advertisements.

Bridgete Koan of the American Lung Association gave us some ideas on developing the sponsorship program. GASP offered guide space to sponsors in return for their contributions. **Wayne Dozier**, who has been in the restaurant business more than 15 years, helped edit the guide and had many great ideas. He helped GASP secure the services of **Mark Mitchell**, of the Mitchell-Paul Advertising firm. The firm donated more than \$2,500 in graphic and ad design work for the guide. **Don Koplen** of the Boulder Menu Guide suggested we approach the restaurants to be listed for contributions. We offered restaurants a 25-word description and bold lettering for a \$50 contribution. Forty restaurants contributed \$50, and two contributed \$25 (for a bold listing). **Guy Murrell**, who now works for the Metzger & Associates PR firm in Boulder, gave ideas and worked on press releases and PSA's. He helped engineer the first phase of GASP publicity campaign. **Steve Chavis** of KBCO gave us some ideas on how to approach the media for sponsorships. GASP was unable to find any media sponsors. Board member **Roberta Nielsen** worked with Pete Bialick on the editing. We also received ideas from **Phil Stern**, a former Boulder councilmember; **Mary Lee Hanewall**, a consultant to nonprofit organizations, and from **Kent Johnson**.

More Than 50 volunteers Help Poll Restaurants

GASP employed more than fifty volunteers to help poll all the restaurants listed in local yellow pages. We were able to cover almost all Colorado communities with a population of 3,000 or more. We would like to thank these volunteers for helping us find more than 300 smoke-free eateries!

VOLUNTEER POLLERS IN THE DENVER METRO AREA

Constance Anderson, Sherry Anderson, Dr. Karen Berland, Donna Bowen, Joanne Breggin, Mary Centa, John English, Gary Green, Doug Grinbergs, Bob Harris, Sue Johnson, Winnie Kamins, Terrell Kennett, Kristine Kessler, David Kinter, Myrna King, Betsy Lyle, Gene Mahaffey, June Mercer, Tina Metzger, Joe McGowan, Roberta Nielsen, Bobby Lee Quist, Mel Severe, Betty Tyrell, Nita Warwick, Judy Wolfe, and Marie Wortz.

VOLUNTEER POLLERS IN OTHER AREAS:

Agular, Trinidad: Lucille Wilson; **Alamosa, Monte Vista:** Mrs. Robert Armagast; **Allenspark area:** Phil Stern; **Aspen:** Aspen-Pitkin County Consumer Protection, Bettie Burton; **Brush:** Frank Palmer; **Buena Vista:** Suzanne McDonald; **Canon City:** Virginia Blunt; **Carbondale:** Rita Marsh; **Cheyenne Wells:** Ada Billinger; **Cheyenne, WY:** Linda Koldenhoven; **Colorado Springs:** Gary King, Richard Breidenbach, Phil Bishoff, El Paso Cty Health Dept.; **Craig:** Cheryl Burrus; **Delta:** Jane Anderson; **Durango area:** Judy Berkholtz; **Estes Park:** Pat Wanek; **Fort Collins:** Meg Parmer; **Fountain:** Lynn Jamison; **Fruita:** Wilbur Stevens; **Gilpin County:** Jeanne Nicholson; **Grand Junction:** Steve Denney of the American Lung Assn.; **Greeley:** Glada Thrall; **Gunnison:** Dr. McMurren; **Holyoke:** Susie Cox; **LaJunta, Rocky Ford area:** Marlene Nicklos; **Lamar:** John Gelhausen; **Laramie, WY:** Florence Baker; **Limon:** Anthony Barb; **Longmont:** Mark Call; **Loveland & Berthoud:** Mary Sue Rowan; **Montrose:** Gail Saunders; **Pueblo:** Dr. Carl Bartochhi; **Rifle:** R. Wilde; **Snowmass:** Pete Bialick; **Steamboat Spgs:** Routt Cty Env. Health Dept.; **Sterling:** Neil Tramp; **Summit County:** Lisa Brozovich; **Telluride:** Becky Small of Baked in Telluride; **Vail:** Reggie O'Brien; **Windsor:** James Reilly; **Wray:** George Moore; and the Chambers of Commerce in **Crested Butte, Eagle, Glenwood Springs, Leadville, Pagosa Springs, and Springfield.**

GASP would like to thank our guide sponsors. Without them, this wonderful project would not have come about.

Guide Sponsors

American Cancer Society
American Lung Association
Colorado Assist Alliance
GASP of Colorado
Mitchell Advertising

Guide Cosponsors

Americans for Nonsmokers' Rights
American Heart Association
Coalition for a Tobacco-Free Colorado
Richard Crowther, F.A.I.A.
Denver Medical Society
Denver Public Health
Doctors Ought to Care (DOC)
Dozier Photography
Jefferson County Health Dept
Skunk Creek Computing Services
Taxaco
University Hospital

Other Financial or In-Kind Support

Colorado Action for Healthy People
Combined Federal Appeal donations
Colorado Medical Society
Dining Directory, Boulder
Pat Murphy, Remax
GASP members & supporters

WHAT'S UP

SMOKE-FREE DINING

For those who've worn the patch, gotten off the weed cold turkey or get snarly

about the smell of smoke while eating, the newest edition of "A Guide to Smoke-Free Dining in Colorado" is out. Call GASP (Group to Alleviate Smoking Pollution) at 444-9799 for your free copy.

The seventh edition includes tough guidelines for nonsmoking status. Only entirely smoke-free restaurants are listed. The editors don't list restaurants with adjoining bars, "unless the bar is separate, fully enclosed and on a separate ventilation system."



More than 150 people called GASP after they saw this June 8 article in The Denver Post.

ANR Raises Concerns About OSHA Actions

Americans for Nonsmokers' Rights (ANR) raises a number of concerns about recent actions taken to try to force OSHA to regulate smoking in the workplace.

The first major concern is the **preemption** issue. A recent Supreme Court decision in Illinois indicates that states may be prohibited from enacting tougher standards than those established by a federal agency like OSHA. This means that if OSHA adopts weak smoking regulations, those regulations may preempt stronger state or local regulations. GASP and ANR will not support any regulations that preempt or interfere with state or local laws. ANR points out that even if OSHA adopts a 100% smoke-free workplace policy, "it is very dangerous to base our entire national workplace smoking strategy on one federal agency. What if their budget gets cut, or their jurisdiction changes?"

The second major concern is **enforcement**. OSHA enforcement resources in the past 12 years have lagged behind the need according to ANR. OSHA sometimes hands enforcement over to the state; leading to uneven and ineffective enforcement. **Enforcement of smoking regulations is most effective when it is done on a local level.**

What Can You Do?

Write to OSHA. Let them know that any regulation of workplace smoking should entail a 100% workplace smoking ban, contain no preemption, and provide adequate local enforcement. Write: Docket officer, Docket #H-122, OSHA, U.S. Dept. of Labor, 200 Constitution Ave NW, Washington, DC 20210.

Report on Smoke-Free Hospitals

The Joint Commission on Accreditation of Healthcare Organizations, which evaluates and accredits 80% of the hospitals nationwide, announced a new set of standards to address hospital smoking policies. The new standards go into effect January 1, 1993, and affect more than 5,400 hospitals accredited by the commission. The new standard requires all accredited hospitals to have a policy that "prohibits the use of tobacco materials throughout the building." Exceptions to the rule may be "authorized for a patient by a physician's prescription based on medical criteria that are defined by the medical staff," according to a Joint Commission spokesman. The commission is the nation's oldest and largest health care accrediting body.

GASP welcomes this new standard; however hospitals that make exceptions to the standard may not be 100% smoke-free because tobacco smoke could travel through the ventilation system and reach others. A number of Colorado Hospitals, such as Denver General Hospital, prohibit smoking inside the premises under any circumstances.

RESOURCES FOR YOU

New publications and organizations that might interest you. Please let them know you heard about them through GASP of Colorado.

GASP Order Form

GASP of Colorado has a new order form listing more than 50 educational articles and brochures available to the public. Call us at 444-9799 for a free copy.

Smoking Cessation Programs in Colorado

The Colorado Tobacco-Free Schools & Communities Project has developed a 50-page guide listing Colorado's smoking cessation programs and resources. For a copy of the guide, call GASP member Connie Acott in Fort Collins at 491-6421.

34 Questions & Answers About Smoking

The American Cancer Society has a good booklet titled *The Most Often Asked Questions About Smoking, Tobacco, and Health...The Answers*. For a copy, call ACS at 758-2030.

Smoke-Free Travel Council

Breathe is a newsletter published by the smoke-free travel council. The publication informs business and vacation travelers about smoke-free lodging, dining, tours, facilities, laws, guides, cruises, etc. Write them at 78-365 Hwy 111 #361, La Quinta, CA 92253.

Parents Against Secondhand Smoke

Joseph Lamacchia has formed Parents Against Secondhand Smoke (PASS) to help divorced or separated couples obtain court orders to keep children free from tobacco smoke exposure through court agreements. For more information write: PASS, Box 396, Watertown, MA 02272-0396.

Children and Passive Smoking

The Association for Nonsmokers' Rights (ANSR) in Scotland has released a superb summary on the scientific research of the danger of smoking to children. For a copy, write: ANR, Meglund Centre, Meglund Terrace, Edinburgh, Scotland EH7 4BU United Kingdom

Tobacco Victims Association

Donna Staples, a 17-year smoker who lost a lung from her habit, has organized the Tobacco Victims Association. She plans to mobilize advocacy for social and political change to reduce tobacco addiction, disease, and death. For more information write Donna at 121 Lyman St #210, Springfield, MA 01103.

KEEP YOUR ADDRESS UP TO DATE

If you move, please let GASP know at once. The Post Office does not forward bulk mail. This means your newsletter or action alert could be delayed two or three weeks.

More Colorado Corporations Become Smoke-Free

A *Colorado Business Magazine* survey indicates that forty-five percent of Colorado's top 300 corporations have eliminated tobacco smoke from inside their premises. The survey results appeared in the June 1991 issue of magazine. This figure is slightly higher than a national figure of 42% reported in *The Wall Street Journal*.

"We also discovered that the trend to install smoking policies is coming from the employees themselves, and will probably result in more smoke-free workplace environments by the turn of the century," says *Colorado Business Magazine* reporter Claire Cherington.

Robin Baca at US West says that the company's no-smoking policy was a direct result of complaints from people concerned about secondhand smoke's link to cancer, and how smoking infringes on their rights. The article says that although smokers understood and respected the rights of others, it upset some smokers that their rights were being violated. Some smokers were happy because a workplace ban helped them to quit smoking.

The article says that the methods and techniques for creating smoke-free work environments vary. Larger companies have developed policies in stages through planning, establishing employee committees, designating smoking areas, and offering smoking cessation classes before going totally smoke-free.

GASP has significantly upgraded our list of smoke-free corporations in Colorado due to the fine work of the *Colorado Business Magazine*. You'll find our new list on page 9.

GASP distributes the *Guide to a Smoke-Free Workplace*, designed to assist employees and businesses. The four-page brochure is one of the many educational materials GASP has on the subject of smoking in the workplace. GASP has advertised the workplace brochure in the *Denver Post* and the *Rocky Mountain News*. These ads have resulted in more than 50 calls. The restaurant guide also has an ad about the workplace guide.

Smoke-Free Workplace Policies Help People Quit Smoking

A survey of New England Telephone Co. employees found that a no-smoking policy helps them quit smoking. **Twenty months after the company banned smoking on the job; the company found that 21% of the smokers had quit smoking.** The annual quit-smoking rate in comparable population groups is two to five percent. Forty-two percent of those who quit attributed their quitting to the company policy.

• From the newsletter of FANS, Seattle, Washington

SMOKED OUT ON THE JOB?

Get GASP's *Guide to a Smoke-Free Workplace*

A Plan of Action for Employees and Employers

FOR YOUR FREE COPY

CALL 444-9799

G.A.S.P.-- Group to Alleviate Smoking Pollution

The Nonsmokers' Voice Vol. 14 #1 p. 8

Smoking Ban Not Grounds for Disability Pay

A woman who claims she was disabled by mental stress because she could not smoke at work is not entitled to disability benefits, the Colorado Court of Appeals ruled in March.

Sharon Kay Riddle, quit her job at the Ampex plant in Colorado Springs because the firm banned smoking inside the facility. Although the company allowed Riddle to smoke outside the plant, Riddle said that snow and thunderstorms frequently made that impossible. Officials at the plant refused her request for a smoking room in the plant. She resigned in October 1988 due to work-related stress. She was diagnosed as suffering from depression, nicotine dependence, and post-traumatic stress disorder.

In rejecting the woman's claim, Judge Charles Pierce wrote in his opinion that there is abundant evidence that smoking restrictions "are a common fact in today's life, not only in the workplace but in social and commercial environments as well."

• Compiled from *The Denver Post* and *Rocky Mountain News*

SMOKE-FREE COMPANIES IN COLORADO

Advance Energy Technology, Fort Collins
Alliant Techsystems, Littleton
Altex Industries, Denver
Amax Gold Inc., Golden
Amdura, Denver
American Educational Products, Fort Collins
Ampex Co., Colo Springs
Ampex Co., Denver
Analytical Surveys Inc., Colo Springs
Anheuser-Busch Inc., Fort Collins
Apache Corporation, Denver
Aspen Exploration Co., Denver
Asset Investors Co., Denver
Atrix Laboratories, Fort Collins
B I Inc., Boulder
Benedict Nuclear Pharmaceuticals, Golden
Bingo King Co., Littleton
Blue/Cross/Blue Shield, Denver
Bull Run, Denver
Burlington Northern Railroad, Denver
Butler Paper Co., Englewood
Cable Exchange Inc, Englewood
Canyon Resources Co., Golden
Capital Associates Inc., Lakewood
Capital Reserve Co., Englewood
Caprock Co., Englewood
Casper Oil Co., Lakewood
CBLX Holdings, Englewood
Cell Technology Inc, Boulder
Centennial Savings Bank, Durango
Centerscope Inc., Denver
Channel 4 KCNC TV, Denver
Channel 9 KUSA, Denver
Chaparral Resources Inc, Denver
Chemex Pharmaceuticals, Englewood
Chevron Co., Englewood
Churchill Technology Inc., Lakewood
Circular Technologies, Boulder
Citizens Bank, Westminster
Clancy Systems International Inc., Denver
Colonial Group, Aurora
Colorado National Bankshares Inc., Denver
Colowyo Coal Co, Meeker
Combined Penny Stock, Colo Springs
Commercial Bancorporation of Colo, Denver
Commercial Federal Saving & Loan Assn, Lakewood
Communications World International, Golden
Compliance Recycling Industries Inc., Littleton
ConferTech International Inc, Golden
Conoco Inc., Englewood
Continental Airlines, Denver
Craft Oil Co., Denver
Crescent Oil & Gas Co., Denver
CRSS Services Inc., Denver
Cybermedic Inc, Louisville
Cyprus Minerals Co., Englewood
Data Display Co., Boulder
Dekalb Energy Co., Denver
Destron-IDI, Boulder
Discovery Technologies, Longmont
E G & G, Golden
El Dorado Artesian Springs Inc., El Dorado Spgs
Environmental Safety Systems Inc, Englewood
Federal Express Co., Englewood
Financial Programs, Englewood
First Capital Co., Denver
First Federal Savings Bank of Colo, Lakewood
First Interstate Bank of Denver, Denver
Generation 5 Technology, Westminster
Gerrity Oil & Gas Co., Denver
Gleco Inc., Lakewood
Golden Cycle Gold Co., Colo Springs
Grease Monkey Holding Co., Denver
Great Western Life, Denver
Hallador Petroleum Co., Denver
Hallwood Energy Co., Denver
Hauser Chemical Research Inc., Boulder
Hewlett Packard Co., Fort Collins
Homefree Village Resorts Inc., Denver

Honeywell, Littleton
Honeywell, Colo Springs
Horizon Gold Shares Inc, Golden
IBM, Boulder
InfoAmerica Inc., Ft Collins
Integrated Logic Inc., Colo Springs
Intercontinental Enterprises, Englewood
JAMCO Ltd., Littleton
Johnson Controls, Littleton
Jones Intercable, Englewood
Kamman Sciences, Colo Springs
Key Production Co., Denver
LePeep Restaurants Intl. (offices), Littleton
Life Partners Group, Englewood
Lincoln National Co., Denver
M D C Holdings Inc., Denver
Manville Co., Denver
Marquest Medical Products, Englewood
Martin Marietta, Denver
McData Corporation, Broomfield
McDonald Douglas, Denver
McDonnell-Douglas Astronautics Inc., Pueblo
MCI Communications, Denver
Metropolitan Life, Denver
Mobil Oil Co., Denver
Nationwide Insurance, Englewood
NCR, Colo Springs
Newman Financial Co., Denver
Nobel Sysco Food Service Inc., Denver
Norgren Company, Denver
Northwest Pipeline Ignacio Gas Plant, Durango
Oceanic Exploration Co., Denver
OEA Inc, Denver
Oxford Consolidated Inc., Denver
Pak-Mall Centers of America, Aurora
Platte River Power Authority, Fort Collins
Power Resources, Denver
Presidio Oil Co, Englewood
Prima Energy Inc, Denver
Random Access Inc, Denver
RMED International, Delta
Roadmaster Industries Inc, Englewood
Royal Gold Inc., Denver
Scott's Liquid Gold Inc., Denver
Sheffield Exploration Co., Denver
Shepard's McGraw Hill, Colo Springs
Sherman & Howard, Denver
Sherman & Howard, Colo Springs
Stoddynamics Inc, Longmont
State Farm Insurance, Greeley
Storage Technology Co., Louisville
Synergen Inc., Boulder
Synergetics International Inc, Longmont
Teletex Inc, Denver
Television Technology Co., Louisville
Tenneco Oil, Lakewood
The Kober Co., Englewood
Tipperary Co., Denver
Tri-R Systems Co., Denver
TRW Inc., Colo Springs
U S Gold Co., Denver
U S West, Denver
United Artists Communications Inc, Englewood
United Engineers, Denver
United Mortgage, Englewood
Valleylab Inc., Boulder
Verex Laboratories Inc, Englewood
Vertac Financial Group, Englewood
VICORP Restaurants, Denver
Wall Mart, All stores
Warner Engineering, Castle Rock
Warner Engineering, Elbert County
Waste Management of Colorado, Englewood
Weaver Electric, Denver
Weisner Publishing, Englewood
Western Gas Processors Ltd., Northglenn
Whiting Petroleum Co., Denver
Wichita River Oil, Denver
Williams Controls, Englewood

Windsor Industries, Englewood
Yellowstone Resources Inc., Denver

● According to poll taken by the *Colorado Business Magazine* (June 1991) 135 of the top 200 corporations in Colorado are smoke-free.

HOSPITALS

Aurora Presbyterian Hospital, Aurora
Avista Hospital, Louisville
Boulder Community Hospital, Boulder
Craig Hospital, Englewood
Denver General Hospital, Denver
Kaiser Permanente, All Locations
Littleton Hospital, Littleton
Longmont United, Longmont
McKee Medical Center, Loveland
Mercy Medical Center, Durango
Montrose Memorial Hospital, Montrose
North Colorado Medical Center, Greeley
Parkview Episcopal Medical Center, Pueblo
Penrose Hospital, Colorado Springs
Pioneers Hospital, Meeker
Platte Valley Medical Center, Fort Lupton
Porter Memorial Hospital, Denver
Poudre Valley Hospital, Fort Collins
Presbyterian/St. Luke's, Denver
Rose Medical Center, Denver
Saint Anthony's, Denver
Saint Joseph's Hospital, Denver
Saint Mary's Hospital, Grand Junction
Saint Vincent General Hospital, Leadville
Same Day Surgery Center, Highlands Ranch
Southern Ute Service, Towaac
Spalding Rehabilitation Center, Denver
Swedish Medical Center, Englewood
University Hospital, Denver
Veterans Hospital, Denver

GOVERNMENT

Boulder County Offices, Boulder
Boulder County Social Services, Boulder
Boulder main Post Office, Boulder
Colorado Dept. of Health, Denver
Denver City Buildings, Denver
Dept. of Regulatory Agencies, Denver
Dept. of Military Affairs, Buckley Air National Guard
Douglas County (Govtmt. Offies), Douglas County
Hall of Life, Denver
Lakewood City Buildings, Lakewood
Museum of Natural History, Denver
Smoky Hill Post Office, Aurora
Vail City Buildings, Vail
Weld County (Govtmt. Offies), Weld County

RETAIL STORES

Smoking is prohibited by law in retail stores in: Arapahoe County, Arvada, Aspen, Boulder, Boulder County, Broomfield, Canon City, Carbondale, Colorado Springs, Englewood, Fort Collins, Glenwood Springs, Golden, Grand Junction, Greeley, Greenwood Village, Jefferson County, Lakewood, Littleton, Longmont, Louisville, Loveland, Parker, Pueblo, Snowmass Village, Telluride, Thornton, Trinidad, Vail, Westminster, and Wheat Ridge.

SCHOOLS

76 school districts are 100% tobacco-free. Contact Connie Acott in Fort Collins at 303-491-6421 for a complete list.

RESTAURANTS

GASP's Guide to Smoke-Free Dining lists more than 300 smoke-free restaurants.

Distributed as a public service by:

GASP OF COLORADO
Group To Alleviate Smoking Pollution
2835 Aurora Ave #16, Boulder, CO 80303
(303) 444-9799

Media Coverage for the Smoke-Free Dining Guide

GASP mailed press releases about the guide to more than 1,300 media sources in Colorado, and 50 more nationwide. Our media list includes TV stations, radio stations, newspapers, newsletters, and magazines. We also mailed public service announcements to all Colorado radio stations.

GASP relies on our members and supporters for newspaper clippings. When people call us for a copy of the guide, we ask them how they heard about the guide. This is our list of media mentioning the guide to date. GASP will add more media in our next newsletter. Send us clippings and let us know of news items you hear or see about the guide.

Television

KCNC Channel 4, Denver
KUSA Channel 9, Denver
KJCT Channel 8, Grand Junction

Radio

KOA, Denver
KBCO, Boulder
KCFR, Denver
KDEN, Denver
KHOW, Denver
KSMT, Breckenridge
KYGO, Denver

Newspapers

Denver Post (3 different times)
Rocky Mountain News (3 different times)
Daily Camera (2 different times)
Associated Press
American Medical News (national)
Beacon Review for Seniors, Denver
Breckenridge Journal
Broomfield Enterprise
Canyon Courier, Evergreen
Colorado Women's News, Denver
Durango Herald
Estes Park Trail-Gazette
Fort Collins Triangle Review
Gazette Telegraph, Colorado Springs
The Villager, Englewood
Westminster Window

Magazine's

Denver Medical Society magazine
People's Fair Guidebook

Newsletters

Advocate, Women's Bar Assn.
Colorado ASSIST Alliance News
From Our Heart to Yours, K. C. Medical Co.
FYI, Norwest Bank
Horizons, Ball Aerospace Co.
National Cancer Institute newsletter
Second Wind, American Lung Assn, Denver
Trade Winds, American Lung Assn, Denver

Computer Bulletin Boards

SCARCNET, Advocacy Institute
TravelBank, Denver

Second-hand smoke narrows arteries, ultrasound shows

Denver Post, 5-20-92

By The Associated Press

MEMPHIS, Tenn. — Exposure to second-hand cigarette smoke significantly narrows the arteries of non-smokers, increasing their risk of heart disease, a researcher reported yesterday.

The study is the first to use ultrasound to examine arteries directly to look for the effects of second-hand cigarette smoke, said its principal author, George Howard of the Bowman Gray School of Medicine in Winston-Salem, N.C.

"The point is to get a more direct measure of the process" that leads to a heart attack, Howard said at the annual American Heart Association meeting on heart disease epidemiology.

In another report, researchers used data from the four-city study to examine the effect of high-fat diets.

They found, as expected, that high-fat diets led to greater narrowing of the arteries. But the effect of smoking "was somewhat larger than the effect of diet," Howard said.

Exposure to second-hand smoke is an established risk factor for lung cancer, but its role in heart disease has only recently become clear, researchers said.

Last year, a study in the Ameri-

FINDINGS

- Second-hand cigarette smoke narrows arteries of non-smokers, raising heart-disease risk.
- The more exposure to smoke, the greater the risk.

can Heart Association's journal *Circulation* found that second-hand smoke caused an estimated 37,000 heart disease deaths per year among non-smokers in the United States.

The link between second-hand smoke and narrowing of the arteries — by virtue of a thickening of the artery walls — "is a strong effect," Howard said. "It's clear."

Howard said the researchers also found that the more hours per week a person was exposed to second-hand smoke, the narrower the arteries.

Although that effect was smaller than the overall association, it helped give the researchers confidence they were correctly assessing the data, Howard said.

Also boosting their confidence in the findings was a consistent pattern when they compared non-smokers to smokers.

People who had never smoked and who said they were not exposed to second-hand smoke had the least artery narrowing. The degree of artery narrowing was greater in those exposed to second-hand smoke, greater still in people who had smoked but had quit, and highest in current smokers. Howard said.

Narrower arteries are more prone to clogging by cholesterol deposits and clots. Blockage of those arteries causes heart attacks and strokes.

Howard and other researchers cautioned that the study's findings were not yet conclusive.

"The data is just coming in," said Jeffrey Probstfield of the National Institutes of Health. "It's supportive of and consistent with a lot of other data suggesting environmental tobacco smoke is important. And I think a lot of people are realizing that."

Howard's study is part of a larger study involving 15,800 subjects in Minneapolis; Hagerstown, Md.; Jackson, Miss.; and Winston-Salem.

The smoking study was based on assessments of 12,862 of the subjects, Howard said. The study is funded by the National Institutes of Health.

EPA Says Secondhand Smoke Especially Harmful to Kids

Exposure to secondhand smoke accounts for tens of thousands of serious ailments each year in young children, especially infants says the Environmental Protection Agency,

EPA researchers said exposure to "environmental tobacco smoke" contributes to 150,000 to 300,000 serious respiratory ailments, including pneumonia and bronchitis, among young children and infants annually.

Children under 18 months old face the greatest risks, but ETS may also affect older children, said the study. Between 7,500 and 15,000 of these cases are serious enough for the child to be hospitalized, the researchers said.

The EPA study indicates that exposure to ETS exacerbates asthmatic symptoms in two to five million asthmatic children in the U.S. It found that the children in the households of smokers are more likely to become asthmatic.

Smoking ban beneficial

Despite fears by the restaurant industry, authors of a new study of cities with restaurant smoking bans say the bans do not hurt restaurant sales. The San Francisco study says smoking bans help restaurants capture a slightly higher market share of retail sales. "We couldn't even find a shred of a hint of a negative effect in other cities..." said Stanton Glantz, a professor of medicine and researcher at UC-San Francisco. The research was funded through the state cigarette surtax.

The Rocky Mountain News

TRAVELERS PREFER NONSMOKING ROOMS

MEMPHIS

■ More business travelers these days would like to stay in non-smoking rooms, according to a survey by Homewood Suites Inc., a national chain of all-suite hotels.

The company's quarterly guest satisfaction survey shows that seven out of 10 guests prefer nonsmoking suites. So the company has decided to increase its percentage of non-smoking suites from 50 percent to 75 percent at each hotel. With this program, Homewood Suites will provide more than double the 35 percent industry average of nonsmoking rooms.

The draft report also reiterated the agency position that nonsmokers are at risk of cancer from secondary smoke. The final report classifying ETS as Class A carcinogen is due out soon. The scientific review board for the agency asked that the section on children's health risks be strengthened last year.

Associated Press

The smoking bullet

Denver Post

IN THE ABSENCE of a statewide indoor clean-air act, most major cities in Colorado have enacted local ordinances to protect their citizens from the health hazards posed by secondhand cigarette smoke.

But despite growing evidence that such fumes can cause cancer and even heart attacks in non-smokers, thousands of Coloradans who live, work and do business in smaller communities continue to be exposed to this airborne menace.

About 40 cities — mostly in out-state areas — have yet to adopt comprehensive restrictions to shield people from involuntary exposure to tobacco smoke in workplaces, grocery stores, restaurants, businesses and other public places.

Among the holdouts, according to a citizens' group that keeps track of such laws, are a score of localities with populations of 5,000 or more. These cities include Castle Rock, Northglenn, Commerce City, Federal Heights, Brighton, Fort Lupton, Fort Morgan, Sterling, Lamar, La Junta, Trinidad, Alamosa, Cortez, Montrose, Craig and Steamboat Springs.

Local officials who have dragged their feet on this issue up to now, perhaps in hopes of gaining a more clear-cut picture of the health risks, should now be moving swiftly to remedy the problem.

The latest research on secondhand smoke, outlined at an American Heart Association meeting last week, indicates that it significantly narrows the arteries of non-smokers, making them more susceptible to the blockages that lead to heart attacks and strokes.

Indeed, the study — based on ultrasound readings — found that tobacco fumes have a greater effect on artery walls than high-fat diets. That means non-smokers who hope to live longer by eating right might find their efforts totally negated if they happen to work in a smoke-filled office, shop or other environment.

To ignore this strong warning of a public health threat, by continuing to tolerate smoking in public places, is akin to condoning gunplay on Main Street in the mistaken belief that it poses a danger only to the revelers involved.

Which "citizens' group" are they talking about? You guessed it, GASP.

The Nonsmokers' Voice Vol. 14 #1 p. 11

HEALTH

Treat secondhand smoke like toxin, heart association urges

By The Associated Press

WASHINGTON — The American Heart Association yesterday urged that secondhand smoke be treated as an environmental toxin that should be banned from the home, office and all public places.

The group also dismissed claims by the Tobacco Institute that there is no clear evidence linking Environmental Tobacco Smoke, or ETS, with health problems of the lung and heart.

"In terms of carcinogenicity, there is nothing even close," said Dr. Homayoun Kazemi, a physician who helped prepare an AHA paper on the topic.

"The second-closest (environmental) cause of lung cancer would be asbestos."

The paper contained no new scientific data, but rather summarized what its authors said was an overwhelming amount of evidence that exposure to the smoke of others increases a person's chances of getting lung cancer, heart disease or emphysema.

The group said it is contacting Health and Human Services Secretary Louis Sullivan and William

'In terms of carcinogenicity, there is nothing even close. The second-closest (environmental) cause of lung cancer would be asbestos.'

Dr. Homayoun Kazemi,

Reilly, director of the Environmental Protection Agency, to urge them to toughen federal smoking standards and increase funding for education about the risks of smoking.

Educating the public about the dangers of secondary smoke will receive special attention, the group said.

Dr. Aubrey Taylor, another physician who helped draft the paper, said that since a landmark 1964 Surgeon General's report highlighting the health dangers of smoking, there have been thou-

sands of studies showing secondary smoke increases the risk of heart and lung disease.

"I don't think in 1992 we have to debate whether Environmental Tobacco Smoke causes disease," added Kazemi. "The evidence is there."

That statement was challenged sharply by the Tobacco Institute, which insisted that "less than 100" studies have been done on the effects of secondary smoke.

"The weight of the scientific evidence continues to show that there is no link," said Tom Lauria, a Tobacco-Institute spokesman.

"There just isn't anything to support that."

He said that seven of 12 studies on cardiovascular disease show no connection between those problems and secondary smoke, while 29 of 36 studies on lung cancer also fail to establish a link.

Anticipating that reaction, Dr. Lee B. Reichman, president of the American Lung Association, said "asking them about the effects of Environmental Tobacco Smoke is akin to asking the fox about conditions in the chicken coop."

Kids exposed to smoke sicker longer

Exposure to secondary smoke is an especially serious threat to children because it keeps them sicker longer and increases their lifelong health risks, Colorado doctors report.

Toxins from the sidestream smoke coming from the lit end of cigarettes are highly concentrated because they are not absorbed by the cigarette filter or the smoker's lungs. They can be partially diluted by the volume of air in a room, but they tend to linger for hours after a cigarette has been snuffed out,

extending the time children can be exposed.

The result, physicians say, is that children who live with smokers are more likely to develop asthma and other respiratory ailments that require medical care.

"If either parent smokes, a child is 10 times more likely to be repeatedly seen in the emergency room," said Dr. Jeff Wagener, pulmonary director at Children's Hospital. "We see it every day."

— Joseph B. Verrengia

Rocky Mountain News

Recycle Your Cans For GASP

GASP members can help raise money for GASP by taking their aluminum cans to any Reynolds Aluminum Recycling Center. The company will donate the proceeds to GASP plus a 2¢ per can bonus. Just mention you want to donate the proceeds to GASP, and they will give you a receipt when you bring in your cans. You can locate centers in Aurora, Brighton, Colorado Springs, Denver, Englewood, Fort Collins, Greeley, Longmont, Loveland, and Pueblo. For the hours and location of the center nearest you call 367-0822.

Spy Attends Tobacco Merchants Meeting

Pro-health activist JJ Cool (not a real name) recently infiltrated the annual meeting of the Tobacco Merchants Association held in Raleigh, North Carolina. Here are some key comments from the conference that may interest our members.

- Tobacco merchants link pro-health activists to intolerance and extremism.
- Tobacco merchants feel the constitutional issue is their salvation.
- Tobacco merchants stress the importance of working together.
- Tobacco merchants have good allies in the fight against cigarette taxes from corporations and anti-tax organizations.
- Tobacco merchants are concerned that the only allies they have fighting environmental tobacco are smokers.
- Tobacco merchants fear the amount of criticism they are getting about targeting kids.
- Tobacco merchants are concerned about the partnerships between government and non-government pro-health entities.
- Tobacco merchants are concerned about the global tobacco control communication network being developed by pro-health activists.
- One tobacco merchant commented, "We are slowly losing this war, aren't we?"

** To protect JJ Cool's identity, GASP is using a fictitious name.*

Annual Report for 1991

GASP's annual revenue went over the \$40,000 mark for the first time ever. Fifty percent of our annual revenue came from membership contributions; forty percent from our advertising campaign. The TV campaign generated \$17,888 -- an increase of more than \$6,000 from 1990.

The telephone played a key role in raising more funds for GASP. We called GASP members and supporters to raise funds for the ad campaign. This effort raised \$7,500 at a cost of \$1,665. Seventy-eight percent of these funds went directly into the ad campaign. How does this compare to our direct mail fund-raising campaigns? We raised \$8,500 extra funds at a cost of \$3,159. Sixty-four percent of these funds went toward GASP programs.

GASP spent every penny raised in 1991. Our expenses exceeded our revenue, but not by much. GASP President Pete Bialick was compensated \$13,100 for his hard work. Other big expenses were printing (\$2,840) and postage (\$1,942). We had 1089 paid memberships at the end of the year, a drop of 52 from the previous year.

• A complete 1991 financial report is available to GASP members upon request.

GASP ANNUAL REPORT 1991

	Revenue	Expenses
General Fund	28,654	24,788
Ad Fund	17,888	19,374
Legal Fund	124	0
Totals	\$46,743	\$47,040

Smoking Continues to Decline, But Tobacco Revenues Are Up

Smoking in the U.S. has reached its lowest level in 37 years because of health concerns, the increasing cost of cigarettes, and public smoking restrictions according to the Centers for Disease Control. **The CDC reports that 25.5% of Americans smoked in 1990.**

Despite the drop in the number of people smoking, tobacco companies posted revenue gains. The gains came because:

1. Producing cigarettes costs less with new technology.
2. Tobacco companies continue to raise the price of cigarettes.
3. Tobacco companies are making a killing exporting cigarettes to other countries where tobacco regulations are more lax.

Tobacco companies complain that proposed cigarette tax increases will particularly affect minorities and the poor. At the same time, the companies continue to raise the price of cigarettes.

Cute Button Seen

"When I Die, Bury Me in the Nonsmoking Section."

Tobacco ads target kids



**Abigail
Van Buren**

Dear Abby

Dear Abby: This letter is in response to "Former Smoker." You said, "Please don't blame the tobacco companies; we live in a country where people have the right to choose."

Abby, surely you are aware that the tobacco industry entices "replacement smokers" from our youth. Please note the following:

Tobacco advertising is aimed at kids. The tobacco industry needs 5,000 children to begin smoking every day to maintain its current market. Statistics show us that 60% of smokers begin by age 14, and 90% begin by age 19.

Children do not have the cognitive ability that adults have and are easy prey for the tobacco industry. Nicotine, the addictive substance in cigarettes, may be more difficult to quit using than heroin.

Our kids get hooked at an early age, then many spend the rest of their lives trying to stop using tobacco. Yes, we make our own choices, but it takes more than one school health-education class to counteract the tobacco industry's multibillion-dollar blitz. We believe that every child has the right to be protected from exposure to advertising which promotes smoking as part of the good life, or connects smoking with sports or other health-giving activities. — Connie Acott, Project Director, Tobacco-Free Schools, Colorado State University

Dear Connie: Thank you for some startling facts. I hope my young readers see your letter and take it seriously. It could add years to their lives.

Rocky Mountain News



Denver Post 1992-06-26 Denver Post File Photo **Court's cigarette ruling prompts Wall St. chaos**

By Seth Faison Jr.
The New York Times

NEW YORK — The first news of the Supreme Court's decision on a case concerning cigarette manufacturers' product liability came Wednesday in an eight-word headline that seemed to be bad news for tobacco stocks: "High Court Says Smokers May Sue Tobacco Companies."

An avalanche of sell orders in tobacco stocks followed. Most tobacco stocks tumbled. Later as more than just the headlines came out and analysts absorbed the details of the ruling, stocks rebounded.

At issue was whether companies could be sued on the ground that they had withheld information about potential health dangers and whether they had responsibilities to disclose more than mandated by the 1966 federal law requiring health warnings on cigarette packets. The companies sued included Philip Morris Companies, Loews Corp. and the Liggett Group.

"Millions were lost by people

panicking on the news," said Max Holmes, director of bankruptcy research at Salomon Brothers. "And millions were made by people who caught it going back up. It was a fascinating example of incomplete news whipsawing stock prices."

Investors yesterday were not quite as optimistic, however, and Philip Morris slipped 50 cents, to \$73.25. Two other cigarette makers, RJR Nabisco was down 37.5 cents, to \$9, and American Brands fell 25 cents, to \$45.125.

Lawrence Adelman, a tobacco analyst at Dean Witter Reynolds, lamented the way that a complex legal decision can be squeezed into a short news headline, provoking confusion even where lengthy preparations had been made.

"We had explained to our traders and our retail operation that it could be a multilayered decision," he said. "... This was definitely one of the most complex decisions on a business-related issue that I've ever seen."

Companies with Matching Gift Programs

Many companies will match employee gifts to nonprofit organizations like GASP. Contact your corporate personnel office to find out if your gift qualifies, and for the appropriate forms. **This is a good way to double your contribution to GASP.** Here is a list of major Colorado and national companies that have matching gift programs.

3M	Continental Can	Koppers Co.	Rexnord Foundation
ADP	Continental Insurance	Kraft Foundation	Rockwell International
AMF	Cooper Industries	K-Mart	ROLM Co.
ARA Group, The	Cray Research Foundation	Landmark Publishing	Rosewood Co.
ARCO	Dain Bosworth	Laventhol & Horowath	SOHIO
AT&T	Dart Industries	Lear Siegler	Safeco Insurance Co.
Affiliated Bankshares	DeKalb	Lever Brothers	St. Paul Co.
Aircoa	Del Monte Co.	Lincoln National	Samsonite
Albertson's, Inc.	Deluxe Check Printers	Lutheran Medical Ctr	Sandoz, Inc.
Alco Standard Co.	Denver Foundation	Manufacturers Life Insurance	Santa Fe Industries
Allied-Signal Inc.	Denver National Bank	Marathon Oil	Security Pacific Foundation
AMAX Inc.	Denver Post, The	May Department Stores (May D&F)	Seven-Up
American Cable Vision	Digital Equipment Co.	Martin Marietta Co.	Shaklee Co.
American Express/IDS	Dow Chemical Co.	McDonald's Co.	Stanley Works, The
American Medical International, Inc.	EG & G, Inc.	McDonnell Douglas Co.	State Farm Insurance
American TV & Communications	Ensign-Bickford Foundation	McGraw Hill, Inc.	Stearns Catalytic World
Amoco Co.	Equitable Life Insurance	Merrill Lynch & Co.	Sun Company, Inc.
Ampex	Equitable Real Estate	Midcon Co.	Sunstrand
Anheuser Busch	Ernst & Young	Mile High United Way	Swift & Co.
Apache	Esmark	Mission Viejo Co.	Syntex Co.
Armco	Exxon	Mobil Oil Co.	TRW, Inc.
Atlantic Richfield	FMC Co.	Monsanto Co.	Taco Bell
Avon Products, Inc.	Fireman's Fund Insurance	Montgomery Ward	Tandy Co.
Ball Corporation	First Bank System	Mutual Benefit Life	Tektronix, Inc.
Bank America	Flour Co.	NCR Co.	Teledyne, Inc.
Beatrice Foods	Freeport-McMoran, Inc.	National Life of Vermont	Telex Computer System
Bell Communication Research	Frito Lay	Nationwide Insurance	Tenneco, Inc.
Best Products	Gannet Foundation	Newmont Mining Co.	Texaco, Inc.
BHP Petroleum	Gardner-Denver	North American Van Lines	Time Inc.
Borden, Inc.	Gary Energy Co.	Northwest Mutual Life	Times Mirror
Brunswick Co.	Gary Engineering	Norwest Bank & Co.	Total Petroleum (Vickers)
Budget Rent-A-Car	Gates Co.	PPG Industries	Transamerica Co.
Burlington Northern Inc.	General Chemical	Pella Rolscreen	Travelers Co.
Capital Life Insurance	General Electric	J.C. Penny	Trout Unlimited
Caterpillar Inc.	General Motors	PepsiCo	U S West
Central Bank of Denver	Great Northern Nekoosa	Petro Lewis Co.	Union Pacific Co.
Chase Manhattan Bank	Gulf Coast Oil World	Pfizer Inc.	Unisys Co.
Chemical Bank	Gulf Mineral Resources	Phillips Petroleum	United Artists
Chevron USA	Gulf & Western	Piper, Jaffray & Hopwood	United Cable
Chrysler Co.	HBO	Piton Foundation	United Parcel Service
Chubb & Son	Halliburton Co.	Pitney Bowes	United Technologies
CIGNA Co.	Harsco	Pittway Co.	University of Colorado
Citibank/Citicorp	Hewlett Packard Co.	Pizza Hut	University of Denver
Citizen's Bank	Honeywell, Inc.	Poloroid Co.	Urban Design Forum
Coca Cola	IBM	Price Waterhouse	Vickers Petroleum
Colonial Group	Internorth	Public Service of Colorado	Waste Management of Colorado
Colorado Ballet	James & Co.	Quaker Oats Co.	Westinghouse Electric
Colorado Philharmonic Orchestra	Johnson & Johnson	R.R. Donnelley & Sons	Wilson Sporting Goods
Colorado School of Mines	Johnson Controls	RJR Nabisco Foods	Williams Co., The
Community Technical Skills Ctr.	Kimberly Clark	Radio Shack	Winn-Marion
Connecticut Mutual Life Insurance	Kirkland & Ellis	Ralston Purina	Xerox Co.
	Knight-Ridder		Yarway

Boulder Employers List Tobacco as Leading Drug Problem Concern

A survey of 300 highly diverse Boulder County Businesses indicates that the use of tobacco is seen as a work-related problem by 43% of the respondents. The Boulder County United Way survey indicates that tobacco use problems superseded all other workplace drug problems even when combined. Health problems, single parent issues, and issues for those separated or divorced were the top three work-related problems. Tobacco use rated fourth overall.

GASP NEEDS

1. A bigger office. We need about 300 square feet in South Boulder, and in a smoke-free facility.
2. A fax machine.
3. A modem for a Macintosh.
4. A volunteer to do research at the Secretary of State's office in Denver.
5. Volunteers to do phone work for the restaurant guide.
6. Volunteers to help with administrative work in our office.

Ways to Clear the Air

There are many creative ways to make donations to GASP to insure our financial strength. You can include charitable gifts to GASP of Colorado in the form of:

- Specific property or securities — works of art, stamp or coin collections, real estate, or a portion of a business;
- A bequest in your will;
- A future percentage of your assets;
- The "residue" of your estate — property remaining after other bequests have been fulfilled;
- The remainder of your IRA, pension, or life insurance after you are gone;
- In-kind donations of office equipment, frequent flyer travel awards, etc.

Dick Duff is a member of the Colorado Bar and is well versed in how to arrange charitable transfers to the maximum advantage to the donor and to GASP. He is a member of GASP's Advisory Board and is very interested in GASP's future. Dick will answer your questions concerning gifts to GASP. His Denver number is 756-3599.

➤ **Dick will donate 25% of any compensation to GASP.**

LOVE TO dine out but hate having someone's cigarette smoke spoil your meal? Then you want a copy of the new, free Guide to Smoke-Free Dining in Colorado, listing more than 300 restaurants that are 100 percent smoke-free. The guide, in its seventh edition, is compiled and released by GASP of Colorado, Group to Alleviate Smoking Pollution, founded in 1977.

Peter Bialick, president and founder of the Colorado chapter, notes that the number of smoke-free restaurants in Colorado has tripled since GASP's last guide in 1989. The guide is divided into five regions — metro Denver with more than 160 restaurants, western, southern and northern Colorado, and listings for Lara-

mie and Cheyenne.

For your free copy, call GASP at 444-9799, or write GASP at 2885 Aurora Ave., No. 16, Boulder 80303. GASP is a nonprofit organization with 1,200 members who paid \$20 fees and some 6,000 nonmember supporters. Donations to cover postage will be appreciated.

The Nonsmokers' Voice Vol. 14 #1 p. 16

The Denver Post, Contemporary, June 28

The Nonsmokers' Voice

Membership and subscription information p. 3

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GASP OF COLORADO

Working to promote smoke-free air since 1977.
303-444-9799

Group to Alleviate Smoking Pollution
2885 Aurora Avenue #16C
Boulder, CO 80303-2251

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The Nonsmokers' Voice

Our 15th Year...GASP OF COLORADO: Group to Alleviate Smoking Pollution 303.444.9799

Smoky Air Endangers Waiters and Waitresses

*Report outlines high secondhand smoke exposure,
risk of lung cancer for restaurant workers*

For 14 years, Elizabeth Voigt has worked as a cocktail waitress and bartender in smoky cafes and bars. A few years ago, she began suffering migraines and allergy attacks, but shrugged them off. Then she collapsed one day at work and doctors told her she had a life-threatening heart condition. Voigt blames her illness on her constant exposure to secondhand smoke at work.

"I had smoke in my face all those years," says the 50-year-old Pacifica, California, resident. "This isn't like a few people smoking in your living room. This is hundreds of people smoking around you 160 hours a month."

A new study by UC Berkeley researcher Michael Siegel measures the effect of cigarette smoke on waiters and waitresses. The study reveals that waitresses have the highest mortality rate of any predominantly female occupation in California, most likely due to their exposure to secondhand smoke. Furthermore, the study found that waitresses die of lung cancer nearly four times more often than other women and twice as often of heart disease.

According to the study, wait persons have a significantly higher risk of lung cancer — from 50 to 90 percent higher after active smoking and socioeconomic conditions are factored out. The study also found that exposure to environmental tobacco smoke in restaurants is as much as five times higher than exposure in the typical workplace.

"This new study blows away one of the last remaining arguments at making restaurants smoke-free," said Stan Glantz, a cardiovascular researcher at University of California at San Francisco. "People have been thinking of restaurants as public places and not really thinking about the health aspects for workers," he said.

A spokesperson for the California Restaurant Association, which favors a smoking ban in all "enclosed places" said that, "Eventually the health issue will take precedence over what some people have called a rights issue."

Increasingly, restaurant workers have been filing damage claims for their exposure to smoke, among them Rosita Garcia, a 38-year old nonsmoker who lives in Daly City, California.

Garcia, who worked as a cocktail waitress for 11 years at San Francisco International Airport, is suffering from lung cancer and is on permanent disability. She is suing the Marriott Corporation for worker's compensation.

"Knowing my illness is terminal has changed my life," said Garcia in a poignant speech before San Francisco's supervisors. "All I can say now is if being exposed to passive smoke is not considered hazardous to one's health, then just take a second look at me. You might not see me again."

Continues on next page

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Circulation: 1,500. Editor: Pete Bialick

A California workers' compensation case settled last year marked the first workers' compensation decision based on heart disease induced by environmental tobacco smoke (ETS). Avtar Uhbi, a nonsmoker with no history and little risk of heart disease, suffered a heart attack after working for five years at a combination bar and restaurant. The California Worker's Compensation Fund agreed to pay a total of \$85,000 for Uhbi's medical bills in addition to a \$10,000 settlement. The restaurant chain he works at, Carl's Junior, implemented a statewide smoke-free policy shortly after the worker's compensation decision. Carl's Junior is a major fast-food restaurant chain in California.

Taken from the *Herald Examiner* and *The Nonsmoker's Voice* Vol. 13-1

Restaurant Guide Up-Date

Our *Guide to Smoke-Free Dining* has been a smashing success. We have distributed more than 35,000 copies in six months. We are hoping to be able to release a second release early in 1993. GASP spent more than \$20,000 printing and distributing the guide. We will need new sponsorships to be able to print and distribute a second printing.

News about the guide appeared in 35 newspapers, 17 newsletters, 5 magazines, and 3 computer bulletin boards. Fifteen different radio stations have announced the guide, as well as five different TV stations. News about the guide also appeared in a number of national newsletters and magazines.

GASP is currently developing a 30-second television spot to promote the guide and smoke-free dining. People Productions of Boulder will be creating the spot at cost by obtaining donated equipment and facilities from local merchants.

GASP will be adding 67 more smoke-free restaurants to the next guide. Due to space limitations, I am unable to include a listings update in this issue. However, GASP members may request one by calling me at 444-9799.

How Environmental Tobacco Smoke Effects Restaurant Employees

1. Restaurant employees' exposure to environmental tobacco smoke (ETS) is about 3 to 5 times highest than that of employees in a typical workplace.
2. Restaurant employees' exposure to environmental tobacco smoke (ETS) is about 8 to 20 times highest than individual domestic exposure.
3. The most heavily exposed restaurant workers inhale the benzo(a)pyrene equivalent of actively smoking 1 1/2 to 2 packs of cigarettes per day.
4. The genotoxicity of restaurant air is 10 to 100 times that of previously measured urban outdoor and indoor air.
5. The mutagenic potency of restaurant air is 5 to 10 times that of "high-risk" industrial workplace air.
6. Heavily exposed restaurant workers have levels of carcinogens in their blood that is 2 to 3 times higher than persons with typical ETS exposure, and have higher levels of mutagenicity in their urine.
7. Restaurant employees are therefore the occupational group most heavily exposed to ETS and most likely to suffer adverse health effects due to ETS exposure.

1992 research by Michael Siegel (Univ. of California at Berkeley)

Need Help?

Call GASP, Group to Alleviate Smoking Pollution.
444-9799

Ideas for GASP members

- Copy this article or box and pass it on to restaurant owners, waiters, and waitresses. Also, send a copy to your local newspaper. I have not seen any Colorado newspapers report on this important study.

NON SEQUITUR

Wiley



GASP News

New Membership Benefits Announced

GASP members currently receive this newsletter, smoke-free restaurant up-dates, and special action alerts.

New benefits for dues-paying members go into effect January 1.

- A 20% discount on GASP's list of more than 50 educational materials.
- You may borrow any anti-smoking video tape in our library for one week. There is no charge for the rental, but there is a small mailing fee. The list of tapes available is on page 7.
- A self-adhesive four-color "Welcome to Our Smoke-Free Home" sign for your door.

GASP is 15 Years Old

GASP of Colorado is celebrating its fifteenth year. We have 1,500 dues-paying members, and a network of 7,500 other supporters in Colorado. GASP has been instrumental in winning the passage of 35 local laws which restrict smoking in enclosed public places, restaurants, and worksites. It has increased the public's awareness of the dangers of secondhand smoke. GASP of Colorado is one of the top statewide organizations in the U.S. that specializes in promoting smoke-free air.

It all started in the summer of 1977 when I was visiting some friends in Oakland, California. I picked up the newsletter of California GASP in a health food store. When I became more aware of the dangers of secondhand smoke, I knew I had to do something about it. I felt it was unfair that the public should be exposed to secondhand smoke against their will. I also experience physical problems when exposed to secondhand smoke. On November 23, 1977, I launched Greeley GASP with my own money. The group had about thirty members by the end of the year. Our main focus that year was to get campus policies on smoking at the University of Northern Colorado changed and enforced.

Membership Dues Go Up January 1

GASP's Board of Directors approved raising annual dues to \$25. Current minimum dues start at \$20. The Board also approved a plan to deposit \$5 of each membership contribution into the counter-advertising campaign account. The purpose of the program is to use advertising to educate the public on the dangers of tobacco, and to promote smoke-free air. It helps counter the \$3.5 billion the tobacco industry spends annually glamorizing and promoting smoking.

In the last three years, GASP has worked toward upgrading the quality and professionalism of our materials. Our newsletter looks nicer, our brochure is nicer, and our *Guide to Smoke-Free Dining* is probably one of the best directories of its kind ever produced.

The costs of running GASP continue to go up. In 1993 we will have to purchase a fax machine, purchase new software, get voice messaging, increase our office size, and hire part-time help. This will be our first membership increase in four years.

New Brochure Available

GASP has a new brochure explaining our goals, membership benefits, and dues. The brochure also has information on the dangers of environmental tobacco smoke.

You can help recruit new members by giving the brochure to a friend that you feel might be interested in joining GASP. Membership dues are GASP's primary source of revenue.

We can provide brochure holders to place these brochures in offices, libraries, stores, community centers, health clubs, etc.

Call us at 444-9799 if you would like some new GASP brochures.

Counteradvertising Report

GASP's latest counter-advertising newspaper ads promote smoke-free dining, while at the same time contain information on the impact of smoking around children. We are currently working on a TV spot for our restaurant guide. We will be developing a new round of print ads on the danger of smoking around children. We will also be developing print ads making the public more aware of some of the toxic chemicals in cigarette smoke. GASP members and supporters who would like to cosponsor print ads should call me at 444-9799.

GASP's Board discussed making counteradvertising a year-round activity starting in 1993. To contribute toward the 1993 campaign, send your tax-deductible contribution to the GASP Ad Fund, 2885 Aurora Ave #16, Boulder, CO 80303.

JOIN GASP and together we will all breathe easier

- ☐ Yes, I support GASP's efforts to eliminate tobacco smoke from the air we breathe. Here is my contribution of ☐\$25 ☐\$35 ☐\$50 ☐\$100 _____
Other amount.

*Annual membership dues for GASP start at \$25.

- ☐ I am not a joiner, but I would like to contribute \$_____ to support your efforts.

Name _____
Address _____
City-State-Zip _____
Phone _____

Mail and make checks payable to:
GASP OF COLORADO
2885 Aurora Ave. #16
Boulder CO 80303

GASP Asks Medical Group to Snuff Out Office Smoking

The new office of the Colorado Medical Society (CMS) is an impressive and beautiful office. However, the office area reeks of cigarette smoke. CMS shares the office with COPIC (Colorado Physician Insurance Co.), which allows employees to smoke, and which jeopardizes the health of all who work or visit the office.

The American Medical Association and the Colorado Medical Society have taken strong positions supporting smoke-free policies. It seems inconsistent to allow smoking in this facility. GASP has asked CMS and COPIC to take steps to change the policy.

Cherry Creek Mall Goes Smoke-Free

The new luxurious Cherry Creek Mall in Denver is now 100% smoke-free. The Mall is the largest indoor mall in the city of Denver. The new policy covers all indoor areas, but does not cover some of the restaurants that have separate entrances. The only other smoke-free mall in Colorado is Boulder's Crossroads Mall.

In the past year, GASP member Barb McClune has been complaining to the mall management about smoking in restrooms, and other areas of the Mall. The management began to look at its smoking policy. GASP Vice-President Dr. Frank Judson (Director of Denver Public Health) has been helping them by providing information and support. According to a Mall spokesperson, the new policy has not hurt business.

The Hyland Hills Park and Recreational District Board passed a policy making all their recreational facilities smoke-free. However, the policy does not apply to the restaurant/bar at the golf course. GASP member Bruce Vezina of Westminster helped pursue the policy.

The Denver County Jail will be tobacco-free as of January 1, 1992, thanks to the efforts of Dr. Frank Judson. A growing number of jails are becoming smoke-free to protect the health of its employees. The Arapahoe County Detention Center, the Boulder County jail, and the Weld County jail are other smoke-free jails in Colorado. The National Institute of Corrections is keeping a growing binder of smoke-free policies in jails and prisons.

The city hall and most other city offices and facilities in Colorado Springs became smoke-free September 9. A memo from City Manager Richard Zickefoose said the ban was a result of numerous complaints from employees who were concerned about breathing coworkers secondhand smoke.

Airports in the U.S. Where Smoking Is Prohibited by Law or Regulation

Albuquerque, Denver (99%), Flagstaff, Houston, O'Hare in Chicago, New York State airports, Philadelphia, Phoenix, Pittsburgh (95%), Phoenix, Sacramento, San Francisco, and John Wayne International in Anaheim.

Laws or regulations prohibit smoking in a number of foreign airports in Australia, Canada, and in Singapore.

Contact GASP of Colorado for airport updates and corrections.

New Positive Signs Promoting Smoke-Free Air

GASP has begun distributing free stickers which welcome people to smoke-free environments in homes, stores, restaurants, and other businesses. The four-color self-adhesive signs are 3 1/2 by 5 inches and say "Welcome to Our Smoke-Free Home" (or store, restaurant, business). They picture a mountain scene with an evergreen tree.

The new signs are a departure from the standard "no-smoking" message. They enable businesses and individuals to convey the smoke-free message in a polite and positive way. We think etiquette columnists would approve the new positive wording. GASP wants to distribute the signs all over Colorado. Please note that certain local ordinances require that traditional "no-smoking" signs continue to be posted as well.

To order the new signs for your home, business, store, or restaurant, call GASP at (303) 444-9799 or write us at 2885 Aurora Avenue #16, Boulder, CO 80303.

GASP welcomes contributions to help defray printing and mailing costs of the signs. All contributions to GASP are tax-deductible.



Restaurant Association Just Says "No" to Philip Morris

Philip Morris recently approached the Colorado Restaurant Association about helping promote the company's "accommodation" program. This program, and program symbol, is nothing more than a blatant attempt by the tobacco companies to slow down efforts toward making restaurants smoke-free, and to promote smoking. The program symbol does more to promote smoking than to promote non-smoking areas. "Tolerance of indoor smoking was the central theme of the campaign," according to an article in the summer 1992 issue of the *Journal of Health Politics, Policy and Law*.

The article says that the accommodation program attempts to turn the issue of nonsmokers' rights into one of smokers' rights. By using the Chinese symbol for harmony and coexistence, the tobacco industry implies that the international "No smoking" symbol and local ordinances controlling smoking are contentious and divisive. Philip Morris is using a recognized symbol to mobilize support for the concept that smoking indoors should be tolerated under the auspices of "accommodation." It implies that nonsmokers would not be "accommodating" if they objected to someone smoking indoors. Of course, Philip Morris does not say how the

campaign would help protect nonsmokers who have to work in restaurants.

The "accommodation" program was first tested in Pittsburgh. It failed largely because of the counter-campaign by a group called Smoke-Free Pennsylvania. Director Bill Godshall organized a brilliant campaign that included boycotts of restaurants displaying the accommodation symbol campaign. Most Pittsburgh restaurants stopped promoting the program. One restaurant owner said, "The last thing we wanted to do was to promote smoking."

The only people accommodated if smoking is allowed in public places is the tobacco industry. These tactics are designed to slow down the move to protect the health of the public and those who work in public places.

GASP sent the association information about the campaign provided by Godshall and Professor Stan Glantz. We also gave them the latest information on the

danger of secondhand smoke to wait persons (see front page). We believe the liability issue was the key issue of concern to the association. We congratulate the Colorado Restaurant Association on their decision to turn down the tobacco industry.

SMOKERS AND
NON-SMOKERS
WELCOME



SMOKERS AND
NON-SMOKERS
WELCOME

Airport Action Alert

The tobacco industry is mounting a massive phone and writing campaign to urge city council members to "accommodate" smokers in the new airport. The industry has mailed out action alerts that include stamped envelopes addressed to the city council. The only people accommodated if smoking is allowed in the airport is the tobacco industry. If the city council really wants to accommodate smokers, they should help them quit smoking. After all, 90% of all smokers would like to quit smoking according to a recent survey by the American Lung Association.

Your letter or call urging the city council to keep the new airport smoke-free is important.

Keep your letter positive, courteous, and calm. Use personal experiences. Write about how much better Stapleton is now that it is almost 100% smoke-free (smoking is only allowed in three bars). If you recently traveled, mention how much better the airport is compared to other airports you have visited. Mention how secondhand smoke affects you.

Mention that you are looking forward to the grand opening of the new 100% smoke-free Denver International Airport. Mention that the airport should be kept 100% smoke-free because E.P.A. classifies environmental tobacco smoke as a Class A carcinogen.

There is growing scientific evidence indicating that working in a smoke-filled workplace is an occupational hazard. GASP is concerned about the health of employees who will have to work or maintain the proposed "smoking dens" some city councilmembers wish to build.

If smoking is allowed, it should be limited to fully enclosed, double-doored, separately ventilated areas that are paid for by the tobacco industry, and not the taxpayer.

**Write: Denver City Council, 1437 Bannock St, Room 451, Denver CO 80202
To leave a message to all councilmembers, call 640-3012**

Copy this alert and pass it on to a friend.

8,000 Airport Action Alerts Mailed

GASP mailed out more than 8,000 action alerts to encourage the Denver City Council to keep the airport smoke-free.

Will An Airport Smoking Ban Affect Tourism?

There is no factual evidence that a smoke-free airport would hurt tourism. Tobacco industry supporters said the same thing in Aspen when it passed its law prohibiting smoking in all public places in 1986. An independent study conducted by the Aspen Resort Association after the ordinance was passed found that business improved after the ordinance went into effect. Tobacco industry supporters say the same thing everywhere with little factual basis. Research conducted on the sales tax revenues in communities that have strict smoking bans indicate that such bans do not affect businesses.

Many U.S. airports like San Francisco and New York are smoke-free by regulation or law (see p. 4 list). More airlines from all over the world are becoming smoke-free. Tourists except the fact that there are unique customs and laws wherever they travel. If smoking lounges are being built just to accommodate tourists, then one should build other types of lounges to accommodate other foreign customs.

California's Cigarette Tax Program Impresses Six Coloradoans

A Good Weapon Against the Tobacco Industry

Six Coloradoans attended a three-day conference celebrating California's third year under Proposition 99, a dedicated 25¢ cigarette tax. More than 800 people attended this conference, making it one of the largest U.S. tobacco conferences ever. There were more than 60 breakout sessions at this conference, with as many as 10 taking place at the same time. These sessions covered the topics of politics, new alliances, media, working models, and youth.

"The conference stressed that real action against the tobacco industry's impact is possible. By using funds raised by a tobacco tax, communities and organizations can design specific programs to meet individuals needs. California has learned that the tobacco industry has unlimited funds to spend fighting anti-tobacco actions and they will spend them, even in the smallest community. The tobacco industry never quits. Advocates must be prepared to continue to fight even after local legislation is passed. The best weapon against tobacco money is a grassroots movements that involves all segments of the community," Pat Hood, Boulder Health Dept.

In 1993, Prop. 99 cigarette taxes will bring in more than \$500 million. \$75 million (20% of the tax) will go into the tobacco education account. Last year, the state issued more than 250 grants to numerous groups to carry out tobacco prevention and cessation programs. The program employs more than 550 people in tobacco prevention activities in California. There are more than 100 special health department units leading local tobacco prevention efforts. Minority communities are active, and one comes away impressed with the tobacco prevention activities being carried out by them.

Smoking prevalence in California has declined 17% over three years, according to research funded by the tax. California's tobacco education activities have reached a majority of schools, discouraged kids from starting to smoke, increased smoke-free policies, reached minority communities, and helped people quit smoking.

In 1993, Prop. 99 will also generate \$179 million for hospital services, \$51 million for physician services for the medically needy, \$25 for research, \$25 for public resources (wildlife restoration, parks, recreation), and \$128 million unallocated.

What Works Best?

Conference speaker David Wallach said it is difficult to "unsell" a product like tobacco. If a room is dark, more darkness doesn't help you change the darkness. The solution is to turn on the light. One way to "unsell" smoking, is to sell a new positive smoke-free behavior. However, there are many different and effective ways to promote smoke-free air, educate the public, and reduce tobacco consumption. This is a war, and the best way to win a war is to attack the enemy with many different weapons and from many different sides. Conference speaker Michael Eriksen (Director of the Office on Smoking and Health) said successful tobacco prevention programs attack the tobacco problem on multiple fronts.

Does It Affect Smoke-Free Policies?

I recently asked Kevin Goebel if Prop. 99 has had an impact on the passage of more smoking restrictions. Kevin is the director of legislative programs for American For Nonsmokers' Rights in California. He said that half of the 45 new local ordinances passed since 1989, would not have passed if Prop 99 had not been around. He said that Prop 99 has significantly increased public awareness on the dangers of secondhand smoke. The increased education helps bring together new allies and coalitions to work together on the local legislation.

Video Documentary Now Available

The Prop 99 tobacco prevention program is so massive it is mind boggling. On my second trip out to California, I took my camcorder and shot four hours of video tape at the "Revolt Against Tobacco" conference in Los Angeles. My goal was to capture a little bit of the Prop 99 experience on tape so that others can see for themselves.

With the help of People Productions in Boulder, I have edited my tape and created a 25-minute video titled "California's Revolt Against Tobacco."

The video features a number of speakers, interviews, breakout sessions, and shots of some of the wealth of tobacco education materials and programs from the conference's exhibit hall. The video includes music and a voice over.

Speakers include: Molly Coye, Director California Dept. of Health Services; Jane Brechwald, Multi-Agency Tobacco Program, Santa Barbara; Michael Eriksen, Office on Smoking & Health; Jim Miller, Aide to California State Senator Diane Watson; Professor Stan Glantz, UC Berkeley; Colleen Stevens, California Media Unit; Tim Mara, Livingston & Keye Advertising Agency; Lawrence Wallace, UC Berkeley School of Public Health, and Lela Falkers, Health Promotion Section.

Interviews include: Kevin Goebel, Americans for Nonsmokers' Rights, and Philip A. Palmer, African American Network.

You can obtain a copy of the tape for \$20 from People Productions, 3405 Penrose #106, Boulder CO 80301, phone 303-449-6086. GASP members can also borrow the tape at no charge under our new loan program described on page 7.

"You can measure the effectiveness of your tobacco prevention programs by the response it provokes from the tobacco industry"

Michael Daube, World Conference on Smoking and Health

Massachusetts Cigarette Tax Passes

Massachusetts voters passed a cigarette tax increase of 25¢. Twenty percent of the funds is slated for tobacco education. The tobacco lobby spent more than \$7 million trying to defeat the measure. The pro-health forces spent \$500,000. Similar measures in Oregon, Nebraska, and Arkansas never made it to the ballot due to the tobacco industry's efforts to keep them off the ballot. In 1990, the tobacco industry spent more than \$600,000 keeping Colorado's cigarette tax efforts off the ballot. The tobacco industry spent nearly \$1 million keeping the tax off Arkansas's ballot, and more than \$220,000 to keep it off the Nebraska ballot.

Colorado Needs A Dedicated Cigarette Tax

Colorado needs a cigarette tax that earmarks a portion of the tax toward tobacco education and prevention. The tobacco industry spends \$3.5 billion each year glamorizing and promoting smoking through advertising. The industry spends millions more lobbying, promoting smokers' rights, giving contributions to legislators, etc. These funds come from the profits of selling a deadly product. The tobacco industry does not need to raise money to fight pro-health advocates; they just pick up the phone. A dedicated cigarette tax is needed to effectively counter the tobacco industry in Colorado.

GASP to Work on Getting a Cigarette Tax on the Ballot

GASP is joining forces with the Coalition for a Tobacco-Free Colorado to work toward helping get a dedicated cigarette tax on the ballot in 1994. GASP members who would to become more involved in the effort should call me at 444-9799.

TOBACCO LOBBYISTS IN COLORADO

R.J. Reynolds

Wallace Stealey, Pat Stealey, Michelle Stealey, William Fox Jr. (state smokers' rights coordinator)

The Tobacco Institute

Frank Hays, Frank Hays Jr., James Wilson, Sam Bowman, Randy Morris, Thomas Hoog, Philip Morris

Buben Valdez, Pam Oldham Inman, Maria Garcia Berry, Mary Cramer, Jerry Paston, Kathryn Works, Rick Reiter (state smokers' rights coordinator)

Colorado Association of Tobacco and Candy

Mary Thurber

Smokeless Tobacco

James Christiansen

* Highest paid and key lobbyists underlined.

Smokers' Rights Groups

Fred Collier, American Smokers Alliance, Bellvue

Steve Cronan, People for Smokers Rights, Denver

Lisa Kelly, Boulder

Sandy Sander, Coloradans for Smokers' Rights

Colorado Springs

Grand Junction

Pueblo

* Please call GASP at 444-9799 to report any discrepancies in this listing.

Seven Great Tapes You Can Borrow From GASP

C1 California's Revolt Against Tobacco

Camcorder video of the Oct. '92 Revolt Against Tobacco conference celebrating the first three years of California's dedicated cigarette tax, Proposition 99. It features a number of speakers, interviews, break out sessions, plus many exhibit hall shots. 25 minutes.

C2 Confessions of a Simple Surgeon

Angered by the devastating toll smoking has on people (including his own patients), Australian surgeon Arthur Chesterfield Evans turns urban guerrilla as he battles the tobacco industry. A motivating film. 21 minutes.

D1 Death In The West

The story of six cowboys, all Marlboro man prototypes, that are dying of diseases their doctors link to smoking. One of the most shocking documentaries on smoking and the tobacco industry. A must see. 30 minutes.

F1 The Feminine Mistake

Takes a realistic look at what happens to women who smoke and finds several compelling reasons to stop smoking. 24 minutes.

L1 Let's Clear the Air At Work

Designed to help corporate executives create smoke-free environments for their employees. Introduces the issue of smoking in the workplace, the advantages, and explains how to develop effective smoking policies at work. 15 minutes.

L2 Lobbying for Lives

Reviews the successful strategies and tactics used in Canada to obtain a national cigarette tax increase, and national legislation eliminating smoking in public places. Superbly done. 30 minutes.

S1 Secondhand Smoke

This film combines humor with scientifically accurate facts to make a convincing case for a smoke-free environment. Great for kids. 20 minutes.

Video Borrowing Rules

1. This service is only available to dues-paying members of GASP.
2. You may borrow one video at a time.
3. There is a \$2.50 charge per video to cover postage costs. There is no charge if the tape is picked up from our office.
4. You may keep the tape up to seven days from the day you receive it. Return the tape after seven days.
5. You may use any mail service you like.
6. Use a protective bubble pack to return it. Insure it for \$100. You may use any mail service you like.
7. Each tape is loaned on a first come first serve basis. Tapes are not be available for specific dates.
8. There is no charge for borrowing the tape for one week. The late fee is \$5 per week. All fees and charges cover administrative and postal costs.

GASP Video Order Form

I wish to borrow the following video tape from GASP:

☐ C1 ☐ C2 ☐ D1 ☐ F1 ☐ L1 ☐ L2 ☐ S1

I enclose \$2.50 to cover postage costs. I have read GASP's borrowing rules and agree to abide by them.

Signature _____

Name _____

Address _____

City/St/Zip _____

Phone _____

Mail to: GASP, 2885 Aurora Ave, #16, Boulder, CO 80303.

GASP NEEDS

1. A bigger office. We need about 300 square feet in South Boulder, and in a smoke-free facility. We can pay a rental fee.
2. A fax machine.
3. A modem for a Macintosh.
4. Volunteers to help with administrative work in our office.

To help, call GASP at 444-9799.

Ways to Clear the Air

There are many creative ways to make donations to GASP to insure our financial strength. You can include charitable gifts to GASP of Colorado in the form of:

- Specific property or securities — works of art, stamp or coin collections, real estate, or a portion of a business;
- A bequest in your will;
- A future percentage of your assets;
- The "residue" of your estate — property remaining after other bequests have been fulfilled;
- The remainder of your IRA, pension, or life insurance after you are gone;
- In-kind donations of office equipment, frequent flyer travel awards, etc.

Dick Duff is a member of the Colorado Bar and is well versed in how to arrange charitable transfers to the maximum advantage to the donor and to GASP. He is a member of GASP's Advisory Board and is very interested in GASP's future. Dick will answer your questions concerning gifts to GASP. His Denver number is 756-3599.

— Dick will donate 25% of any compensation to GASP.

HOW TO DOUBLE YOUR CONTRIBUTION TO GASP

Many companies match employee contributions to nonprofit organizations like GASP. Many companies also will match contributions of retired employees or Board members. Please contact your corporate personnel office to check and see if they will match your contribution to GASP. You may need to fill out some type of form. This is a good way to double your contribution to GASP.

GASP Receives Legacy

GASP wishes to thank Mr. Peter Kissel for remembering us in his will. His generous gift to GASP will help us continue to work toward eliminating tobacco smoke from the air we breathe.

BOARD MEMBERS NEEDED

GASP of Colorado is accepting applications for Board Directors. Board members serve in an advisory capacity and play a role in the decision making process. The Board meets in the evening in Denver every six weeks. Applicants must be dues-paying members of GASP. Applicants are encouraged to attend Board meetings before applying. Our Board meetings are open to all GASP members. Call Pete Bialick at 444-9799 for an application.

The Nonsmokers' Voice

Membership and subscription information p. 3

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GASP of Colorado

GROUP TO ALLEVIATE SMOKING POLLUTION

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Boulder, Colorado 80303

(303) 444-9799



ADDRESS CORRECTION REQUESTED

The Nonsmokers' Voice

Our 15th Year GASP OF COLORADO: Group to Alleviate Smoking Pollution 303-444-9799

EPA DECLARES TOBACCO SMOKE A GROUP "A" CARCINOGEN

The Environmental Protection Agency (EPA) officially declared "passive smoking" a Group A carcinogen. Group A carcinogens are the most dangerous of all cancer-causing agents, including asbestos, radon, and arsenic.

Since the report came out, GASP has been receiving more calls from people concerned about environmental tobacco smoke. More businesses and restaurants are implementing smoke-free policies because they are concerned about being sued by employees (see "Restaurant News" and our story on the Americans With Disabilities Act). The conclusions of the EPA report appears on page 9. **Copy it and send it to your elected officials, the managers of smoke-filled bars and restaurants, etc.**

"Let's put the risk of environmental tobacco smoke (ETS) into perspective. Asbestos kills 15 people each year according to the EPA. Secondhand smoke kills 53,000 people each year, according to the American Heart Association. This means that secondhand smoke kills 3,553 times as many people as asbestos does. If we remove asbestos from public places, malls and schools, then we should eliminate ETS — a much deadlier substance — from all public places."

Pete Bialick, President of GASP of Colorado

Continues on the right

Cigarette Tax Efforts Underway

GASP of Colorado is teaming up with other pro-health groups to put on the ballot an initiative to increase Colorado's cigarette tax by an additional 50¢. Colorado's current cigarette tax is only 20¢ — one of the lower ones in the U.S. A coalition of groups has been formed under the name *Fair Share for Health Committee*.

GASP estimates that the tobacco industry will spend between \$5 and \$6 million to try to defeat the measure. In 1992, they spent \$10 million in Massachusetts and \$25 million in California in 1988. If the pro-health forces can get their message out, we can beat the tobacco industry. **But first, we have to get the tax on the ballot.**

(Continues on page 2)

The EPA considers only eight other carcinogens as Group A carcinogens. OSHA (the Occupational Safety and Health Administration) does not allow employers to expose employees to any of these other Group A carcinogens. OSHA should take action to prevent workplace exposure to the deadliest of all Group A carcinogens, secondhand smoke. The tobacco industry is lobbying OSHA to propose weak guidelines that would preempt local agencies from adopting tougher restrictions. OSHA is expected to make a decision before the end of the year. Health advocates should write OSHA to encourage it to implement tough rules that are not preemptive.

 **Write:**

The Honorable Robert Reich, Secretary of Labor
Frances Perkins Bldg Room S2018
200 Constitution Ave NW
Washington DC 20210

Tobacco Industry Attempts to Discredit Report

The tobacco industry is trying to discredit the EPA report by disputing the technical, scientific methods used. An excellent paper discussing the industry's tactics and how to respond to them is available from the Advocacy Institute. Ask for a copy of its March 31 paper on the EPA report.

 **Write:** Advocacy Institute, 1730 Rhode Island Ave NW,

Washington, DC 20036. Their phone number is 202-659-8475.

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SPECIAL ACTION ISSUE

Circulation this issue: 10,000

Sent to our network of supporters. See back page.

JOIN GASP, SEE PAGE 3.

THE FAIR SHARE CIGARETTE TAX

The tax would raise more than \$100 million in annual revenues and would be allocated as follows:

- 25% to fund health care for children and pregnant women who are unable to pay for it.
- 25% to fund health care for other needy people who are unable to pay for it.
- 25% to fund school and community programs to reduce or prevent tobacco use.
- 5% to fund research for tobacco-related illness, and cessation and prevention strategies.
- 5% to fund health-related economic development.
- 1% to fund the administration of an eleven-member commission that will allocate the funds.
- 14% to be allocated by the Legislature to any of the above purposes.

The initiative is set up to prevent the tobacco industry or state legislators from tampering with tobacco tax funds for prevention and education. In California, the tobacco industry has been relentless in trying to influence the Legislature to gut prevention funds.

President's Challenge to Our Members *One Completed Petition Per Member*

I would like to ask each able-bodied GASP member to help complete at least one petition. Each petition will require up to 48 signatures. You can obtain 40 to 50 signatures in about **one hour** in front of a supermarket. This task should be completed in a period of two weeks to four weeks. Petitions should be returned in person or by mail to Fair Share headquarters as soon as they are completed.

Fair Share for Health needs office volunteers. It also needs team captains to co-ordinate petition circulating with four or five other people in your area.

You must be registered to vote in Colorado to circulate petitions (if you are not, please go register). *Fair Share for Health* expects to start circulating petitions in June. To

qualify for the 1994 election ballot, 50,000 valid signatures must be collected. Use the coupon below to volunteer your help.

Contributions Needed

Initiatives take much time to organize. GASP has pledged to help with a contribution, but IRS regulations place a limit on nonprofit political contributions. However, we will contribute some money and in-kind support. You can help by making an individual contribution to the campaign. Please note that political contributions to this campaign are not tax-deductible, and that *Fair Share For Health* is a separate organization from GASP. Organizers need to raise about \$100,000 to run the petition coordinating phase and another \$500,000 to be able to beat the tobacco industry.

Pitch in now with your contribution.

Annual Meeting to Focus on Cigarette Tax Efforts

Candace Pierce-Lavin, the coordinator of the successful Massachusetts cigarette tax campaign will be GASP's special guest at our annual meeting. The

meeting will take place this Fall. GASP members will receive further information and a notice about the meeting later this year.

WE NEED A CIGARETTE TAX IN COLORADO TO:

- ☛ Counter the tobacco industry.
- ☛ Reduce smoking and keep kids from ever starting to smoke.
- ☛ Promote smoke-free policies.
- ☛ Reduce our economic burden from tobacco.

How does a cigarette tax reduce smoking?
Why do we need one in Colorado?

☛ See page 7.

YES, WE CAN BEAT THE TOBACCO INDUSTRY IN 1994 !

☐ I want to help reduce smoking in Colorado with a cigarette-tax increase. Here is my contribution of: \$ ☐ \$25 ☐ \$50 ☐ \$75 ☐ \$100 ☐ \$250 ☐ \$500 ☐ Other amount.

I want to volunteer to help with the petition drive.

☐ Count me in. I will be happy to circulate ____ (number) cigarette-tax petitions. Let me know where I can pick one up. (If there is no office near you, the petition will be mailed to you.)

☐ I would like to volunteer to help with office work. Call me.

☐ I would like to be a team coordinator in my area, coordinating ____ (number) people.

Name _____

Address _____

City/Zip _____

Phone (work) _____ (home) _____

Counteradvertising Campaign Focuses on Toxic Chemicals in Tobacco Smoke

"GASP of Colorado is starting a new counteradvertising campaign to battle the \$3.5 billion spent annually on tobacco advertising. "Leave it to the tobacco industry to call inhaling 43 known carcinogens 'refreshing,' the counterad states in huge block letters, followed by a list of the chemicals in tobacco smoke. Included in this list are items found in rat poison, jet engine and rocket fuel, lighter fluid, paint stripper and a gas found in auto exhaust. And some people wonder why we advocate no smoking at society events."

* Glory Weisberg, in her March 18 society column for *The Villager*

Newspapers.

GASP of Colorado kicked off its 1993 counteradvertising campaign to combat the tobacco industry's massive \$3.9 billion annual efforts (1991 figures) to glamorize and promote smoking. This year's campaign is designed to make the public more aware of the toxic and carcinogenic chemicals in tobacco smoke. GASP wants the public to know that when you breathe tobacco smoke, you breathe the same chemicals that are in bug sprays, rat poison, car batteries, rocket fuel, and paint strippers.

GASP's board of directors has voted to spend a portion of the 1993 counteradvertising budget on print ads in publications that are read by public-policy makers. GASP kicked off its 1993 campaign with a full-page ad in the March 12 issue of *The*

Colorado Statesman, a statewide newspaper (circulation 8,000) that specializes in reporting on state politics. A series of six ads ran in the *Capitol Reporter* — a publication (circulation 7,000) that also reports on state legislation. Another series of ads will be running in *Colorado Municipalities* (circulation 4,800) — a magazine published by the Colorado Municipal League and distributed to municipal and county government officials.

The idea for the "Leave It" ad (see p. 4) comes from an ad created by an advertising firm that develops advertisements for the California cigarette tax. The idea for the list of toxic chemicals comes from Ron Davis, of the Michigan Dept. of Health, and from data in the U.S. Surgeon General's report of 1989. Mark Mitchell, of Mitchell Advertising in Boulder, helped augment the wording for the ad.

GASP's counteradvertising campaign is solely funded by tax-deductible contributions from the public. GASP of Colorado cannot match the tobacco industry dollar for dollar, but we are armed with the truth.

This year, \$5 from all new and renewing GASP memberships goes into the ad fund. To make a special contribution to the ad fund, see page 4 or mail and make your check out to:

GASP Ad Fund
2885 Aurora Ave #16
Boulder CO 80303-2251.

• Please Note: The ad fund and the membership fund (general fund) are two different funds. Contributions to the ad fund are not part of your membership fee.

GASP's Fast-Food Campaign

With the increased evidence that secondhand smoke is especially dangerous to children, restaurants that are popular with kids should become smoke-free. Chuck E Cheese became smoke-free because kids were getting burned by cigarettes when running around the facility. McDonald's and Wendy's are starting to implement smoke-free policies in a number of their restaurants. **GASP urges members to write or call the major fast-food chains in Colorado to urge them to go smoke-free.** Point out the danger of secondhand smoke to children, the public, and employees. Point out that it is not too much to ask smokers to refrain from smoking for less than one hour.

Where to Write or Call

McDonald's
Ronald Lessnan
5251 DTC Pkwy #300
Greenwood Village CO 80111
779-0444

Taco Bell
Jim Martin
17901 Von Karman
Irvine CA 92714
1-800-822-6235

Burger King Corporation
Barry Gibbons
Box 520783 GMS
Miami FL 33152
1-800-937-1800

Wendy's
Eric Colah
6250 Leetsdale Dr #110
Denver CO 80222
393-0670 (local number)
1-800-443-7266 (Nat. headquarters)

Dairy Queen
Mr. Pavelka
Regional Office
3605 132nd Ave SE
Bellevue WA 98006
1-800-453-2369

JOIN GASP and together we will all breathe easier

☐ Yes, I support GASP's efforts to eliminate tobacco smoke from the air we breathe. Here is my contribution of ☐ \$25 ☐ \$35 ☐ \$50 ☐ \$100 _____ Other amount.

• Annual membership dues for GASP start at \$25.

☐ I am not a joiner, but I would like to contribute \$_____ to support your efforts.

Name _____
Address _____
City-State-Zip _____ Phone _____

Mail and make checks payable to:
GASP OF COLORADO
2885 Aurora Avenue #16
Boulder CO 80303

LEAVE IT TO THE TOBACCO INDUSTRY TO CALL INHALING FORTY-THREE KNOWN CARCINOGENS “REFRESHING.”

SOME “REFRESHING” CHEMICALS IN TOBACCO SMOKE

Nicotine: an active ingredient in many bug sprays.

Cyanide: the deadly ingredient in rat poison.

Formaldehyde: the foul-smelling preservative found in dead laboratory frogs.

Ammonia: a poisonous gas, and a powerful cleaning agent
used to clean floors and toilets.

Arsenic: a potent ant poison.

Methanol: jet engine and rocket fuel.

Cadmium: found in car batteries.

Butane: a flammable chemical in lighter fluid.

Acetone: a poisonous solvent and a paint stripper.

Toluene: a poisonous industrial solvent.

Polonium-210: a highly radioactive element.

Carbon Monoxide: an extremely poisonous gas found in auto exhaust.

Benzene: the poisonous toxin that, in trace amounts,
forced the global *Perrier* water recall.

Sources: U.S. Dept. of Health & Human Services, U.S. Surgeon General Report 1989,
Environmental Protection Agency, the American Lung Assn., and GASP educational papers.

**Do your part to help GASP
counter the tobacco industry.**

Mail your contribution today!

Here is my **tax-deductible** contribution of: ☐\$15
☐\$25 ☐\$50 ☐\$75 ☐\$100 ____ Other amount.

Name _____

Address _____

City-State-Zip _____

Phone _____

Mail and make checks payable to:

GASP Ad Fund

2885 Aurora Avenue #16
Boulder CO 80303-2251

GASP'S COUNTERADVERTISING CAMPAIGN

GASP of Colorado's advertising campaign works to counter the tobacco industry's massive \$3.9 billion annual efforts to glamorize and promote smoking. GASP is currently the only pro-health organization in Colorado, and one of the few in the nation, which uses advertising to better educate the public about the life-threatening dangers of tobacco smoke.

While GASP of Colorado cannot match the tobacco industry dollar for dollar, we are armed with the truth and with the facts. **You can make a difference by making a tax-deductible contribution to GASP.** Our ads have already reached more than a million Coloradans on radio, TV, and in newspapers.

☛ Give us a call at (303) 444-9799 for a free brochure about GASP, the Group to Alleviate Smoking Pollution.

Preemption Bill Goes Down in Flames

Pre•emp•tion \pre-'em(p)-shen\ *n.* **1:** a provision in state (or federal) law that eliminates or weakens the power of local (or state and local) governments to regulate laws on smoking or tobacco use. May “preempt” existing and/or future legislation; **2:** a well-financed relief measure for the tobacco industry designed to overturn local laws by preempting them; **3:** syn: see **TROUBLE**.

GASP helped defeat House Bill 1163, a preemption bill in the state legislature that would have weakened current and future laws regulating public smoking in Colorado. **Preemption bills prevent local communities from enacting tougher standards, and guts those laws that already exist.** The industry uses preemption to weaken and hold back laws governing smoking in public places, vending machines and youth access laws, and liability lawsuits of tobacco victims.

HB 1163 would have set Colorado back ten years. It would have undone the smoking regulations that have been worked on by local governments, individuals, and pro-health groups. These regulations are designed to protect the public from a Class A carcinogen that is 3,533 times deadlier than asbestos.

The bill would have allowed employers to designate the smoking and nonsmoking areas of employees. Employees would have been at the mercy of employers (smoking areas could be unventilated and located anywhere). The bill applied to all places of work and therefore would have affected the public’s exposure to environmental tobacco smoke. It would permit employers to allow employees to smoke in grocery stores, retail stores, convenience stores, gas stations, etc.

A number of ordinances in Colorado prohibit anyone from smoking at the cash registers and service lines in gas stations, convenience stores, and other retail stores. HB 1163 would have allowed employers to change this policy and allow employees to smoke in these places.

It would also have affected future regulations on smoking in the 240 communities and 60 counties in Colorado that do not have any local laws regulating smoking.

House Bill 1163 would have weakened smoking regulations in 35 Colorado communities:

Arapahoe County, Arvada, Aspen, Aurora, Boulder, Boulder County, Broomfield, Cañon City, Carbondale, Colorado Springs, Denver, Douglas County, Englewood, Fort Collins, Glenwood Springs, Grand Junction, Greeley, Greenwood Village, Jefferson County, Lakewood, Littleton, Longmont, Louisville, Loveland, Parker, Pueblo, Snowmass, Telluride, Thornton, Trinidad, Vail, Weld County, Westminster, and Wheat Ridge.

Local Smoking Limitations Passed by the Voters

Each time comprehensive smoking restrictions have been placed on local ballots in Colorado, they have passed favorably.

City	Date of Election	For	%	Against	%
Fort Collins	Nov. 4, 1984	21,075	63.7%	12,012	36.3%
Colorado Springs	Aug. 4, 1985	21,460	66.8%	10,642	33.2%
Longmont	Nov. 5, 1985	3,681	69.9%	1,589	30.1%
Westminster	Nov. 5, 1985	2,160	72.5%	821	27.5%
Colorado Springs	April 7, 1987	21,108	66.0%	10,873	34.0%
Littleton	Nov. 3, 1987	2,601	70.3%	1,096	29.7%
Telluride	April 7, 1988	325	56.5%	250	43.5%
Glenwood Springs	Aug. 9, 1988	725	61.8%	448	38.2%

The tobacco industry will probably try preemption tactics like these again. Rep. Tom Ratterree has stated that he plans to reintroduce the same bill without the word “smoking” in it. Such a bill would just be a wolf in sheep’s clothing, and has the same effect as HB 1163.

The People of Colorado Speak: “We want stronger regulations on public smoking, not weaker ones.”

The bill swept through at lightning speed and passed Ratterree’s House Affairs committee by a 9 to 2 vote. Philip Morris was the main backer of the bill, according to a reliable source at the State Capitol. Thirteen of the bill’s cosponsors (out of 20) received campaign contributions from tobacco companies in the 1990 election. One week before the bill was heard, Philip Morris took out a full-page ad in the *Colorado Statesman* — a paper that is distributed to legislators and policy makers. The ad promoted the many products Philip Morris represents through its subsidiaries, and how important these products are to the Colorado economy. (The ad did not mention how tobacco use costs Coloradans \$700 million a year in health care, lost wages, and other expenses.) House Bill 1163 was kept so secret that even the Colorado Municipal League did not know about it. GASP discovered the bill two days before it was to be heard in committee.

GASP alerted other groups and the media. GASP also sent nearly 1,000 action alerts to GASP members (by first class mail). As always, our alerts emphasize the importance of being polite and calm when contacting elected officials “Avoid personal attacks on politicians; attack the industry,” said our alert. Our educational article “*How to Write and Contact Elected Officials*” is being reprinted on page 13.

GASP News

We're Growing

GASP is growing thanks to the generous support of our members and the public. Our office space is larger, new office furniture has been added, and GASP has hired a part-time office assistant. We now use a voice-messaging service and have purchased a fax machine. Our bookkeeping is done by computer. Ironically, our membership base of 1,500 members in Colorado is staying fixed. Our general public support is growing as more people contact us for information and assistance.

New People Added to Support Committee

GASP's support committee consists of prominent groups and individuals who support our efforts and who agree to be listed on our letterhead. Here are our new members:

Jerald Johnson is a state lobbyist who works for the American Cancer Society. Jerald runs a firm called Colorado Legislative Services, one the largest lobbying firms in the state. The company also represents the Browning-Ferris Industries, the Colorado Bankers Association, the Colorado Compensation Insurance Authority, the Colorado Oil & Gas Association, the Denver Metropolitan Major League Baseball Stadium District, Douglas County Commissioners, and a number of other clients. When GASP of Colorado started as a group in Greeley in 1977, Jerald was working as an Assistant to the President at the University of Northern Colorado.

Peg O'Keefe is one of the vice-presidents of the Colorado Hospital Association. Peg has been a member of GASP for a number of years, and has worked on helping promote smoke-free policies in hospitals.

Madelyn Parker is a program co-ordinator for the American Cancer Society. She specializes in prevention and detection programs. Since the EPA came out with the new report, Madelyn has been working on helping companies adopt smoke-free policies.

Other Support Committee members include: Mary De Groot of the Denver City Council, H. David Hunt of Communications World International, Governor Dick Lamm, Mrs. Paul Messinger, Lea Ann Purvis of the American Lung Association, Marilyn Van Derbur-Atler, and society editor Glory Weisberg.

New Signs Are Very Popular

GASP is distributing free signs that welcome people to smoke-free environments in homes, businesses, restaurants, stores, schools, cars, or any indoor place. The five-color self-adhesive signs are popular — we have received requests for more than 5,000 in the past four months.

The new signs depart from the standard "no-smoking" message. They enable businesses and individuals to convey the smoke-free message in a polite and positive way. GASP members who have not received the signs may order by filling out the form below. Contributions to help with mailing costs are welcome.

✎ Please check which signs you would like and the quantity. Then cut this coupon out and mail it to GASP.

- ☐ Welcome to Our Smoke-Free Home _____ Quantity
- ☐ Welcome to Our Smoke-Free Business _____ Quantity
- ☐ Welcome to Our Smoke-Free Environment _____ Quantity
- ☐ Welcome to Our Smoke-Free Store _____ Quantity

Name _____
Address _____
City/Zip _____

Mail to GASP of Colorado
2885 Aurora #16, Boulder CO 80303.

GASP Advisor Wins Major Suit

GASP Advisory Board member Macon Cowles recently won a major settlement against ASARCO industries for the environmental damage caused to the property of residents in the Globeville area. Cowles helped GASP file a successful lawsuit against the management of Boulder's Crossroads Mall. GASP settled the case out of court, with the company agreeing to eliminate smoking in the entire mall. GASP congratulates Cowles on his continued work fighting environmental polluters.

Denver Smoke-Free Ordinance

GASP is working with the Denver Public Health Department to introduce an improved ordinance regulating smoking. GASP's Board of Directors has reviewed and endorsed the 1993 proposed ordinance for the City and County of Denver. In essence, it is almost the same as the model ordinance we developed in 1990, but with various wording improvements. The Colorado Restaurant Association and fifteen other agencies endorsed the model ordinance. It brings Denver up to speed with other communities in the metro area and increases the public's protection from environmental tobacco smoke.

Last November the voters in Flagstaff, Arizona, approved an ordinance making all restaurants smoke-free. The Oakland (CA) City Council has passed an ordinance phasing in a smoke-free restaurant ordinance by the year 1994. GASP would like to see the Denver City Council consider a similar proposal as a form of protecting waiters and waitresses from exposure to secondhand smoke.

The revised ordinance would:

- Prohibit smoking in the public areas of all retail stores and businesses open to the public.
- Prohibit smoking in service lines and checkout counters.
- Give every employee the right to a smoke-free work area upon request. Previously, employees had to get 50% of the full-time employees to sign a petition before an employer would have to take action. Certain common areas would be smoke-free. Restaurants would have to try to accommodate their nonsmoking employees by allowing them to work in the nonsmoking area of the restaurant.
- Require restaurants seating more than 25 people to have a nonsmoking area which is contiguous. The host or hostess will have to ask persons for their preference of smoking or nonsmoking. Waiting areas will have to be smoke-free.
- Make all indoor public areas (including airports, arenas, malls) smoke-free.
- Make the seating area in all outdoor stadiums smoke-free.

GASP will be mailing out action alerts to members and supporters who live in Denver as soon as public hearings are announced. GASP members will receive them by first class mail. (Another membership benefit). Otherwise bulk mail will be used.

Please call or write your Denver City Councilmember to express your support for improving the current ordinance. Ask them to consider making all restaurants smoke-free. Be polite and calm. Denver Elections (640-2351) can provide you with the phone and address of your city councilmember. Two

Please return this form and make checks payable to:

Fair Share For Health
Box 6615
Denver CO 80206

How Does a Cigarette Tax Reduce Smoking?

Smoking prevalence has decreased 23.6% since 1988 in California. Researchers have found that the money spent on education and prevention of tobacco is making a significant impact on helping decrease smoking prevalence in California. Researchers all over the world have also found that a cigarette tax helps reduce smoking among young people, because they tend to be more price-sensitive. California's cigarette tax helps:

- fund tobacco education and prevention in schools.
- fund programs to discourage kids from starting to smoke.

- fund programs promoting smoke-free policies in communities, businesses, and restaurants.
- reduce the economic burden nonsmokers pay for tobacco-caused illness.
- promote programs educating minorities about the dangers of tobacco.
- fund counteradvertising campaigns on the dangers of tobacco in all media.
- fund research on secondhand smoke, on the tobacco-industry contributions to elected officials, on why young people start smoking, etc.

[The scientific report on how smoky air endangers waiters and waitresses (reported in our last newsletter) was funded by cigarette-tax funds.]

Why Do We Need a Cigarette Tax in Colorado?

A recent report on youth smoking in California indicates that one of the two major barriers to preventing adolescent smoking is the impact advertising has on consumption. The report, funded by the tobacco tax, indicates that health-education classes on

tobacco use are unable to counter the effect of tobacco advertising.

Tobacco advertising is full of images calculated to appeal to young people, such as cartoons characters and athletic men and women "enjoying" smoking. Revenues from the Fair Share tax will help counter the tobacco industry's efforts by funding programs to reduce and prevent young people from smoking.

The tobacco industry spends **\$53 million each year in Colorado** promoting and glamorizing smoking through advertising (based on \$15.38 spent on each person according to 1991 national figures). GASP estimates that the tobacco industry also spends another \$7 to \$10 million annually in Colorado on lobbying, promoting smokers' rights, sponsoring events and sports, etc.

Free Documentary About California Cigarette-Tax Program Now Available to GASP Members

As a special donation to the cigarette-tax effort, GASP is loaning out, free of charge, copies of Pete Bialick's 25-minute mini-documentary about California's cigarette tax. The VHS film, titled "California's Revolt From Tobacco," gives you an inside glimpse of the incredible diversity of tobacco-prevention activities and programs that are funded by California's cigarette tax. The film was taken during an October 1992 California conference to celebrate the third year of the campaign. The video features numerous prominent speakers, interviews, highlights of some of the group sessions, and exhibit-hall shots of the sea of tobacco prevention materials and programs developed with cigarette-tax funds.

"I really enjoyed the tape. I think it will be of great value to others to see for themselves what is going on in California," says Dr. Carl Bartecchi, a leader of the 1988 cigarette-tax effort in Colorado.

GASP members may borrow the tape for seven to ten days. You can pick

Environmental Tobacco Smoke and the American With Disabilities Act

by Richard A. Daynard

The new EPA report, Respiratory Health Effects of Passive Smoking: Lung Cancer and Other Disorders, has transformed the way Americans think about environmental tobacco smoke (ETS). The “controversy” over whether ETS causes fatal diseases such as lung cancer, or causes and exacerbates potentially debilitating conditions such as asthma, is now over. It is likely that, along with 1600 Pennsylvania Avenue, millions of other American homes, workplaces, and places of public accommodation have voluntarily gone smoke-free in the past month.

Unfortunately, some people will not change their behavior or their policies simply out of concern for the health of their families, their employees, or their customers. They will respond only to positive legal authority, to binding legal rules, and perhaps only to the realistic threat of sanctions.

Fortunately, such legal authority exists. As former EPA Administrator William Reilly stated when he released the report, the legal sanctions which are already available for use by private attorneys are sufficiently powerful that most of the laggards and resisters among employers and owners of places of public accommodation can probably be brought into line without the adoption of new regulations or legislation. (Resistant family members may have to be dealt with through other approaches.)

Perhaps the simplest and most powerful tool for creating smoke-free indoor environments is the Americans with Disabilities Act (the “ADA”). Passed in 1990, the ADA took effect last year. It provides that neither employers nor owners of places of public accommodation can discriminate against individuals with disabilities. “Employers” include all those employing 25 or more people (dropping to 15 or more after July 1994). “Places of public accommodation” include establishments serving food or drink; places of lodging, recreation, exhibition, entertainment, or public gathering; sales, rental, or service establishments (including shopping centers); educational establishments (from nursery to postgraduate schools); and social service centers (from day care to senior citizen). Similar nondiscrimination rules apply to government-provided services, programs, and activities.

“Discrimination” is also broadly defined. In the case of an employer, “discrimination” includes “not making reasonable accommodations to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless [it] can demonstrate that the accommodation would impose an undue hardship on the business.” (Sec. 102(b)(5)(A).) “The term ‘undue hardship’ means an action requiring significant difficulty or expense” (sec. 101(10)). In the case of places of public accommodation, “discrimination” includes “a failure to make reasonable modifications in policies, practices, or procedures, when such modifications are necessary to afford such goods, services, [etc.] to individuals with disabilities, unless the entity can demonstrate that making such modifications would fundamentally alter the nature of such goods, services, [etc.]” (sec. 302(b)(2)(A)(ii)).

Clearly, banning smoking would neither constitute an “undue hardship” to an employer nor change the nature of the goods or services offered by a place of public accommodation. Thus, if ETS prevents an otherwise qualified disabled individual from taking or retaining a job, or from entering or making full use of a place of public accommodation, a violation of the ADA has occurred.

“Disability” includes “a physical ... impairment that substantially limits one or more of the major life activities of such individual” (sec. 3(2)(A)). “Physical impairments” include conditions which affect the respiratory or cardiovascular systems; “major life activities” include breathing and working (29 CFR sec. 1630.2).

Thus, asthmatics who have difficulty breathing in a smoky environment (even if the difficulty can be alleviated with the aid of medication) are protected from discrimination; so are individuals with other respiratory problems, or with cardiovascular conditions, who have been (or should have been) advised by their doctors not to work in smoky environments.

The number of disabled individuals involved is staggering. The EPA estimates that “2 to 5 million children under age 18 are afflicted with asthma.” ETS affects 20% of them to some degree, and significantly aggravates the symptoms in 10% of the cases. Thus, between 200,000 and one million asthmatic children have their condition worsened by exposure to ETS; any place of public accommodation open to children which permits smoking thereby effectively excludes these disabled individuals.

While the EPA report includes calculations only for children, asthma affects large numbers of adults as well. The 10%-20% of them who are adversely affected by ETS constitute a large group of adult Americans who are being excluded from a huge number of jobs and places of public accommodation where ETS is present. Additionally, millions of adults suffer from cardiovascular disease and other respiratory diseases (such as emphysema), and therefore are — or should be — medically advised to avoid ETS exposure. There is simply no practical way for employers and managers of public accommodations to avoid discriminating against one or more (indeed, many) of these disabled individuals while permitting smoking.

Contrary to the impression reportedly held by some federal employees responsible for administering the Act, the Americans with Disabilities Act contains no provisions preventing individuals whose disabilities require smoke-free environments from using the Act to protect themselves. Indeed, the only provision that refers to smoking, sec. 501(b), provides that “nothing in this Act shall be construed to preclude the prohibition of, or the imposition of restrictions on, smoking...”. In other words, Congress was at pains to ensure that the ADA never be interpreted to protect the “right” of an addicted smoker to inflict ETS on nonsmokers.

Continues on page 8

The ADA not only requires that afflicted nonsmokers be accommodated at work and in public places, it also prohibits retaliation, interference, coercion, or intimidation against anyone who asserts their rights under the Act. (Sec. 503). Thus, a smoking supervisor who harasses or demotes a nonsmoker for complaining about ETS has violated the ADA, even if the nonsmoker is eventually unsuccessful in proving a disability.

Nonsmokers who have been subjected to discrimination or retaliation in the workplace on the basis of disability have the same legal remedies as employees or would-be employees who are subjected to racial or gender discrimination. Thus, complaints are first filed with either the federal Equal Employment Opportunities Commission (EEOC), or with state anti-discrimination agencies. If the agency fails to act, the employee's attorney can take the employer to court. Either way, the court or agency can award the employee back pay, as well as ordering the employer to make the workplace smoke-free. The Act provides that the court or agency may award the prevailing party attorneys' fees and other litigation expenses. (Sec. 505).

The procedure is similar for disabled nonsmokers who are being excluded from places of public accommodation because of ETS. They begin by filing a complaint with their state anti-discrimination agency. If the agency does not act within 30 days (or if their state has no such agency), they can sue the proprietors for injunctions against their discriminatory behavior and, again, can recover attorneys' fees if they prevail.

Reprinted from *Tobacco On Trial* in Boston (617) 437-2026

Implications for People With Respiratory Illnesses Affected by Secondhand Smoke

People who have respiratory conditions that limit their use of public facilities could file complaints against any facility that allows smoking. This could include shopping malls, stadiums, grocery stores, retail stores, etc. A lawsuit has been filed against three major restaurants by three mothers of children with asthma. The article is on page 5.



"Respiratory Health Effects of Passive Smoking" Major Conclusions From the 1993 EPA Report

Based on the weight of the available scientific evidence, EPA has concluded that the widespread exposure to environmental tobacco smoke in the U.S. presents a serious and substantial public health risk.

In adults:

- ETS is a human lung carcinogen, responsible for approximately 3,000 lung cancer deaths annually in U.S. nonsmokers. ETS has been classified as a Group A carcinogen under EPA's carcinogen assessment guidelines. This classification is reserved for those compounds or mixtures which have been shown to cause cancer in humans, based on studies in human populations.

In children:

- ETS exposure increases the risk of lower respiratory tract infections such as bronchitis and pneumonia. EPA estimates that between 150,000 and 300,000 of these cases annually in infants and young children up to 18 months of age are attributable to exposure to ETS. Of these, between 7,500 and 15,000 will result in hospitalization.

- ETS exposure increases the prevalence of fluid in the middle ear, a sign of chronic middle ear disease.

- ETS exposure in children irritates the upper respiratory tract and is associated with a small but significant reduction in lung function.

- ETS exposure increases the frequency of episodes and severity of symptoms in asthmatic children. The report estimates that 200,000 to 1,000,000 asthmatic children have their condition worsened by exposure to environmental tobacco smoke.

- ETS exposure is a risk factor for new cases of asthma in children who have not previously displayed symptoms.

A complete four-page summary of the EPA report is available through the EPA's office in Denver. Call 294-1120 to request a copy.

A limited number of copies of the complete report can be obtained free of charge from:

Center for Environmental Research Information (CERI)
26 W. Martin Luther King Drive
Cincinnati OH 45268
513-569-7562 (Phone), 513-569-7566 (Fax)

Restaurant News

GASP Obtains National Restaurant Association Memo

GASP of Colorado has obtained a copy of a National Restaurant Association memo on the subject of smoking in restaurants. The memo was sent to association members on February 12, 1993. The letter discussed the ramifications of the EPA's recent report on secondhand smoke. The memo says:

- The National Restaurant Association's counsel warns that foodservice employers could be held responsible for workers' compensation claims by nonsmoking employees who develop lung cancer or other ailments that have been attributed to exposure to environmental tobacco smoke.

- According to a January 1993 study by the National Restaurant Association, 56 percent of adults said they would be more likely to go to a restaurant which bans smoking than to one which permits smoking.

- The National Restaurant Association's counsel feels that it is unlikely that foodservice operators would be found liable for suits filed by people who develop diseases attributable to exposure to secondhand smoke. Its counsel feels that it would be difficult to prove the illness was caused by the occasional exposure to secondhand smoke.

☛ Note: The memo was written before a recent lawsuit against three major chains by the mothers of three asthmatic children (See article on the right).

GASP's TV Spot Promotes Smoke-Free Dining

GASP has developed a 30-second public service spot for television to promote the guide and smoke-free dining. The spot begins in the midst of a dimly lit restaurant. A couple is smoking and creating a cloud of smoke. The narrator comes on and says in an ominous undertone, "Are you tired of dining in a cloud of smoke?" The scene switches to a brightly lit smoke-free restaurant. A couple sits in front of a window, looking out onto the view of mountains. You see the couple enjoying a meal that has been freshly served. Upbeat classical music starts in and the narrator says, "Then get GASP's *Guide to Smoke-Free Dining* and discover more than 400 restaurants and cafes all over Colorado that are completely smoke-free." The camera then shows the guide and GASP's phone number. The narrator then says, "Call 303-444-9799 now and we will send you the *Guide to Smoke-Free Dining* absolutely free. Get the guide...and enjoy dining out again." Channel 4 weatherman Glen Gerberg did the voice-over for the spot. We will be releasing the spot to all major television stations in Colorado once a new guide is printed.

GASP would like to thank John Steinle, Alexa Kasper, Cindy Strange, Shari Bernson (a Denver actress), and Rusty McCoy (a Boulder Realtor) for volunteering their talents in appearing in the spot. Pour La France donated food, and the Boulder Concept store donated props. The Guild Theatre and Synergen donated space for filming. Crosspoint Productions, Anthony Cooper, and Helen Hoffman also assisted in the production. The spot was produced and written by Marya Read and Jeff Hansell. Andrew Newberg was the cinematographer. Brad Gilbert, owner of People Productions, generously donated equipment and facilities.

Lawsuit Seeks to Bar Smoking in Major Restaurant Chains

Three mothers of children with asthma have filed lawsuits in a Federal District Court in Hartford, Connecticut, to ban smoking in the nation's top three fast-food restaurant chains. They are arguing that the smoke in the restaurants' air violates their children's civil rights under the Federal Americans With Disabilities Act.

The suits say that the chains of McDonald's, Burger King, and Wendy's are barring access to people with respiratory problems by allowing smoking in their public areas.

Robert Farr, the attorney who filed the suit, said, "You can get into virtually all these restaurants with a wheelchair; you can get served if you are blind; you can go there if you are deaf; but if you've got a breathing disorder, you've got a problem."

Under the Americans With Disabilities Act, if a person can establish that he has a disability — in this case a severe reaction caused by tobacco smoke — the law mandates that businesses and government agencies make "reasonable accommodation" to allow use and access by that person. (See GASP's special article on the ADA on page 8 and 9).

From the *New York Times*, April 3, 1993

GASP's Smoke-Free Restaurant Project

GASP is currently developing a brochure to encourage more Colorado restaurants to become smoke-free. The brochure, titled "**Twenty-five Reasons to Make Your Restaurant Smoke-Free**," will be mailed to all 6,700 restaurants in Colorado. It will also be mailed to all GASP members and to the media.

New Restaurant Guide Postponed

GASP has been so swamped with work, we have not had the time to raise money to print an updated restaurant guide. Last year, it took me about three months to raise the funds to print the guide. GASP is currently trying to hire someone to co-ordinate the fund-raising effort and hopes to have a new guide out by the end of the year. GASP continues to get weekly requests for the guide. We distributed 35,000 copies in six months last year. Most of the remaining 1,000 copies are gone now.

There are more than 135 new smoke-free restaurants to be added to the guide. Since the EPA declared secondhand smoke a Group A carcinogen, an increasing number of restaurants are becoming smoke-free. **Please call us when you discover a new smoke-free restaurant.** Our latest update appears on page 11.

If you would like to be a sponsor or underwriter for the new restaurant guide or the "Twenty-five Reasons" brochure, call us now. All underwriters and sponsors receive space in return for their support.

SMOKE-FREE DINING IN COLORADO UP-DATE

135 new listings to add to GASP's *Guide to Smoke-Free Dining in Colorado*.

METRO AREA

ARVADA

Beau Jo's	7805 Wadsworth	420-8376
Chuck E Cheese	9301 Ralston Rd	425-5925
Country Buffet	5220 Wadsworth Byp.	425-9945
Penguin's Harvest Expr.	7310 W 52nd Ave	431-7958
Pizza Hut	8797 Wadsworth	422-7262

AURORA

Chuck E Cheese	12293 E Iliff Ave	696-6262
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BOULDER

Abo's Pizza	Crossroads Mall	444-9732
All American Food	Crossroads Mall	440-7544
Arby's	Crossroads Mall	786-8750
Bennett's Pit Bar-B-Que	Crossroads Mall	440-7544
Bookend Cafe	1115 Pearl	440-6699
Cafe Antica Roma	1302 Pearl	442-0378
Celestial Seasonings	4600 Sleepytime Dr	581-1201
Chinese Combo King	Crossroads Mall	440-0900
Falafel Man	Crossroads Mall	442-2888
Golden Pheasant Cafe	Crossroads Mall	440-4464
Juan's Burrito	3320 Arapahoe	786-8484
Just From Scratch	4800 Baseline #109	494-3635
Market Grill	1265 Alpine Ave	440-9511
Pasta Fresca	1664 30th St	443-3631
Peaberry Coffee	2721 Arapahoe Ave	449-4111
Pizza Hut Express	Crossroads Mall	440-3379
Pour La France	1001 Pearl St	449-3929
Q's Restaurant	2115 13th St	442-4880
Round the Corner	619 S Broadway	499-1475
Sbarro	Crossroads Mall	442-0220
Shish Kabob	Crossroads Mall	443-8844
Taco Bell	Crossroads Mall	444-4925
Weebee's Hero's	Crossroads Mall	440-7044

DENVER

Art Museum Cafe	100 W 14th Ave	640-1446
Beau Jo's	2700 S Colorado	758-1519
Bluepoint	92 S Pennsylvania	744-3621
Cafe Arabica	2200 Kearney	333-2401
Common Grounds Coffee	3484 W 32nd	458-5248
Gaylord's Deli	1028 S Gaylord St	744-9481
Maria's Bakery & Deli	3705 Choshone St	477-3372
Marine's	1560 Broadway	894-8308
Merritt House	941 E 17th Ave	861-5230
Mediterranean Hlth Cafe	2817 E 3rd Ave	399-2940
Mountain Tower Cafe	4100 E Mississippi	758-4858
Mrs. Fields	Cherry Crk Shp Ctr	388-7024
New Vietnam	128 S Colorado	756-2310
Nick-N-Willy's	250 Steele	333-2442
Paradise Bakery & Cafe	1001 16th Ave #130A	436-1192
Peaberry Coffee	1685 S Colorado	756-4111
Peaberry Coffee	3031 E 2nd Ave	322-4111
Pinehurst Country Club (private)	6255 W Quincy	985-1551
Pizza Calore	1512 Larimer #12R	366-8673
Ranelle's	1313 E 6th Ave	831-1992
Sinnabon	Cherry Crk Shp Ctr	399-9858
Steak Escape	Cherry Crk Shp Ctr	333-0540
Taco Express	3434 E 12th Ave	333-6222
Vietnamna	1600 California #7	534-6909

ENGLEWOOD

Chuck E Cheese	1001 W Hampden	761-8636
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EVERGREEN

Columbine Eurpoean	6830 Hwy 73	670-3651
Lizabeth's Continental	28186 Hwy 74	670-0710
Village Inn	2912 Hwy 74	674-1073

LAKEWOOD

Dragon Palace	6400 W 20th Ave	237-1386
Frontroom Pizza	13795 W Jewell Ave	969-8880
Lakewood Country Club (private)	6800 W 10th	233-4614
Taco Bell	1505 S Kipling	969-0624
Piccolino	3355 S Wadsworth	980-0717

LITTLETON

Country Buffet	8100 W Crestline	933-9931
Hometown Buffet	8242 S University	220-0612
Peaberry Coffee	5070 E Arapahoe Rd	388-4111

LOUISVILLE

Garden Terrace Cafe	Avista Hospital	673-1000
Karen's in the Country	1900 Plaza Dr	666-8503

PARKER

Ten Charring Cross	10841 S Parker Rd	840-8630
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WESTMINSTER

Country Buffet	8685 Sheridan Blvd	428-6578
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WESTERN COLORADO

ASPEN

Little Nell Hotel	675 E Durant	920-6330
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BAILEY

Crow's Foot	60629 Hwy 285	838-5298
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BRECKENRIDGE

Cafe Alpine	106 E Adams Ave	453-8218
City Market Deli	400 N Park Ave	453-0818
Healthy Alternative	411 S Main St	453-7467
Main Street Bistro	216 S Main St	453-0514
Pasta Jay's	326 S Main St	453-5800
Quizno's	100 N Main #214	453-6111
Rudolph's German Bakery	161 Adams Ave	453-4926
Subway	411 S Main St	453-6822

DILLON

Arapahoe Cafe	626 Lake Dillon Dr	468-0873
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DURANGO

Bar D Chuckwagon Suppers		247-5753
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ESTES PARK

Penelope's	229 W Elkhorn Ave	586-2277
Trail Ridge Restaurant	Trail Ridge Road	586-3515

FRISCO

Blue Spruce Inn	120 Main	668-5900
Butterhorn Bakery & Deli	408 Main	668-3997

GLENWOOD SPRINGS

Italian Underground	715 Grand Ave	945-6422
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LAKE CITY

The Crystal Lodge	2 Mi. S. of Lake City	944-2201
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LEADVILLE

Calloway's	700 Harrison Ave	486-1418
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LYONS

Peaceful Valley Lodge	Star Route, Hwy 72	440-9632
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NEDERLAND

Bob's Bakery	229 E Hwy 119	258-7346
Chalet Suisse	24 Big Spring Dr	258-0123

OHIO

Gold Creek Inn	Box HH	641-2086
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OURAY

Bon Ton at St. Elmo's	426 Main St	325-4951
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STEAMBOAT SPRINGS

Canton Chinese	720 Lincoln Ave	879-4480
L'Apogee	911 Lincoln Ave	879-1919
Nic-N-Willies	1104 Lincoln Ave #D	879-5864
The Shack	740 Lincoln Ave	879-9975
Taco Bell	Central Park Plaza	879-7618

VAIL

KB Ranch Company	Lion Square Lodge	476-2281
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WESTCLIFFE

Shining Mountain Cafe	212 Main St	783-9143
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WINTERPARK

Dining Room at Sunspot	677 Winter Park Dr	726-5514
Fonenet's Cajun Cafe	78711 US Hwy 40	726-4021

SOUTHERN COLORADO

COLORADO SPRINGS

Chuck E Cheese	5156 N Academy	598-5991
Dairy Queen Brazier	2131 W Colorado	475-7431
Date Bar	24 E Kiowa	578-5693
Hometown Buffet	3650 Austin Bluffs Pkwy	590-1111

CRESTONE

Dessert Sage	Baca Townhouse	256-4402
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GUFFEY

Delphiniums Cafe	1245 Cañon St	689-7766
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MESA VERDE NATIONAL PARK

Far View Lodge	Metate Dining Room	529-4421
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NORTHERN COLORADO

FORT COLLINS

Big Time Pizza	100 E Locust	495-0100
Brenda's Bar-B-Que	159 W Mountain	482-8823
Cafe Bluebird	524 W Laurel	484-7755
Chuck E Cheese	105 W Prospect Rd	221-2121
Fort Collins Salad Co.	116 E Foothills	223-6363
Hardee's	421 Cowen St	484-9139
Jefferson Station	200 Jefferson	493-4348
Kentucky Fried Chicken	2140 W Elizabeth	484-5036
Little Caesar's Pizza	2110 W Elizabeth	223-8421
McDonald's	1250 W Elizabeth	221-4578
McDonald's	2401 S College	482-1612
McDonald's	4525 S College	225-1717
Nates Steak & Seafood	3620 S Mason St	223-9200
Pulcinella Ristorante	2100 W Drake Rd	221-1444
Saigon 17	146 N College	484-7255
Sox & Cubs Pizza & Subs	6314 S College	223-2661
Wendy's	3710 S College	223-4399
Wendy's	1405 W Elizabeth	484-7131
Wendy's	719 S Lemay	493-3041
Wendy's	132 W Mountain	221-0345

GREELEY

Greeley Salad Company	2140 35th Ave	330-2766
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LONGMONT

Loaf & Ladle	1134 Francis	776-7575
Wild Hare	831 Main St	776-1360

LOVELAND

The Parsonage	405 E 5th St	962-9700
Wendy's	1519 W Eisenhower	663-3830

EASTERN COLORADO

LIMON

Dairy Queen	290 E Main	775-2400
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➤ Excuse us for the small type. This is the only way we could get 135 restaurants on one page!

DELETE FROM THE GUIDE

The Boulder Dinner Theater (p. 9), Dozens (p. 16), and Taco Bell on Sheridan (p. 24) are not 100% smoke-free. Gone out of business: Bohemia (p. 8), Iron's Cafe (p. 12), Sizzling Sandwich Express (p.13), Southern Exposure (p 13), Sub Shop (p.13), Today's Gourmet Cafe (p. 19), Shelby's (p27), Tamaki's (p.28), Vienna Cafe (p.30), Carnitas (p.33), and Novak's (p. 36).

CORRECTIONS

The telephone number for Rocky Mountain Joe's (p.8) should be 442-3969. Le Francais (p12) address should be 2570 Baseline. Mongolian Barbeque (p. 13) is now Young's Place. Sandwich Chef (p. 18) is now Mint Cafe.

ADDRESS CHANGES

The Subway in Lakewood on W Colfax (p.24) is now at 10790 W Colfax. Nature Storehouse (p.26) in Aspen is now at 106 S Mill St #202. The Subway on Bijou St in Colorado Springs (p. 34) is now at 131 N Tejon St. Papa Gyo's in Manitou (p. 35) is now at 301 Manitou Ave.

SMOKE-FREE DANCING & ENTERTAINMENT

Aurora's Arthur Murray Dance Studio, 222 S Havana, (337-2311): first and third Saturday of each month. Denver's Let's Dance Ballroom, 4101 E Evans Ave, (758-2622): fourth Friday of each month.

The Comedy Works, 1126 15th, Denver (595-3637), has smoke-free nights on Wednesdays.

National Media and Other News

GASP of Colorado and the restaurant guide were mentioned in an October 1992 article in *Restaurants USA*, a magazine published by the National Restaurant Association. It is distributed to 260,000 people in the restaurant industry. GASP was recently interviewed about the issue of smoking in restaurants by *Restaurants & Institutions*, a national magazine that reaches 160,000 people.

Our special report on how smoky air endangers waiters and waitresses was used by a number of other groups. Miami GASP and Canberra ASH in Australia are two of them.

Continues on page 12.

Tobacco Industry Scorched By Preemption Bill

(Continued from page 12)

The opposition to the bill was so fierce, it took the tobacco industry and many legislators by surprise. According to a secretary who answers the phones for House Representatives, calls about HB 1163 were running 9 to 1 against it. *The Gazette Telegraph* reported that some legislators were receiving 200 to 300 calls per day opposing the bill. Our sources at the Capitol indicate that if a vote had been taken by the full House, the measure would have died 55 to 10. This would have been a big embarrassment for the tobacco industry. The bill was eventually sent back to Ratterree's own committee, where it was killed by a 9 to 2 vote. Even Ratterree voted against his own bill in the end.

The Colorado Municipal League opposed the bill because it would have taken away home-rule powers through the preemption language. A number of Colorado cities with no-smoking ordinances lobbied against the bill, including Denver, Boulder, Littleton, Fort Collins, Lakewood, and others. Rep. Rob Hernandez was the only person in the Denver delegation that would not support the city's objection to the bill, according to a Denver councilmember. When the bill died in committee, Rep. Don Armstrong of Aurora and Mike Salaz of Trinidad were the only committee members to vote against killing the bill.

The Denver Post, *Boulder Daily Camera*, and *Colorado Springs Gazette Telegraph* all came out with editorials opposing the bill. Numerous letters to the editor opposing the bill appeared in various papers.

"The proposal flies in the face of the Colorado Constitution which grants home-rule cities full right of self-government in local and municipal matters," wrote Fort Collins Mayor Susan Kirpatrick in a letter delivered during a press conference held by public officials and health advocates. The Mayor also stated that the proposal

How They Voted

See page 13.

did not make sense in view of the recent EPA report on secondhand smoke.

The pro-health community worked in an unprecedented fervor and unity. For the first time in years, the pro-health lobby triumphed over the 14 paid lobbyists of the tobacco industry. Groups opposed to the bill included the American Cancer Society, the American Lung Association, the Colorado Medical Society, the Colorado Health Department, the Colorado Hospital Association, the Colorado Academy of Family Physicians, and many other pro-health groups. Lobbyists Jerry Johnson of the American Cancer Society, and Sam Mamet of the Colorado Municipal League, are to be commended for their hard work at the State Capitol.

The key element that led to the defeat of the bill came from the people of Colorado. They were furious that the legislature would try to diminish their protection from a toxic hazard. People were faxing their own homemade action alerts, passing out alerts, calling neighbors and friends. GASP member Glory Weisberg—a society editor for the *Villager* newspapers—faxed an alert to 40 other friends. Hub Cap Annie of Aurora sent out information and told customers about the bill. Employees wrote letters, signed petitions, and organized their own phone trees.

At the same time, the tobacco industry was mounting its own grassroots campaign. In years past, the industry has been very successful in these campaigns. Last year, due to industry efforts, calls about a proposed cigarette-tax increase (introduced by Rep. Pat Sullivan) were running 8 to 1 against the bill. The bill never made it out of committee. The same tactics helped the

tobacco industry get its smokers' rights bill passed in 1989. This year the people of Colorado sent a strong message to the state legislators, informing them of their concerns about secondhand smoke in public places.

GASP of Colorado is proud of the people of Colorado.

We are also proud of the state legislators who listened to the people and responded to their

Clearing the Air at the Capitol

House Joint Resolution (HJR) 1013, a bill that would eliminate smoking in all "public areas" of the State Capitol, passed the House by a margin of 57 to 8. These public areas include hallways, elevators, the House Chamber, and other such areas. A milder version has passed the Senate State Affairs Committee by a vote of 8 to 0, and has passed a full Senate voice vote.

House Sponsor Rep. Martha Kreutz, R-Littleton proposed the bill to protect the health of the people who work and visit the State Capitol. Thousands of people, including children, tour the State Capitol each year. The Senate has amended the bill to allow smoking in a designated area of the cafeteria, to let office occupants decide for themselves whether to allow smoking, and to allow Senators to determine the policy for the Senate chamber. A wall of glass separates the public from this chamber. Legislators could still be exposed to a Group A carcinogen depending on how smoking is regulated in the chamber and the cafeteria.

The bill would help solve the problem of public exposure to secondhand smoke in the State Capitol. GASP supports this first step toward protecting the public from exposure to secondhand smoke.

concerns.

Thank you for just saying "NO" to the tobacco industry.

How They Voted Charts

• Column A represents the political campaign contributions from the tobacco industry. The notes at the bottom explain the meaning of the other columns.

Preemption Bill

SUPPORTERS OF HB 1163	A	B	C
House Representatives, Party- County/area			
Norma Anderson, R- Adams	\$300	VF	VA
Don Armstrong, D- Adams	NIO	VF	NIO
Lewis Entz, R- Alamosa area	\$250	Cosponsor	VF
Tim Foster, R- Delta, Mesa	\$300	Cosponsor	Cosponsor, VF
Tony Grampas, R- Jefferson	\$350	Cosponsor	VF
Rob Hernandez, D- Denver	NIO	VF	NIO
Bill Jerke, R- Larimer,Weld	NR	VF	VA
Alice Nichol, D- Adams	NIO	VF	NIO
Paul Pankey, R- Arapahoe, Jefferson	NR	Cosponsor,VF	VA
Penn Pfiffner , R- Jefferson	NIO	VF	NIO
Tom Ratterree, R- El Paso	\$550	Sponsor, VF	VF
Jeannie Reeser, D- Adams	\$950	Cosponsor	Sponsor, VF
Mike Salaz, R- Trinidad area	NR	Cosponsor, VF	NIO
Paul Schauer, R- Arapahoe	\$700	Cosponsor	VF
Bob Shoemaker, D- Custer, Fremont, Pueblo	NIO	Cosponsor, VF	NIO
Jack Taylor, R- Eagle, Routt	NIO	Cosponsor	NIO

Senate Representatives

Don Ament, R- North East Colorado	\$800	Cosponsor	VA
Joan Johnson, D- Adams	\$300	Cosponsor	NIO
Al Meiklejohn, R- Jefferson	NR	Cosponsor	VF
Richard Mutzebaugh, R- Arapahoe, Douglas	\$850	Cosponsor	Cosponsor, VF
Ray Powers, R-El Paso	NR	Cosponsor	VF
Jim Rizzuto, D- South Eastern Colorado	\$750	Cosponsor	VF
Bill Schroeder, R- Jefferson	\$200	Cosponsor	VA
Larry Trujillo, D- Pueblo	\$1,150	Cosponsor	E
Dave Wattenberg, R- Eagle, Garfield, etc.	NR	Sponsor	VF

Voting against the bill

Mary Blue, D- Boulder/Longmont	NIO	VA	NIO
Charles Duke, R- Douglas, El Paso	\$50	VA	NIO

Smoking in the Capitol

Voting Against HJR 1013	A	B	C
House Representatives, Party- County,area			
Debbie Allen, R- Arapahoe	NIO	Unknown	NIO
Dan Armstrong, D- Adams	NIO	VF	NIO
Mary Ellen Epps, R- El Paso	\$350	Unknown	VF
Tim Foster, R- Delta, Mesa	\$300	Cosponsor	Sponsor, VF
Alice Nichol, D- Adams	NIO	VF	NIO
Paul Pankey, R- Arapahoe, Jefferson	NR	Cosponsor,VF	VA
Dan Prinster, D- Mesa	\$750	Unknown	VF
Jeannie Reeser, D- Adams	\$950	Cosponsor	House Sponsor

Column A= Political contributions received from the tobacco industry in 1990 (according to the Secretary of State).

Column B= Position on HB 1163, the 1993 preemption bill that would have weakened local smoking controls.

Column C= Position on 1989 "Smokers' Rights" bill that forbids employers from telling new hired personnel that they cannot smoke off the job.

Jay Leno on Marlboro's Action-Wear Clothing
Marlboro cigarettes has just come out with a line of Marlboro action-wear clothing. Action-wear clothing for smokers? Actually, smokers have had their own line of clothing for years. They are called hospital gowns."

Reported by Dusty Saunders in the Rocky Mountain News

HOW TO WRITE OR CONTACT YOUR ELECTED OFFICIALS

- Be courteous and polite. Be calm. Avoid being abusive or threatening; this type of approach is ignored and hurts the cause.

- If you are phoning, call them at their capitol office first. If you cannot reach them there, try their home numbers but take care not to phone at odd hours.

- Be brief and type your letters if possible. One page is a good limit. Type your letter or write it neatly so your legislator can respond. Make sure you sign it and give your name and address. Do not write anonymous letters.

- Be sure to mention the name and number of the bill. Then give clear reasons why and how the legislation affects you and your community. Use a separate paragraph for each reason. Express why you are concerned about the problem.

- Write in a simple, natural, pleasing style. Avoid personally attacking an elected official. If you are going to criticize someone, focus on the tobacco industry.

- **Refer to any personal experiences that may be relevant to the issue.** This is the most persuasive part of letters or phone calls.

- Research the issue to show that you are well informed. Use facts that include names of people, organizations, places, etc.

- Concentrate on the health issues involved. Stay away from moral issues.

- Ask questions and request a reply. Ask your elected official how they plan to vote.

- Follow through. If you do not get a reply, write again. Enclose a photocopy of your last letter and ask why you have not received a response. When you receive a reply, follow up with a response saying why you disagree or agree with the response.

- **Write letters to the editors of local newspapers.**

- **Copy and pass this information on to your friends and neighbors.**

A public service of GASP of Colorado, the Group to Alleviate Smoking Pollution.

Smokers' Rights Bill of 1993

HB 1001, a disguised smokers' rights bill, was introduced by Representative Ken Chlouber, R-Leadville. The bill was being promoted as a form of keeping government from interfering with privacy rights. The beginning of the bill looks like an attempt to fix Amendment 2, the anti-gay rights act passed in Colorado in 1992. GASP knew that the tobacco industry would jump on this issue. We have seen a number of letters by smokers equating smoking restrictions with Amendment 2. Smoking restrictions don't discriminate against any person. Smokers are welcome anywhere; their **smoke** is not.

As with the 1989 smokers' rights bill, the word "smoking" cannot be found in the bill. HB 1001 uses the words "legal conduct" instead. In this case, it could also apply to drinking. Employers who hire only nonsmokers could be affected. Many police and fire departments prohibit off-the-job smoking to cut health-care costs. The tobacco industry has supported these bills in the past and is purportedly behind this measure. Another ballot proposal with similar wording with similar wording is scheduled to be heard by Legislative Council on May 11.

As we go to press, HB 1001 died in the House Judiciary Committee without receiving a single vote in favor of it. GASP and many other business and community organizations opposed the bill.

GASP and the Ratterree Recall Effort

On January 28, 1993, the Associated Press reported that "A state lawmaker who sponsored a measure that would overturn local smoking ordinances has been targeted for recall by an anti-smoking activist who was angered by the bill." The newspapers reported that this effort is being undertaken by a member of our Board of Directors, Mr. Richard Breidenbach. Some people wrongly assumed that because Mr. Breidenbach is on our board, GASP must be behind the recall effort. **This is not the case, and has never been the case.**

Mr. Richard Breidenbach is a research scientist and a member of GASP's Board of Directors. He is spearheading the Colorado Springs recall effort of Rep. Tom Ratterree. He is a member of the Republican Party. He also co-ordinated the successful 1987 initiative effort in Colorado Springs to restrict smoking in public places, restaurants, and workplaces. The initiative passed by a two-to-one margin. Mr. Breidenbach is organizing the recall campaign as a private citizen. He has created his own political organization to do this.

GASP's bylaws and IRS regulations for a 501-C-3 nonprofit organization do not allow us to take a stand for or against a candidate for office. We have always taken great care not to ask our supporters to vote for or against candidates for public office. We may report on the issues that concern our members and the public, according to various legal experts. We may report on where politicians stand, how they voted, etc. GASP and many other pro-health organizations have done this over the years.

GASP's Board of Directors supports Mr. Breidenbach's right to engage in a democratic activity that is open to all Colorado citizens.

Why GASP Opposes Smokers' Rights Laws

GASP does not object to smoking by consenting adults in private. It's not the smoker we mind; it's the smoke. So why should GASP oppose smokers' rights laws?

1. Will the bill's wording affect an employer's right to hire or advertise for nonsmokers?

Employers should be able to hire nonsmokers without fearing that they will be sued by smokers. A 1992 random survey of want ads by GASP indicated that many want ads request nonsmoking employees only. It would be ludicrous for GASP or other pro-health agencies like the American Cancer Society to have to hire someone who smokes.

According to *The Wall Street Journal*, the Equal Opportunity Commission says "it is not illegal to discriminate against hiring smokers unless the result is discrimination on the basis of national origin, race, religion, sex or age." The rationale for this is that race, religion, sex, and age are characteristics one is born with; smoking is not. Smoking is not even a characteristic or a condition, but rather an activity. Millions of people have quit smoking.

2. Employers should be able to reduce health care costs by telling smokers they cannot smoke on or off the job. According to the *Wall Street Journal* a growing number of businesses are doing this. Such bans have been held to be perfectly constitutional in a 1987 Denver Federal Appeals Court decision (*Grusendorf v. City of Oklahoma City*, 816 F 2 539).

3. Tobacco is an addictive semi-legal drug. Employers should be able to curtail the use of this drug or any other drug on or off the job when it affects the on-the-job performance of individuals who must serve the public in critical situations.

4. It would establish a dangerous precedent to make smoking a constitutional right. It could possibly have an impact on the need to protect the majority of the public (and especially children) from a dangerous toxic polluter — environmental tobacco smoke.

5. If the tobacco industry is supporting the bill, it cannot be good for Colorado. Smoking-related diseases kill **4,000 Coloradans every year**, according to the Colorado Department of Health. Smoking-related diseases are the number-one form of preventable disease and death in the United States.

What can you do?

Call your two representatives in the State legislature. Tell them you oppose granting smokers the Constitutional right to smoke. Tell them you oppose any so-called "privacy laws" that grant special rights to smokers. As always, be polite and calm.

Call your legislator at the State Capitol. Your local Election Commission, political party, or other political groups can provide you with these numbers.

KEEP YOUR ADDRESS UP TO DATE

If you move, please let GASP know at once. The post office does send us an address correction for the address on this newsletter. However, it costs GASP 35¢ to 75¢ per correction.

Understanding State and Local Politics

How Laws are Passed

GASP has found that members and supporters sometimes confuse the roles of the different legislative bodies. The intent of this column is to help explain the differences. **Federal legislation** deals with federal (U.S.) laws like the U.S. airline smoking ban. **State legislation** deals with laws like the state law prohibiting the sale of cigarettes to minors. **Local legislation** deals with policies for individual cities or counties.

State Legislation

Laws that govern the State of Colorado are enacted by the State Legislature, which is housed at the State Capitol in Denver. This body is called the general assembly and consists of a Senate and a House of Representatives. There are 100 members of the general assembly. Representatives are elected every two years. There are 65 members. Senators are elected every four years. There are 35 Senators. Every Colorado resident is represented by one House Representative and one Senator in the general assembly.

For a state bill to pass, it is first introduced in either the House or the Senate. Let's say the bill is introduced in the House. In a nutshell, here's what happens:

The Majority leader assigns the bill to a House committee. The committee reviews the bill and takes public testimony on the bill. If the bill passes (by a majority vote), it is then sent to the floor for a vote by all members of the House. If the bill passes, it is then sent

to the Senate. The Majority leader assigns the bill to a Senate committee. If it passes in committee, it goes to the Senate floor. If it is passed by the Senate, it goes to the Governor. He may sign or veto the bill. The general assembly can override a veto with a two-thirds vote.

Federal Legislation

Laws that govern the entire U.S. (federal laws) are passed by federal officials housed in Washington, DC. Each Colorado resident has two elected officials: one Representative in Congress, and one Senator.

The process of passing federal legislation is similar to the process that is used in state legislation. National laws, like the airline smoking ban, are passed by Congress.

Local Legislation

Laws that govern cities and counties (local laws) are passed by locally elected officials. Most local officials (Mayors, City Councilmembers, and County Commissioners) are elected every four years.

A majority vote is needed to pass local laws. When new regulations are considered, public hearings are usually set. A vote is taken after public hearings. The regulation becomes law if no changes are made. If changes are made, a second hearing is necessary.

Study: Tobacco smoke unavoidable

Preliminary results of 800 blood samples show that each had byproduct of nicotine

Rocky Mountain News wire services

ATLANTA — Every American tested in a national health survey showed apparent evidence of exposure to tobacco smoke, the U.S. Centers for Disease Control and Prevention said Thursday.

Of more than 800 blood samples analyzed from a nationwide survey, each showed some measurable amount of a substance known as cotinine, a metabolized form of nicotine, CDC said.

"We really weren't expecting that," said Dr. James Pirkle of the Centers for Disease Control and Prevention.

In many cases the level of cotinine was extremely low, but CDC said the fact that there was any at all indicates that the entire population, including non-smokers, has been exposed to tobacco smoke.

The CDC is testing 23,000 Americans over age 4 for cotinine, a byproduct of nicotine that is found in blood serum. The researchers found cotinine in all of the first 800 people tested.

The preliminary results came two weeks after an Environmental Protection Agency report that labeled secondhand smoke a carcin-

ogen and said it kills about 3,000 non-smokers a year from lung cancer alone. Critics have said the EPA failed to document how many people are exposed to secondhand smoke and at what levels.

"What we're doing will meet that objection head-on," Pirkle said. "We have a very sensitive method of measuring exposure that separates active from passive smoke. It will allow us to figure out the extent of the problem using an objective measure — that's a pretty rare thing."

Early studies relied on subjects to describe exposure to smoke. The CDC now is using sophisticated technology to measure remnants of smoke in blood serum.

People with more than 10 to 15 nanograms of cotinine per milliliter of serum are usually smokers or use nicotine patches or gum, the CDC said. Levels below 10 to 15 nanograms indicate a person has breathed secondhand smoke. A nanogram is a billionth of a gram. The 800, ages 4 to 91, had levels that ranged from less than 0.1 to 650 nanograms.

The CDC will have more figures when the study, which started in 1988, ends next year. The agency seldom releases such preliminary figures, but did so Thursday because it wanted Americans to know it was working to answer questions the EPA report raised about smoke exposure, Pirkle said.

60 SECONDS

by JACK COX

LIKE A KILLER returning to the scene of a crime, Philip Morris is creeping onstage with the performing arts community, which has been decimated by its cancer-causing products in recent years.

The cigarette manufacturer is sponsoring a "legislators' night" at the Denver Center for the Performing Arts this Thursday, at which Colorado lawmakers and their families will be treated to free food, drink and a chance to see either of the two current productions, "Hedda Gabler" and "A Connecticut Yankee in King Arthur's Court."

Nobody from Philip Morris, of course, would portray this as an attempt to influence the legislators' vote on a pending proposal to restrict smoking in the State Capitol, or to weaken the support for tobacco-control measures in general.

Instead, the event will be portrayed as a public-spirited demonstration of the company's commitment to the arts, just as its sponsorship of a Bill of Rights exhibit in 1991 was framed as a paean to freedom and democracy.

What's ironic here is that the tobacco industry has been responsible for the premature deaths of some of the nation's most

revered performing artists, ranging from Sammy Davis Jr. and Robert Preston to Leonard Bernstein and Sara Vaughn.

All of these stars — like hundreds of thousands of other Americans who die each year — were struck down by lung cancer or other smoking-related diseases.

Mark Twain, the author of "A Connecticut Yankee," would have loved the company's panache. He's the one, you'll remember, who declared that it was easy to quit smoking. "I ought to know," he said, "because I've done it a thousand times."

Jack Cox is a Denver Post editorial writer.

America's New Merchants of Death

"Pushed by dwindling sales at home, U.S. tobacco companies are aggressively marketing cigarettes abroad. Among those seduced by their clever advertising: the world's children. And Washington is lending a hand," writes William Ecenbarger in the April 1993 issue of *Reader's Digest*.

The article, "America's New Merchants of Death," delves into some of the devious tactics American tobacco companies use on children overseas. The report is part of a *Reader's Digest* investigation covering 20 countries on four continents. It says that free cigarettes are given out at schools, video arcades, rock concerts, discotheques, etc. It says that tobacco advertisements can even be found in comic books and are shown on TV during children's programs. Promotions include giving out Marlboro logo sunglasses, and Kent logo Christmas ornaments. Overseas tobacco advertising portrays smoking as an American custom children can look up to. Children in other parts of the world believe that everyone in America smokes. The truth is we have one of the lowest smoking rates — 25.5 of the population. Paul Wangai, a physician in Nairobi, Kenya, says that it is not uncommon to hear African children say that they start smoking because of the glamorous life-style associated with American smoking.

The U.S. Department of Agriculture is helping tobacco companies sell tobacco overseas, says *Reader's Digest*. It urges readers to write to President Clinton. "Ask him to order the U.S. Trade Representative to stop helping tobacco companies open overseas markets. Urge him to support curbs on tobacco advertising in other countries like those in force here. And send copies of your letter to your federal legislators."

✉ **Write : President Bill Clinton**
The White House
Washington DC 20500
Fax #: 202-456-2461

☛ To order copies of this eye-opening article, write: Reprint Editor, *Reader's Digest*, Box 406 Pleasantville NY 10570. The reprint charge is 10 for \$6, 25 for \$13, 50 for \$24, or 100 for \$40 (price includes postage and handling). Be sure to mention the article name and the issue date of April 1993. Send a copy to your friends, neighbors, and elected officials.

The Nonsmokers' Voice

Membership and subscription information p. 3

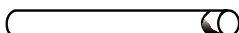
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ISSN # 0897-9626

GASP of Colorado

GROUP TO ALLEVIATE SMOKING POLLUTION

2885 Aurora Ave #16
Boulder, Colorado 80303

(303) 444-9799



FORWARD & ADDRESS CORRECTION

Volunteer Opportunities

Petition Circulators Needed

Volunteers are needed to help obtain signatures for the new cigarette tax initiative. To volunteer, fill out the coupon on page 2.

People's Fair Booth Sitters

We need volunteers to sit at GASP's booth at the Capitol Hill People's Fair June 5 and 6 (rain date June 12 & 13). Sign on for a two or three hour time commitment and help pass out information to the public. The fair takes place in Denver in front of the Denver Art Museum on Bannock and Colfax. To sign up, call Pete at 444-9799.

GASP Has a Fax Now

GASP of Colorado now has a fax machine because of a generous contribution from a GASP supporter. Our fax number is 444-2399.

ATTENTION LIBRARIANS

A subscription to *The Nonsmokers' Voice* is available through EBSCO subscription services. Call Lee Anne Valdez at EBSCO at 237-1753.

SPECIAL ISSUE

Circulation -- 10,000

Once a year, GASP mails out complimentary copies of this newsletter to its network of nonmember supporters. **Join GASP today with your tax-deductible contribution — and together we will all breathe easier.** A membership coupon is on page three.

Are you a GASP member?

You are a dues-paying member of GASP if your mailing label says "GASP member."

Non-Profit Org.
U.S. Postage
PAID
Boulder, CO 80302
Permit #653

The Nonsmokers' Voice

GASP of Colorado, the Group to Alleviate Smoking Pollution
2885 Aurora Avenue #37, Boulder, CO 80303 (303) 444-9799

Promoting smoke-free air for fifteen years.

Membership and subscription information on page 3. Printed portions may be copied or reprinted. Credit to GASP of Colorado is appreciated.

ISSN # 0897-9626 Editor: Pete Bialick September 1993 issue.

Denver Smoke-Free Ordinance Passes

The Denver City Council passed an ordinance further regulating smoking in public places, the workplace, and in restaurants. The bill supported by GASP (#608) passed by a seven to six margin.

Twenty-seven people spoke in favor of the stricter ordinance, while nine spoke in favor of the less restrictive bill. GASP member Richard Rew gave compelling testimony on how he suffered a stroke because of exposure to secondhand smoke at work. GASP member Susan Johnson talked about how smoking in the bars at Stapleton had almost destroyed her health. GASP Vice-President Dr. Frank Judson lead off by saying that the ordinance was necessary to protect the public and children from environmental tobacco smoke. The Colorado Rockies and the Denver Broncos wrote supporting the stadium regulations.

GASP mailed out more than 3,800 action alerts to members and supporters who live in Denver.

More than five tobacco lobbyists were seen at the hearings. Ruben Valdez, who represents Philip Morris, apparently was the lead lobbyist. The industry flew in one of their consultants to raise doubt about the harm of secondhand smoke. Councilwoman Cathy Reynolds denied that her bill was pro-tobacco industry. Denial is a typical tobacco industry tactic. I believe the smokers rights language in the bill came from the tobacco lobby, not from Reynolds. Many smokers' rights activists supported the weaker bill even though it would have also strengthened the current Denver ordinance in some areas. That seems to indicate there was some collusion between the industry and the smokers' rights groups, even though they deny it.

The revised ordinance goes into effect October 23 (stadium provisions go into effect February 1994). The ordinance would:

- Prohibit smoking in retail stores of four or more employees. Stores would be allowed to designate an area for smoking, as long as the area is fully enclosed, separately ventilated, and consists of no more than 50% of the store's space.
- Prohibit smoking in service lines and checkout counters.
- Require business of four or more employees to give employees the right to a smoke-free work area upon request. Meeting rooms, classrooms, stairwells, etc. would have to be smoke-free. Cafeteria and lunchroom areas must be smoke-free, unless there are separate facilities available to nonsmokers. Restaurants would have to try to accommodate their nonsmoking employees by allowing them to work in the nonsmoking area of the restaurant.
- Require restaurants seating more than 25 people to have a nonsmoking area. The host or hostess will have to ask persons for

their preference of smoking or nonsmoking. Waiting areas will have to be smoke-free.

- Make all indoor public areas (including airports, arenas, malls) smoke-free (fully enclosed, separately ventilated smoking areas are allowed).
- Make the seating area in all outdoor stadiums smoke-free (Effective February 1994).

For further details about the Denver ordinance, contact the Denver Environmental Health Department at 436-7305.

How They Voted

Voting for Council Bill 608: Joyce Foster, Polly Flobeck, Mary DeGroot, Dave Doering, Cathy Donohue, Happy Haines, and Tim Sandos. Voting against the bill: Hiawatha Davis, Deborah Ortega, Ted Hackworth, Ramona Martinez, Cathy Reynolds, and William Scheitler. These six councilmembers then voted for Council Bill 607, the bill supported by the tobacco industry, the restaurant association, and the smokers' rights groups.

Please be sure to send a letter of thanks to councilmembers who voted for the ordinance.

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Circulation this issue: 1,500

** Note: Due to the request of our members, the month of the issue now appears in our new masthead.*

GASP'S ANNUAL MEETING

Commemorating fifteen years of promoting smoke-free air...

A Fund-Raiser for the Colorado Cigarette Tax Campaign

“The 1992 Massachusetts cigarette tax initiative
and the tactics and techniques we used to beat the tobacco industry.”

GUEST SPEAKER: DR. BLAKE CADY

Dr. Blake Cady was the Chairman of the Coalition for a Healthy Massachusetts, the successful 1992 cigarette tax initiative in Massachusetts. He is also the Chief of Surgical Oncology at Boston's New England Deaconess Hospital, the Past-President of the Massachusetts division of the American Cancer Society, and a member of the Board of Massachusetts GASP.

Massachusetts voters passed a cigarette tax increase of 25¢ in November of 1992. Twenty percent of the funds is slated for tobacco prevention and education. The tobacco lobby spent more than \$10 million trying to defeat the measure. The pro-health forces spent less than a million. Similar measures in Colorado, Oregon, Nebraska, and Arkansas never made it to the ballot due to the tobacco industry's efforts to keep them off the ballot. Massachusetts is the second state to succeed in getting such a tax passed by the voters. California was the first. Pro-health groups in Colorado are currently working to place a cigarette tax on the 1994 ballot.

Thursday, October 14, 1993.

AMC Cancer Research Center
1600 Pierce St in Lakewood
New York Ladies Auxiliary Pavilion
(1 block North of Casa Bonita)
6:30 p.m. buffet dinner

\$20 for dues-paying members of GASP, \$25 for the general public.

* Anything given above this amount will be donated to Fair Share for Health Committee,
the Colorado cigarette tax campaign.

Space is limited. Reserve your space in advance by mailing your payment by Friday, October 8. Confirmations and a map will be mailed to all attendees. Seats will not be available at the door. Sorry, no refunds.

For further information call GASP at 444-9799.

Reservation Form, GASP Annual Meeting

☐ Yes, I plan to attend GASP's annual meeting on October 14.

I enclose \$_____ for _____ (number) people
\$20 GASP members, \$25 all others

Name _____

Address _____

City/State/Zip _____

Phone number _____

MAIL TO
GASP OF COLORADO
Group To Alleviate Smoking Pollution
2885 Aurora Ave #16
Boulder, CO 80303
☛ After Oct. 2 mail to our new Suite:
2885 Aurora #37

Smoke-Free Restaurant Project

More Than Eighty Restaurants Become Smoke-Free

GASP of Colorado is working to encourage all Colorado restaurants to become smoke-free. GASP is distributing a brochure, "Twenty-Five Reasons To Make Your Restaurant Smoke-Free in Colorado," to all 6700 restaurants in the state. The brochure was developed because of the increased concern about the dangers of secondhand smoke for restaurant owners, patrons, and employees.

"We hope that the information in the brochure will encourage another 500 restaurants to become smoke-free by the end of this year," said Pete Bialick, President of GASP. There are now more than 600 "sit-down" restaurants that are smoke-free in Colorado. To date, more than 80 Colorado restaurants have responded and have become smoke-free. Four major chains (Pizza Hut, Arby's, Taco Bell, and Old Fashioned Hamburgers) are considering making all their restaurants in the state smoke-free.

Bialick says that it makes good health sense, good legal sense and good dollars and cents for owners to operate smoke-free restaurants. He explains that 77% of the adult population does not smoke in Colorado, and that number is increasing.

According to a 1993 National Restaurant Association survey, more than half of all Americans choose smoke-free restaurants over ones that allow smoking. Attorneys for the National Restaurant Association say that owners of smoking-allowed restaurants could be liable if an employee develops an illness from breathing secondhand smoke, according to a 1993 memo obtained by GASP.

Tenley Blakely, a field marketing coordinator for the Bailey Company (Arby's Restaurants) has found the new brochure very helpful. Arby's is currently testing the policy in five of its metro outlets, and is considering expanding the policy to other outlets.

Laurel Winter, marketing director for Vista Restaurants, Inc. (a franchise of Perkin's Family Restaurants), says that GASP's information has been very helpful in guiding them through the transition to making a restaurant smoke-free. Vista manages a dozen Perkins restaurants, and recently made the Perkins at 211 East County Line Road in Littleton smoke-free. "We are one of the first restaurants of our kind to adopt such a policy in the metro area," said Winter.

Don Koplen, publisher of the Boulder Menu Guide, says the brochure makes some very convincing arguments for restaurants to consider becoming smoke-free.

The three-color brochure is available to the general public. GASP is requesting a \$1.00 contribution per brochure to raise funds to cover distribution costs. The American Stop Smoking Intervention Study (ASSIST) is underwriting printing costs. Linda Parks and Gary Matson of Boulder designed the brochure. GASP used more than a dozen consultants in developing the brochure.

We're Moving October 3, But Not Far

GASP lost its lease in our current suite and will be moving to a new suite in the same complex on October 3. The new suite number is #37. Please adjust your records.

Our new address on Oct. 3

2885 Aurora Avenue #37
Boulder CO 80303-2251

Restaurant Guide Update

GASP has hired marketing consultant Steven Basch to raise funds for the 1994 *Colorado Guide to Smoke-Free Dining*. GASP plans to distribute 40,000 copies of the guide and needs to raise \$35,000 to produce, print, distribute, and promote the guide. GASP is now seeking sponsors and underwriters. Basch can be reached at 377-2866.

Basch was an account manager for Broyles, Allebaugh, and Davis and currently serves on the Board of Directors for Colorado Public Radio and Colorado Common Cause.

GASP hopes to have a new guide out by the end of this year. It will list more than 600 smoke-free restaurants in Colorado.

GASP members can participate in helping raise funds for the guide through contributions of \$100 to \$500, or through sponsorships of \$600 to 5,000. Additional sponsorship information is on page 4.

JOIN GASP and together we will all breathe easier

q Yes, I support GASP's efforts to eliminate tobacco smoke from the air we breathe. Here is my contribution of q \$25 q \$50 q \$75 q \$100
____ Other amount.

•Annual membership dues for GASP start at \$25.

q I am not a joiner, but I would like to contribute \$_____ to support your efforts.

Name _____
Address _____
City-State-Zip _____
Phone _____

Mail and make checks payable to:

GASP OF COLORADO
2885 Aurora Avenue #16
Boulder CO 80303-2251

Restaurant Guide Sponsorship

Your support will enable us to produce a vital and timely reference that will allow the public to conveniently find healthier smoke-free restaurants in Colorado. And we plan on making the 1994 issue look even better than ever.

Your message in the guide gives you a unique opportunity to publicize your businesses or organization, and support clean indoor air. The guide is used over and over again for a period of one and a half years.

Sponsorship Levels

Contributor page—\$100 to \$500. Contributors may have their name, organization or business, and phone number listed plus a 7 or 15 word description. Fifteen-word descriptions are reserved for contributors of \$250 or more.

Blanca Peak Sponsorship—\$600. Quarter-page space within the guide for your message.

Mt. Harvard Sponsorship—\$1,000. Half-page space within the guide for your message.

Mt. Massive Sponsorship—\$2,000. Full-page space within the guide for your message.

Mt. Elbert Sponsorship—\$5,000. Logo and name on front and back covers; plus full-page space inside the guide for your message. And when our TV spot airs, your logo will be there for all to see on the guide.

* Sponsorship levels are named for the four highest peaks in Colorado. Mt. Elbert, 14,433 ft.; Mt. Massive, 14,421; Mt. Harvard 14,420 feet; and Blanca Pk. 14,372 ft.

GASP distributed all the 1992 guides within six months after it was printed. Our public relations effort will do everything possible to try to match the one hundred mentions in the print and broadcast media in 1992.

Deadline, September 30

If you would like to be a sponsor of the 1994 guide, the deadline is September 30, 1993. Call GASP today at 444-9799 for additional information.

Guide Distribution Plan for 1994

GASP members & supporters mailing	9,400
Office stock for general distribution	9,848
Health groups, hospitals, visitor bureaus, etc.	5,800
People's fair	1,000
All Colorado restaurants (one or more employees) ..	6,200
Targeted group & business mailing (list available) ..	5,302
Media mailing	1,125
All motels, hotels, bed & breakfasts	1,325
Total distribution	40,000

25,800 slated for public distribution, 13,000 for targeted mail distribution, 1,200 for media distribution. We expect our TV spot to generate a considerable amount of individual requests from the public, so we are increasing our office stock.

GASP is pleased to announce that the following groups and businesses have pledged to help sponsor the guide:

ASSIST (the American Stop Smoking Intervention Study)
American Cancer Society
CU Cancer Center
Denver Public Health Department
Poudre Valley Hospital
Texaco Inc.

'Live and let live' doesn't work for gang violence — or tobacco smoke

It is with a weary sigh that one greets the latest *News* editorial decrying restrictions on smoking in public places ("DGH's anti-smoking jihad"). What a shame the considerable talents of *News* writers are wasted on such tired, faulty and inconsistent arguments.

For readers who missed it, the editorial alleged that smoking restrictions are the product of intolerance by "perfectionists" who insist on some sort of health purity from all. Then, with a surprising ignorance of the issue, it urged relief for smokers who wish only to be "left alone," unjudged, to engage in a "solitary encounter with tar and nicotine."

Unfortunately, smoking is rarely a "solitary encounter," whether it occurs indoors, outdoors, at Denver General Hospital, Mile High Stadium, or any other place. And that is precisely the problem that smoking restrictions seek to overcome: Cigarette smoke does not remain bound within the per-

sonal airspace (or lungs) of a smoker. It drifts — across a room or an outdoor seating area, through the doorways and windows of buildings, into the vents of your car at an intersection, even through open outdoor areas (in complete defiance of the assumption that clean air somehow renders cigarette smoke non-existent).

It is difficult for smokers to understand that even a single cigarette has the remarkable capacity to pollute an entire environment, spoiling the act of breathing for those present. And until smokers and cigarettes stop producing smoke, that is the very simple reason why smoking must be restricted like dozens of other human behaviors which are hazardous or a nuisance to others — even if such restrictions bother or inconvenience those responsible for the problem.

It must certainly be discouraging to the *News*, which believes so strongly in what it calls "the glpri-

ous right to be left alone," that troublesome human activities must occasionally be disallowed. Restaurant workers must practice certain standards of bathroom hygiene so they don't spread disease. Homeowners, however much they wish to be "left alone," must clear their sidewalks of ice and snow. You can't urinate in public, pour motor oil down the drain, or drive without a seat belt around your kids. You can't even let your dog foul public lawns or howl at the moon late at night. And if you smoke, you must do it where you won't affect others.

"Live and let live," the *News* piously insists of us who don't wish to breathe tobacco smoke. I doubt the editors would offer the same advice to the victims of gang violence, drunk driving, sexual harassment, or other personal actions that just happen to be harmful to others.

Mike Vogt
Fort Collins

Did State Legislators Violate the Gavel Amendment When They Failed to Vote on HJR 1013?

House Joint Resolution (HJR) 1013 would have eliminated smoking in most public places in the State Capitol. The bill passed both houses by a strong vote; however, it died because it was not heard by a conference committee, violating the intent of the GAVEL amendment according to the former director of Colorado Common Cause. The Coalition for a Tobacco-Free Colorado recently sent a letter to all state legislators expressing the concerns of GASP and other pro-health organizations in Colorado. Here is the text of that letter:

Letter to the State Legislature

The Coalition for a Tobacco-Free Colorado is pleased by the overwhelming support of Colorado legislators to protect State Capitol workers and visitors from environmental tobacco smoke. Thousands of people, including children, tour the State Capitol each year. Such policies will help make the State Capitol more accessible to people with respiratory problems and meet the requirements of the Americans With Disabilities Act. We have no objection to legislators smoking in private or in areas that are not accessible to the public. The Coalition encourages the elimination of smoking in public areas of the State Capitol as a first step toward protecting the public from exposure to secondhand smoke. That is why we supported House Joint Resolution 1013; and we believe, based on recent public polls, that a majority of smokers and nonsmokers in Colorado support the policy. Seventy-seven percent of Coloradans do not smoke.

During the 1993 legislative session, HJR 1013 passed the House with a strong majority vote of 57 to 8. The Senate State Affairs Committee modified and passed the resolution by a vote of 8 to 0 on April 16. Even though the Senate floor vote on the resolution was delayed until the very last day of the legislature, it passed in its amended form by the full Senate on May 12 by yet another strong majority vote of 33 to 1 (with 1 absent). The resolution was ultimately "deemed lost" because it was not heard in conference committee on the final day of the legislative session.

We are writing to express our concerns that this important resolution was not scheduled for full Senate action until a month after passage out of the Senate Committee. We are concerned that a resolution with such overwhelming support from the public and members of the legislature was not adopted.

The intent and spirit of the 1988 voter-initiated GAVEL amendment was violated by this inaction. We hope you will act now to restore the trust that voters have placed in you. Therefore, we urge that legislative leadership to take steps to resolve the problem of smoking in the public areas of the State Capitol before the next legislative session begins.

We look forward to hearing your response.

Gail Silber, President, Coalition for a Tobacco-Free Colorado

What Really Happened to HJR 1013?

Shortly after the legislature convened, GASP contacted House Sponsor Martha Kreutz to discuss the bill. Kreutz said that tobacco lobbyists told her that her bill would not pass. Rep. Wayne Knox, the state legislator who helped write the GAVEL amendment, told GASP the resolution was one of the many victims of poor scheduling.

Amanda O'Neill, who was then the director of Colorado Common Cause, told GASP that the message and spirit of the GAVEL amendment is to insure that legislation is given a proper hearing and opportunity to pass. It must be voted up or down when referred to a committee. O'Neil said that while the people passed a 1988 ballot initiative limiting the legislative session to 120 days, the GAVEL amendment passed by a greater margin (72% of the voters) the same year. She said that Senator Jeff Wells is responsible for scheduling bills. Wells was the prime sponsor of the smokers' rights act passed in 1989 and one of the top five recipients of tobacco contributions for the 1990 election. O'Neil and Knox said that the legislative leadership could have more carefully scheduled the legislative agenda during the waning days of the legislative session to comply with the spirit of the GAVEL amendment and the legislative due process.

A Save-Face Measure?

Tom Ratterree, the sponsor of the preemption law that would have weakened all current and future laws on smoking, supported HJR 1013. His preemption bill went down in flames and was an embarrassment to the Republican Party and the tobacco industry. Did Ratterree and other legislators who supported the preemption bill vote for HJR 1013 as a save-face measure knowing all along that the measure would die? Was the measure deliberately delayed after it passed the Senate committee so that it would die on the last day of the session and legislators could claim they simply ran out of time? How did tobacco lobbyists know that the measure would die before the legislative session ended?

Meanwhile, the tobacco industry continues to do everything it can to slow regulations on smoking. California and other states are fighting preemption laws. Pro-health groups in Colorado will have to keep a close watch for further preemption attempts in the Colorado legislature. See the article on preemption on page 6.

"If smoking restrictions caused the nation's 47 million smokers to cut down by just three cigarettes a day, annual gross sales would fall by nearly \$5 billion."

The Nation, August 9, 1993

How the Tobacco Industry Tries to Stem the Tide Through Preemption Legislation

While the tobacco industry is hard to beat in the halls of Congress, or in state legislatures, at the local level pro-health groups are having a field day.

Despite their vicious attempts to defeat local policy, smoke-free ordinances are now passing on an average of one a week. Once passed, these ordinances are popular with the voters. The industry has spent more than \$2.4 million on local ballot measures in California since 1990, managing to repeal only one ordinance.

The industry's local defeats are not lack of trying. They have spent millions of dollars to support front groups to generate and organize anti-ordinance efforts in the business community. When those tactics fail, and an ordinance is passed, the industry often funds ballot measures to repeal the ordinance. However, the overall failure of these strategies is clear. Smoke-free ordinances are now passing on an average of one a week. It is no wonder the industry is getting desperate.

Preemption is the only effective way for the industry to defeat local ordinance activity. And it does so in one fell swoop: no bankrolling expensive ballot measure campaigns. It comes as no surprise that the tobacco industry has made preemption its number one priority. What's surprising is what they are willing to give up to get it.

The tobacco industry is actually supporting a proposal in California which would raise the tobacco tax by 17 cents in exchange for preempting future smoking control ordinances. In Alabama, lobbyists for the industry told activists that they would accept any compromise in exchange for preemption.

Efforts to pass state legislation that preempts local ordinances are on the rise. Prior to 1993, eight states had preemption. To date, at least fifteen pieces of preemption legislation have been introduced in 1993. Montana, New Mexico, North Carolina, and Washington all lost preemption battles. Once preemption is firmly implanted in the law, pro-health advocates have never been able to remove it.

The sad truth is that states with preemption are now sitting by watching while the rest of the world goes smoke-free.

We can congratulate ourselves for the desperate state the cigarette companies are in. However, as Ralph Waldo Emerson wrote, "When you strike at a King -- you must kill him!"

Adapted from an article in the Summer 1993 issue of the ANR Update, published by Americans for Nonsmokers' Rights.

Sheriff's sting operation cites eight clerks for selling smokes to minors

Clerks at eight Boulder County businesses were given summonses this week after a Sheriff's Department sting operation caught them selling cigarettes to a minor.

The businesses also were caught in a sheriff's operation last August, but got off with a warning that time.

Clerks at the following businesses received summonses: Fairview Store, 7490 Arapahoe Road; Erie Conoco, 4200 North-

east County Line Road; Niwot Conoco, 7960 Niwot Road; Country Corner, 7507 Hygiene Road; Lyons Conoco, 355 Main St.; U-Pump-It, 4060 Ute Highway; Lyons Diamond Shamrock, 4206 Ute Highway; B&F Super Foods, 60 Lake View Drive, Nederland.

Ted S. Carolan, 29, of Nederland, also received a summons for obstructing a governmental operation after he interrupted the sting at a Nederland store, identifying the underage agent to the clerk. The operation then was discontinued because it was discovered all of the other cigarette outlets in Nederland had been notified of the Sheriff's Department presence in town.

Because of the stores' poor rate of compliance with the law the Sheriff's Department is considering additional sting operations.

Studies show that 50 percent of all smokers begin by the age of 14 and that children who smoke are 15 times more likely than non-smoking children to start using illicit drugs, according to the Sheriff's Department.

THE DAILY CAMERA

Eatery workers at risk

Secondhand-smoke study targets waiters, bartenders

By The Associated Press

CHICAGO — Waiters and bartenders breathe up to six times more secondhand tobacco smoke than office employees and are 1½ times more likely to develop lung cancer than the public, a researcher says.

"Everyone talks about the risks of secondhand smoke for restaurant customers," but not about the effects on restaurant workers, Dr. Michael Siegel said.

Restaurant workers breathe lingering tobacco smoke for long periods, and for them, "it's really a life and death issue," Siegel said by telephone from Atlanta, where he has been working with the U.S. Centers for Disease Control and Prevention's Office on Smoking and Health.

His report, conducted while he

was a resident at the University of California, Berkeley, appears in today's *Journal of the American Medical Association*.

Siegel analyzed about 40 studies on indoor air quality published from 1980 through 1992. He said they showed that levels of secondhand smoke in restaurants were 1.6 to two times higher than in offices, and 1.5 times higher than in homes with at least one smoker.

Smoke levels in bars were 3.9 to 6.1 times higher than in offices and about 4.5 times higher than in residences, he reported.

The studies he reviewed sampled air from more than 1,000 offices, 400 restaurants and 600 homes.

Separately, he looked at six lung-cancer studies published from 1977 through 1993 that identified

subjects by occupation and that were controlled statistically for smoking habits.

Food-service workers had about 1½ times greater likelihood of lung cancer than the general public, he said.

He said the studies typically involved several hundred to several thousand subjects but didn't measure the number of years of exposure.

Someone working in a smoky restaurant for only a summer probably would be less at risk than someone working there for 20 years, he said.

After several years of study, the Environmental Protection Agency this year classified secondhand tobacco smoke among the most serious cancer threats, more dangerous than arsenic or radon.

THE DENVER POST

Where there's smoke

Cigarette smoking and heating equipment, often kerosene space heaters, are the leading causes of fatal house fires, researchers say. In the study, which appeared in the *New England Journal of Medicine*, researchers at the University of North Carolina reviewed 151 fatal fires during a 13-month period and compared them with a similar sample of non-fatal fires. Among the findings: 39% were blamed on heating equipment, and smoking caused 31% of fatal fires and 6% of non-fatal fires.

Kinder and gentler

BOULDER, Colo. — One of tobacco's staunchest foes is trying a polite and positive method of getting its message across.

GASP (Group to Alleviate Smoking Pollution) of Colorado is distributing free signs that read "Welcome to Our Smoke-Free Home" (or store, restaurant or business) and picture a snowy mountain scene with an evergreen tree.

AMERICAN MEDICAL NEWS/FEBRUARY 8, 1993

When you or someone you know is thinking about buying or selling a home...
Call me, I'm here to help!



Donna Starr

443-6050 (office)
449-0201 (home)
1-800-443-5060

2970 Wilderness Pl.
Boulder, CO. 80301

I've lived in the mountains and plains of the Boulder and Denver area for over 20 years, and have extensive knowledge and love for this area.

I am committed to offering you professional, courteous and personalized service.

I'll be happy to provide you with current market information, answer your questions or assist with real estate transactions.

FOWLER
REAL ESTATE

Better
Homes
and Gardens

Let's Support GASP Together!!!

I'll donate to GASP 10%
of my commission from all sales
generated via this ad!

(Mention or present this ad when you call)

GASP NEEDS

We always need volunteers to help with general office work, and data entry in our computer (you should be familiar with Macintosh computers).

To help, call GASP at 444-9799.

Smoke-Free News

GASP supported Regent Jim Martin efforts to eliminate smoking in the seating areas of **CU's Folsom stadium** by providing a list of 25 other smoke-free professional and college stadiums.

The **Chapel Hills Mall** and food court in Colorado Springs is now the third mall in Colorado to become smoke-free.

The **Events Center** (586-5421) in Estes Park is the first smoke-free nightclub in Colorado. It features a variety of acts. The **Eye of the Blackbird** in Castle Rock (688-8222) is a smoke-free live jazz nightclub.

Monkey Siren, the modern music group that played for a smoke-free Clinton bash when the Pope was in town, performs a smoke-free concert at the **Mercury Cafe** (294-9281) on September 17 & 18. Band member Lexa Moffit is a member of GASP.

Many restaurants are becoming smoke-free because of increasing comments and complaints of patrons. Be sure to leave a note on your bill when you dine in a restaurant that allows smoking.

Ways to Clear the Air

There are many creative ways to make donations to GASP to insure our financial strength. You can include charitable gifts to GASP of Colorado in the form of:

- l Specific property or securities — works of art, stamp or coin collections, real estate, or a portion of a business;
- l A bequest in your will;
- l A future percentage of your assets;
- l The "residue" of your estate — property remaining after other bequests have been fulfilled;
- l The remainder of your IRA, pension, or life insurance after you are gone;
- l In-kind donations of office equipment, frequent flyer travel awards, etc.

Dick Duff is a member of the Colorado Bar and is well versed in how to arrange charitable transfers to the maximum advantage to the donor and to GASP. He is a member of GASP's Advisory Board and is very interested in GASP's future. Dick will answer your questions concerning gifts to GASP. His Denver number is 756-3599.

**** Dick will donate 25% of any compensation to GASP.***

The children's play area in the outdoor Pearl Street Mall in Boulder now has signs asking people to refrain from smoking in the area thanks to GASP member K. K. DuVivier. She wrote the city, and the city acted.

The **Los Angeles City Council** passed a law eliminating smoking in the 7,000 restaurants (more than in the whole state of Colorado).

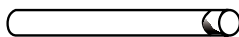
The cities of **Lakewood, Fort Collins, Telluride, Vail, and Pueblo** are considering tightening their laws on smoking, especially restaurants and malls. If you live in these cities, write or call your councilmember to support such efforts. Telluride's law will include bars and will go on the ballot in November.

GASP of Colorado

GROUP TO ALLEVIATE SMOKING POLLUTION

2885 Aurora Ave #16
Boulder, Colorado 80303

(303) 444-9799



Non-Profit Org.
U.S. Postage
PAID
Boulder, CO 80302
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ADDRESS CORRECTION REQUESTED

The Nonsmokers' Voice

GASP of Colorado, the Group to Alleviate Smoking Pollution
2885 Aurora Avenue, Suite 37, Boulder, CO 80303 (303) 444-9799

Promoting smoke-free policies for sixteen years.

Membership and subscription information on page 3. Printed portions may be copied or reprinted. Credit to GASP of Colorado is appreciated.

ISSN # 0897-9626; Editor: Pete Blalock Proofing: Mollie Newman March 1994

Report Shows How Tobacco Money Influences State Legislators

GASP of Colorado released a report in January that indicates that legislators who received tobacco-industry campaign contributions of \$900 or more in 1992 tended to vote for or sponsor bills that are supported by the tobacco industry. It shows that the tobacco companies were giving money to legislators who support industry-backed bills and industry positions. The report was released on the day commemorating the fortieth anniversary of the first Surgeon General's report on smoking.

In October, Public Citizens Health Research Group (a health advocacy group formed by Ralph Nader) released a report on Congress showing that tobacco contributions to members of congress have a direct and highly significant impact on lawmakers' positions on tobacco-control policies.

Continued next column

The Coalition on Smoking and Health, a coalition created by the American Cancer Society, American Lung Association, and the American Heart Association, issued this statement on tobacco contributions to politicians:

- The tobacco industry's influence on public policymakers has undermined national and local efforts to regulate tobacco use and has jeopardized the public's health.
- It is unconscionable for federal and state legislators and government leaders to allow tobacco money or the tobacco lobby's political pressure to buy their silence and to influence their vote on tobacco-control issues.

GASP's report created quite a stir when it appeared in the *Colorado Statesman*, a weekly paper distributed to legislators. The report starts on page 8.

Help Get the Cigarette Tax on the Ballot

The Fair Share for Health cigarette tax will begin collecting signatures sometime in March or April to get on the November '94 ballot. The 50¢ (per standard pack) tax will earmark revenues for:

- ♥ Health care for people who cannot afford it.
- ♥ School and community programs to prevent or reduce tobacco use.
- ♥ Research on tobacco-related illness, prevention, and cessation.

A similar measure passed by voters in California in 1988 has led to a 23% drop in tobacco consumption in four years. Volunteers are needed to help collect signatures of registered voters. You must be registered to vote in Colorado.

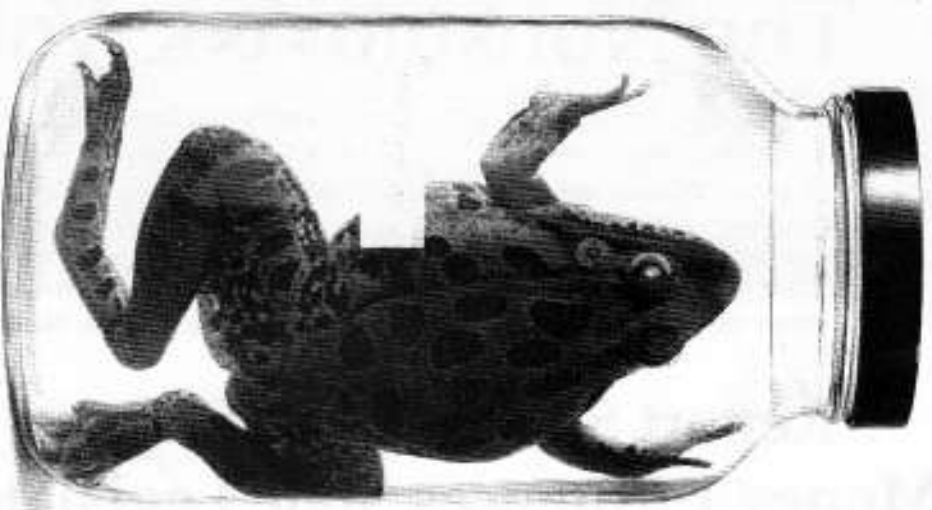
Call Arnold Levinson at 293-3309 to sign up to help or for a free brochure about the campaign.
Let him know you heard about it through GASP.

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Circulation this issue: 1,400

**What pickled
this frog,**



**Could pickle
your lungs.**



**The same formaldehyde
that preserves dead frogs
is found in tobacco smoke.**

**Leave it to the tobacco industry
to call inhaling forty-three
known carcinogens "refreshing."**

Some of the 4,700 "refreshing", "mild," and "smooth"
chemicals in tobacco smoke:

Ammonia: a poisonous gas, and a powerful
cleaning agent used to clean floors and toilets.

Arsenic: a potent ant poison.

Cadmium: used in batteries.

Cyanide: a deadly ingredient in rat poison.

Methanol: jet engine and rocket fuel.

Nicotine: an active ingredient in many bug sprays.

Butane: a flammable chemical in lighter fluid.

Acetone: a poisonous solvent and paint stripper.

Toluene: a poisonous industrial solvent.

Polonium-210: a highly radioactive element.

Carbon Monoxide: a poisonous gas in auto exhaust.

Benzene: the poisonous toxin that, in trace amounts,
forced the global *Perrier* water recall.

Sources: U.S. Dept. of Health & Human Services, Environmental Protection Agency.

**Do you really want
to put this stuff
in your body?**

**Don't be fooled by the tobacco industry.
Don't let them take advantage of you!**

Counteradvertising Report

GASP has begun an ad campaign in high-school newspapers. The ads are designed to make kids more aware of the toxic chemicals in tobacco smoke (see ad on page two). Through April, the ads will be running in more than a dozen high-school publications reaching more than 50,000 kids. GASP will be contracting with another dozen or more schools. Several schools will be running the ad as a public service, while others have agreed to run two different ads for the price of one, or to reduce their fee for GASP.

GASP is running a series of twelve ads in the *Capitol Reporter*, a newspaper that reports on the activities and actions of the state legislature. It is read by legislators, lobbyists, and other people who work around the Capitol. It has a circulation of 6,000. Our first ad was on the subject of tobacco smoke and ventilation systems. The second ad was about smoking around children.

Currently, GASP is putting the finishing touches on two new TV spots. One will promote smoke-free dining and the restaurant guide, while the other will be on the toxic chemicals in tobacco smoke. We will be distributing these to the major TV stations and will ask them to run them as a public service starting in April.

Paper, High School, City	Circulation
Prep Sidelines (at State wrestling tournament)	20,000
Union St Journal, Cherry Creek High (Englewood)	6,000
Panther Clause, Woodland High (Woodland Park)	4,500
Scout, Overland High (Aurora)	2,400
Warrior Pride, Westminster High	1,700
Eagle's Cry, Broomfield High	1,500
Bolt Action, Manual (Denver)	1,400
Valley Voice, Thompson Valley High (Loveland)	1,100
Skyline Sun, Skyline High (Longmont)	1,000
Chieftain, Cheyenne Mtn School (Colorado Spgs)	800
Cowboy Chronicle, Gunnison High	430
Cat's Chronicle, Aguilar High	150

"Thanks for the great ad. It was very informative and we were happy to use it as a public service."
Lisa Martinez, Westminster High School

Tobacco Industry Most Unpopular

According to a 1993 Gallup poll of 1,000 adults, the Tobacco Institute is the only interest group with an unfavorable rating higher than its favorable rating, at 61 percent versus 26 percent.

"They make their living selling death, and they lie about it," said Phil Wilbur, a representative for the Tobacco Tax Policy Project of the American Cancer Society. "It's not a way to get popular." Tobacco kills 418,000 Americans each year.

Smoke-Free Educational Services/Advocacy Institute

National Smoke-Free Environment Act

Senator Frank Lautenberg, who led the fight for smoke-free skies, and Representative Henry Waxman, chair of the Congressional subcommittee on health and the environment, have teamed up to propose legislation to make all public buildings smoke-free.

The Smoke-Free Environment Act of 1993 implements the recommendations of the Administration. Specifically, the Act requires the "responsible entity" (the owner or lessee) of "public facilities" (buildings regularly entered by ten or more persons) to implement a policy that either (1) bans smoking inside the building or (2) restricts smoking to separately ventilated rooms. The requirements of the Act are enforced through citizen suits, avoiding the creation of a new federal bureaucracy.

The legislation was prompted by the U.S. Environmental Protection Agency report classifying secondhand smoke as a Group A carcinogen, one that causes cancer in humans.

To support the law, write or call your legislators in Washington. Your local election bureau can provide you with their names and phone numbers.

Honorable your Senator
U.S. Senate
Washington DC 20510

Honorable your Congressman
U.S. House of Representatives
Washington DC 20515

JOIN GASP
and together we will
all breathe easier

- ☐ Yes, I support GASP's efforts to promote smoke-free air.
Here is my contribution of _____
\$100___ \$75___ \$50___ \$25___
(GASP's annual membership dues start at \$25)

I would like to contribute \$____ for your efforts, but I don't want to join GASP.

Name _____
Address _____
City-State-Zip _____
Phone _____

Mail and make checks payable to:

GASP OF COLORADO
2885 Aurora Avenue, Suite 37
Boulder CO 80303-2252

National News

Philip Morris Trying to Put Preemption Issue on California Ballot

Having state laws pre-empt the ability of local governments to enact tougher ordinances on smoking is the tobacco industry's favorite way of freezing the move toward stricter regulations on smoking. A preemption bill was introduced in Colorado last year but withdrawn after a major public outcry.

Philip Morris Inc., the nation's largest cigarette maker, is spearheading a drive to place on the ballot an initiative called the California Uniform Tobacco Control Act. The act does limit smoking to some degree, but would wipe out all of the more restrictive regulations. California now has 270 cities with various regulations. Total bans on smoking in restaurants and places of work exist in 35 California cities, while more than 100 cities and counties have banned smoking in restaurants. These cities include Los Angeles and San Francisco.

"This is the tobacco-industry dream — to reverse in one fell swoop the string of defeats they've suffered in community after community over the last decade," said Assemblyman Terry Friedman, whose bill to ban smoking in most indoor workplaces stalled in the California Senate.

Based on the San Francisco Chronicle

Philip Morris Challenges San Francisco Ordinance

Philip Morris sued the city of San Francisco shortly after a new ordinance eliminating smoking in workplaces and restaurants went into effect on February 1, 1994. Philip Morris is claiming that the city's ordinance is preempted by the state's workplace safety rules enforced by OSHA.

Tobacco on Trial

Massachusetts Begins \$14 Million Media Campaign

The Massachusetts Department of Health kicked off its first educational campaign financed by a voter-enacted increase in the state's tobacco excise tax.

The campaign targeted at youth features an eighteen-year-old boy telling his peers how they must set a good example for their younger siblings: "We can tell our little brothers and sisters, do as I say, not as I do. But they won't listen. If we smoke, they will smoke. And in their minds we'll be hypocrites."

The State is running other TV ads geared at youth. Voters passed a 1992 cigarette-tax increase of 25¢ that allocates a portion of the funds toward tobacco prevention activities.

Smoke-Free Educational Services

More Malls Become Smoke-Free

Hundreds of retail operations and shopping centers around the country are voluntarily banning or severely restricting smoking.

Retailers that have taken the step within the past few weeks include Sears, Roebuck and Co., the nation's third-largest merchant, which banned smoking throughout its 799 stores at the start of the year.

The retailers are taking the plunge for a combination of reasons. In some cases, they are responding to customer preferences for a smoke-free environment. Others fear they could be legally liable under Clean Air legislation, and under protections offered to disabled patrons and customers with illnesses aggravated by exposure to secondhand smoke.

Most important, many said, was the action taken by the Environmental Protection Agency a year ago in designating secondhand smoke as a dangerous cancer-

causing substance to both smokers and people near them. The EPA also said exposure to smoking increases the risk of respiratory illnesses in children.

Washington Post

More malls have become smoke-free in Colorado. GASP helped support local efforts to make the Mesa mall in Grand Junction smoke-free by sending out more than 150 action alerts to local residents.

Smoke-Free Malls in Colorado

Crossroads Mall, Boulder
Cherry Creek Mall, Denver
Chapel Hills, Colorado Springs
Citadel, Colorado Springs
Foothills Fashion Mall, Fort Collins
Mesa Mall, Grand Junction
Southglenn Mall, Littleton

Restaurant News

McDonald's Makes 1,400 Restaurants Smoke-Free

McDonald's banned smoking in its 1,400 company-owned U.S. restaurants on February 23. A local spokesman said this would affect more than **70 McDonald's in Colorado**.

McDonald's move, effective immediately, came one week after the Texas attorney general sued the restaurant chain and four others, demanding they either make their restaurants smoke-free, ventilate them better or post signs warning of the dangers.

The other chains (Burger King, Taco Bell, and Pizza Hut) have indicated they will also make all their corporate restaurants smoke-free. Arby's, Inc., made its 257 restaurants in the U.S. smoke-free January 26, 1994. GASP provided the corporation's Colorado office with information that helped launch their first testing of smoke-free policies.

More than 3,600 of 9,100 McDonald's stores nationwide will be smoke-free. About 2,200 restaurants banned smoking last year, including company-owned and franchised restaurants. The company urged its remaining franchises to ban smoking. *(Associated Press and other sources)*

Attorney Generals Call for Smoke-Free Fast-Food Eateries

Attorney Generals from sixteen states called on the fast-food industry to go smoke-free. Citing EPA studies showing the harmful effects of tobacco smoke, particularly on children, New York Attorney General Bob Abrams stated, "Because fast-food restaurants successfully market to children and because teenagers make up a large segment of the fast-food workforce, these restaurant chains have a special obligation to eliminate tobacco smoke."

Smoke-Free Restaurant Project a Success

GASP has received more than 350 responses from restaurants who have received our brochure "Twenty-Five Reasons to Make Your Restaurant Smoke-Free in Colorado." The brochure was sent to 6,700 restaurants in Colorado back

GASP continues to hear from restaurateurs who have received the brochure. A number of other groups liked our brochure so much, they will be making a similar one. Hand-delivered copies to the managers of restaurants are an effective way to help persuade more restaurants to become smoke-free.

Additional copies of the brochure are still available to GASP members free of charge.

New Restaurant Guide Is Popular

GASP's new purple-colored 48-page *Colorado Guide to Smoke-Free Dining* is going fast. Since the beginning of the year, nearly 20,000 guides have been distributed (out of 40,000 printed).

You can help volunteer to distribute 100 to 300 guides in public places and businesses in your immediate area (See back page).

The guide lists **771 restaurants in 89 cities** in Colorado that are 100% smoke-free. For the first time since its inception, the guide also lists a dozen smoke-free bars, nightclubs, and dance spots. The listings in the guide are based on a mailing GASP sent to all restaurants in the state.

GASP has added some special touches to make the new guide easier to use. The guide is divided into five clearly-marked geographical sections, and it includes an alphabetical cross-reference of each city listed. It contains information on secondhand smoke and the tobacco industry, and information that can be used to encourage other restaurants in Colorado to become smoke-free.

The number of smoke-free restaurants listed in the guide tripled since the 1992 guide. Restaurateurs are finding that smoke-free policies pay off in many ways. **Smoke-free policies do make good health sense, good legal sense, and good dollars and cents.**

GASP plans to send the guide soon to every restaurant, hotel, motel, bed-and-breakfast, and travel agent in the state. We also want to get the guide out to seniors groups, recreation centers, public libraries, and other targeted places.

To date, GASP has raised \$17,400 for the guide, 60% of our \$29,000 goal. We've spent \$18,650.

Since the publication of the guide, more than 100 restaurants have become smoke-free. An update is on p. 7

LOCAL NEWS

GASP of Colorado

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Society Editor

Local Legislation

Telluride's voters turned down a ballot initiative that would have eliminated smoking in restaurants and bars. The attempt failed by 42 votes. 392 residents voted for the law, while 435 voted against it. Various bars owners worked together opposing the bill. Their ads had the familiar tobacco-industry theme about government intervention. GASP supporter Nicholas Kirscht ran some of his own ads, but they were not powerful enough to persuade more people to vote for law. Kirscht might have done better if he had sought assistance from other groups.

A number of communities in California have eliminated smoking in bars. Telluride is the second community in the U.S. to ask voters to eliminate smoking in bars via the ballot. Voters in Shasta county, California, succeeded in passing legislation limiting smoking in restaurants, workplaces, and bars.

Fort Collins residents are considering a similar law, but must put the issue on the ballot. The Fort Collins law was passed by the voters in 1984.

The Loveland city council has been approached by residents and asked to tighten their law. A current proposal would prohibit smoking in all enclosed public places, restaurants, and places of employment. Bars may allow smoking, but if the bar is next to a restaurant it must be enclosed and separately ventilated.

Tobacco Lobbyist Dies of Lung Cancer

Jim Wilson, a lobbyist for the Tobacco Institute, died at the age of 67 of lung cancer. Wilson, an attorney with the lobbying firm of Hays, Hays, and Wilson, was a chain smoker. His partner, Frank Hays Jr., has replaced him with another smoker, lobbyist Karen Reinertson.

GASP Has A New Logo

GASP now has a new logo and letterhead. Linda Parks, the Boulder graphic designer who did a wonderful job on the restaurant guide and the "Twenty-Five Reasons to Become a Smoke-Free Restaurant," helped redesign the logo. The new logo is featured on the back page of this newsletter. Linda will be working on GASP's new membership brochure. Lisa McMath, a professional copywriter, has been hired to help rewrite the brochure.

GASP's Annual Report

For the second year in a row, GASP's annual revenue exceeded \$50,000. GASP received **\$55,015 in contributions** in 1993, and **spent \$56,954**. Our key sources of revenue came from membership (23,470), Ad fund contributions (14,580), and the restaurant guide (12,500). Our major expenses were for wages (19,094), the restaurant guide (6,710), postage (6,179), and counteradvertising (5,425). A complete annual report is available to GASP members upon request.

Colorado Guide to Smoke-Free Dining Up-Date

More than One Hundred New Listings!

METROPOLITAN AREA

Aurora		
McDonald's	958 S Havana	343-6567
McDonald's	11025 E Colfax	364-5212
Pizza Hut	16991 E Quincy	690-4540
Boulder		
Chucho's Coffee House	1336 Pearl	442-3661
Java Hut	1886 30th St	443-2885
Denver		
La Casbah	9955 E Hampden Ave #1	337-3232
Le Peep Grill	3030 E 2nd Ave	394-2040
North Deli	633 17th St #1740	295-0467
Greenwood Village		
Bourbon St Original Pizza Bar	5139 S Yosemite	721-6150
Lakewood		
240 Union Restaurant	240 Union	989-3562
Littleton		
Jose's	2420 W Main	798-5897
Westminster		
Wishbone	9701 N Federal	465-6204

NORTHEAST

Fort Collins		
Chick Fil-A	Foothills Fashion Mall	226-1641
Chinese Combo Express	Foothills Fashion Mall	223-1960
Dairy Queen	Foothills Fashion Mall	225-1940
East Coast Pizza	Foothills Fashion Mall	223-7007
Egg & I	2809 S College	223-5271
Eldora Pool & Ice Center	1801 Riverside	221-6683
Grecian Deli	102 W Olive St	482-1991
Obydass Sandwich Shop	822 S College	493-9187
One Potato, Two	Foothills Fashion Mall	226-3945
Pobre Pablo's	1802 N College	482-0895
Poudre Valley Hospital Cafeteria	1024 Lemay	495-8060
Pulcinella Pizzeria	3640 S Mason St #5	229-1400
Renzio's Greek Food	Foothills Fashion Mall	282-8818
Steele's Deli	200 W Foothills Pkwy	226-4309
Steele's Deli	1001 E Harmony Rd	225-2525
Steele's Deli	309 W Mountain	482-0123
Subway	Foothills Fashion Mall	225-1964
Subway Sandwiches	3680 S College	223-5954
Subway Sandwiches	755 S Lemay	224-5668
Subway Sandwiches	3680 S Mason	223-5954
Subway Sandwiches	1101 W Elizabeth	224-5914
Walmart Cafeteria	4625 S Mason	223-0715
Greeley		
Egg & I	3830 W 10th St	353-7737
Longmont		
Java Stop	341 Main St	772-1731
Loveland		
Runza Drive Inn	2204 N Lincoln	669-2131

SOUTHEAST

LoafN Jug (35 stores in: Colo. Spgs, Fountain, Manitou Spgs, Pueblo, Security). Sit-down eating area available.

Colorado Springs

Boston Chicken	6964 N Academy	599-9688
Chuck's Stop Diner	132 W Cimarron St	633-7022
Indian Palate	117 E Bijou	633-1080
McDonald's	750 Citadel Dr E	597-6201
McDonald's	4801 N Academy	598-4982
McDonald's	434 Garden of the Gods Rd	599-8774
McDonald's	1824 S Nevada	633-1171
McDonald's	8120 Hwy 83	593-0511
McDonald's	2515 S Academy	392-8249
McDonald's	1244 N Academy	598-1977
McDonald's	Peterson AFB Bldg 1365	597-4858
Fountain		
McDonald's	105 Plaza Blvd	391-1315

Monument		
McDonald's	450 Hwy 105	488-0044
Pueblo		
Dairy Queen Brazier	2105 Oakshire	545-0198
McDonald's (all five going smoke-free soon)		
Taco Bell	635 W Corona	543-5171
Arby's	Pueblo Mall	545-8837
Trinidad		
Nana & Nano's Pasta House	415 University St	846-2696

NORTHWEST

Clifton		
McDonald's	3219 I-70 Loop	434-9190
Grand Junction		
A & W	Mesa Mall	241-4643
Burger Concepts	Mesa Mall	245-9051
Chelsea's London Pub	Mesa Mall	245-9767
Corn Dog 7	Mesa Mall	243-7487
One of a Kind Pizza	Mesa Mall	243-2079
Pat's Kitchen	Mesa Mall	241-7237
Taco John's	Mesa Mall	245-8070
McDonald's	Mesa Mall	245-3900
McDonald's	1212 North Ave	242-1105
Parachute		
Cubby Hole Cafe	71 Tamarisk Tr	285-9370

SOUTHWEST

Cortez		
Francisca's Fine Mexican Food	125 E Main	565-4093

SMOKE-FREE BARS, NIGHTCLUBS, AND DANCING

Fort Collins		
Mountain Top Tavern	167 N College	484-4974

OMIT FROM THE GUIDE

New Vietnam (Denver, p. 16)

NOT 100% SMOKE-FREE

Herb's Hideout (Denver bar, p. 45), owner "says" he will have smoke-free nights.

GONE OUT OF BUSINESS

Golden Pheasant (Boulder, p. 10)
 New Age Foods (Boulder, p. 11)
 Sofia's (Golden, p. 20)
 Piccolino's (Lakewood, p. 21)
 Mark's Sandwich Shop (Colorado Springs, p. 30)
 A La Carte (Breckenridge, p. 36)
 Pour La France (Snowmass, p. 39)
 Cheese Shop (Vail, p. 40)
 Gregor's (Telluride, p. 44)

CORRECTIONS & NEW ADDRESSES

Subway Sandwiches (Lakewood, p. 21 on Alameda): 7111 W Alameda.
 Healthy Alternative (Breckenridge, p. 30) is now Rasta Pasta.
 D'Coffee Beanery (Vail, p. 40): 241 S Frontage Rd
 Fowl Play (Boulder, p. 10) is now at 2850 29th St.
 Bluepoint (Denver, p. 14) is now at 1801 Wynkoop and 295-6076.

NOTE: Many corporate-owned franchises of McDonald's, Burger King, Pizza Hut, and Taco Bell will become smoke-free in the next few months. **LoafN Jug**, a convenience store with a sit-down eating area, has made all 69 Colorado stores smoke-free. **Report your smoke-free discoveries to GASP, and we will add them to our list.** Please provide us with the name of the restaurant, complete address, and the phone number.

1992 Tobacco-Industry Campaign Contributions in Colorado

The tobacco industry made \$313,064 in campaign contributions during the 1992 Colorado general election, according to data accumulated for GASP by Common Cause. \$233,350 was given to the Colorado Executive Committee, the industry's front group opposing cigarette tax increases. The issue wasn't on the 1992 ballot, and so the money was probably used to cover the legal expenses related to court challenges on the previous ballot attempt by Dr. Robert Schrier.

The tobacco companies increased their contributions to state political candidates and political parties by nearly two and a half times from 1990 (when they gave \$29,350) to 1992 (when they gave \$71,683). Philip Morris continues to be the most aggressive tobacco company, leading the "pack" with total contributions of \$161,233, of which \$28,250 went to political candidates and parties. RJ Reynolds follows with a total of \$74,067, with \$10,500 going to political candidates and parties.

Our graph (p. 10 & 11) tracks the campaign contributions from various tobacco companies, tobacco subsidiaries, and tobacco lobbyists for 1992.

Do the tobacco companies reward their legislative friends?

Tobacco-industry campaign contributions to state legislators range from \$100 to \$2,200. Those contributions help the candidates but rarely will win the election for them. However, in examining the campaign records over the last three elections, one can see that the tobacco companies give more money to legislators who support industry-backed bills and industry positions.

Let's take a look at the sponsors and supporters of HB 1163, the failed 1993 preemption bill designed to weaken local smoking regulations. Senator Dave Wattenberg and Representative Tom Ratterree, the bill's prime sponsors, are among the top four recipients of tobacco campaign contributions to candidates in 1992. Wattenberg's tobacco contributions went from zero in 1990 to \$2,100 in 1992 (second highest), while Rep. Tom Ratterree's went from \$550 in 1990 to \$1,700 in 1992 (fourth highest). Twelve of the prime sponsors or co-sponsors of the 1993 preemption bill (Wattenberg, Schauer, Ratterree, Salaz, Entz, Shoemaker, Gramsas, Meiklejohn, Reeser, Foster, Anderson, and Taylor) received more than \$900 from the tobacco industry. All except one received three or more times more money from the tobacco companies in 1992 than they received in 1990. Another five supporters of the bill received tobacco contributions in 1990. Seventeen out of the twenty-five people who supported the "preemption" bill received tobacco campaign contributions in 1992.

The tobacco companies seem to give more money to legislators who sponsor or strongly support industry-backed bills. The tobacco companies appear to be rewarding legislators who strongly supported the 1989 smokers' rights law. This law prevents employers from adopting new policies which prohibit smoking "off the job" for current employees. The tobacco companies gave the bill's sponsor, Rep. Jeannie Reeser, \$1,000 in 1992. Co-sponsor Rep. Tim Foster was given \$1,050 (three

times what he received in 1990 from the tobacco interests). Foster and Reeser were also two of the eight legislators to vote against HJR 1013, the 1993 resolution to regulate smoking at the State Capitol.

Senator Regis Groff, the number two recipient of 1992 tobacco dollars, voted for the smokers' rights bill and was not fully supportive of HJR 1013. Groff used to vote on the pro-health side in the past. Wattenberg, the third highest recipient of tobacco dollars, also voted for the smokers' rights bill. Rep. Paul Schauer (third overall) co-sponsored the preemption bill and supported the smokers' rights bill. Schauer received \$700 in tobacco campaign contributions in 1990, but \$1,928 in 1992. Lewis Entz, a co-sponsor of the smokers' rights bill and a co-sponsor of the preemption bill, received \$250 in 1990 and \$1,400 in 1992 (eighth highest).

Rep. Bill Martin, a doctor, voted for the smokers' rights bill. Martin's contributions from the industry went from \$250 in 1990 to \$1,550 in 1992 (fifth overall). Why would any medical doctor accept tobacco campaign contributions? Senator Mary Ann Tebedo received \$1,000 in tobacco industry campaign contributions and has voted against smoking regulations in the past. Tebedo works to campaign against drug use. Rep. Mary Ellen Epps voted against HJR 1013 and supported the smokers' rights bill. Her contributions from the tobacco interests nearly tripled (from \$350 to \$950).

In general, most of the legislators who received tobacco industry campaign contributions of \$1,000 or more in 1992 tended to back the tobacco industry positions when they voted on tobacco issues before the 1993 legislative session.

Other Observations

Ninety-five candidates and issues received tobacco contributions in 1992. Of those, fifty-three are Republicans, while 27 are Democrats.

A recent national report on contributions to Congress from the tobacco industry indicates that the industry gives more money to Republicans than Democrats, and that Republicans tend to vote against pro-health anti-tobacco bills more often than Democrats. Colorado's Republican Party received \$7,350 from the tobacco companies in 1992, nearly twenty times more than they received two years before. The Democrats received a total of \$2,120 in 1992, which isn't much more than the \$1,400 they received in 1990 from tobacco interests.

Forty-four recipients of tobacco campaign contributions are men, 30 are women. Sixty-two (out of 100) current state legislators accepted campaign contributions from tobacco interests. Tobacco lobbyists accounted for \$3,108 of the campaign contributions. In some states, such as Massachusetts, the tobacco industry makes campaign contributions through its lobbyists. It does not seem to be a common occurrence in Colorado, though. Philip Morris subsidiaries, Miller Brewing, and Mission Viejo, gave \$6,050, but we could not find any political contributions to candidates from Kraft Foods, another major subsidiary. No contributions to candidates were listed under Nabisco, a major RJ Reynolds's subsidiary.

1992 Tobacco Industry Campaign Contributions

How to interpret the graph

Recipient of 1992 tobacco-industry campaign contributions.

PM = Philip Morris.

RJR = RJ Reynolds.

OTC = Other Tobacco Companies: American Tobacco, Brown & Williamson, Ligett Group, Lorillard, Morris Tobacco, Smokeless Tobacco, United Services Tobacco, US Tobacco Co.

TI = Tobacco Institute.

TC = Colorado Tobacco & Candy PAC.

TL = Tobacco Lobbyists: Jim Christiansen (Smokeless), CRL Assts (Philip Morris), Hays, Hays & Wilson (Tobacco Institute), Rick Reiter (Philip Morris), Wally Stealey (RJ Reynolds), Ruben Valdez (Philip Morris), and Roger Walton (Colo Executive Committee).

MB = Miller Brewing (a subsidiary of Philip Morris).

MV = Mission Viejo (a subsidiary of Philip Morris).

TOTAL = 1992 total tobacco industry contributions to individual.

*90T = 1990 total tobacco industry contributions to individual (for comparison purposes).

PR93 = Position on HB 1163, the 1993 bill that would have preempted and weakened local smoking regulations. *

SR89 = Position on "smokers' rights," a law which prevents employers from adopting new policies which prohibit smoking "off the job" for current employees. *

* CS= Co-sponsor, S= Sponsor, VF= Voted For, VA= Voted Against, NIO= Not in Office

• Recipients who are legislators currently in office have their position title listed (Senator or Rep.) before their names.

Legislative Candidates	PM	RJR	OTC	TI	TC	TL	MB	MV	TOTAL	*90T	PR93	SR89
Ted Strickland (R)	600	500		500	400		200		2,200			VF
Senator Regis Groff (R)	1,300	250		300			250		2,100			VF
Senator Dave Wattenberg (R)	1,100	500		300	200				2,100	0	SP	VF
Rep Paul Schauer (R)	1,000	250		200	200	48		250	1,948	700	CS	VF
Rep Tom Ratterree (R)	1,000	100		200	200		200		1,700	550	SP VF	VF
Rep Bill Martin MD (R)	800	250	300		200				1,550	250		VF
Rep David Owen (R)	900	250		200	200				1,550	150		VF
Rep Mike Salaz (R)	600	200		700					1,500	0	CS VF	NIO
Rep Jeanne Adkins (R)	200	100		200	200		200	500	1,400	500		VF
Rep Lewis Entz (R)	400	100		700	200				1,400	250	CS	CS VF
Rep Michelle Lawrence (R)	600	100		200	200		250		1,350	550		
Senator Bill Owens (R)	900	250			200				1,350			VA
Rep Robert Shoemaker (D)	600	250		200		100	200		1,350	0	CS VF	NIO
Senator Tom Blickensderfer (R)	700	250		300					1,250	100		
Senator Michael Feeley (D)	500			500	250				1,250			
Chuck Henning (R)	600				300	50	300		1,250			
Senator Bob Martinez (D)	900	250				80			1,230			VF
Rep Tony Grampas (R)	1,000						200		1,200	350	CS	VF
Senator Al Melkjohn (R)	600	500			100				1,200	0	CS	VF
Rep Chuck Berry (R)	500	100			250	100	200		1,150	200		VF
Rep Jeannie Reeser (D)	1,000	100							1,100	950	CS	SP VF
Senator Mary Anne Tebedo (R)	500	500			100				1,100	0		VA
Rep Tim Foster (R)		200		400	250		200		1,050	350	CS	CS VF
Rep Norma Anderson (R)	1,000								1,000	300	VF	VA
John Irwin (R)	600	100		200	100				1,000	350		VF
Rep Mary Ellen Epps (R)	600	350							950	350		VF
Stan Johnson (R)	800	100							900	100		
Senator Elsie Lacy (R)	450	250			200				900			
Senator Bud Moellenberg (R)	400			300			200		900		CS VF	VA
Rep Phil Pankey (R)	400	100			200		200		900			VA
Rep Jack Taylor (R)	200	100		400	200				900		CS	NIO
Harold McCormick (R)		250		600					850			VF
Rep William Thiebaud (D)	400	250		200					850			VA
Marleen Fish (D)	600			200					800	350		VF
Rep Celina Benavidez (D)	400	200				125			725			
Dick Bettinger (R)	200	100		400					700			
Jim Brandon (R)				700					700			
Rep Fay Fleming (R)	600	100							700	550		VF
Rod Hayes (R)		100		400	200				700			
David Leeds (R)	200	500							700			
Rep Gil Romero (D)	400	100		200					700	200		VF
Senator Steve Ruddick (D)	200	500							700			VA
Rep Debbie Allen (R)		100		300	200				600			
Rep William Jerke (R)	400						200		600		VF	VA
Senator Don Mares (D)	600								600	200		VA
Rep Steve Acquafresca (R)	200			300					500			
Rep Vicki Agler (R)	400	100							500	300		
Kathleen Finger (R)	200	100			200				500			
Bonnie Finley (R)	200	100			200				500			
Rep Russell George (D)	200	100		200					500			
Rep Bob Hagedorn (D)		300			200				500			
Rep Shirleen Tucker (R)	100				200		200		500	250		VF
Rep Alice Nichol (R)	200	250							450		VF	NIO
Brad Young (R)			200	200					400			

Graph continues on page 10.

Legislative Candidates	PM	RJR	OTC	TI	TC	TL	MB	MV	TOTAL	*90T	PR93	SR89
Senator Dottie Wham (R)		250			100				350			VF
Rep Diana DeGette (D)					200	100			300			
Rep Robert Eisenach (D)	200	100							300	200		
Rep Vi June (D)	200	100							300			
Sue Schulze		100		200					300			
Carol Snyder (R)	200	100							300			
Rep Gloria Tanner (D)	200	100							300			VA
Rep Penn Pfiffner (R)	200					50			250		VF	NIO
Rep Jeanne Faatz (R)	200								200			VA
Clark Houston (R)					200				200			
Rep Peggy Kerns (D)	200								200	500		VA
Rep Glenda Lyle (D)	200								200			
Pat Miller (R)	200								200			
Dave Morgan		200							200			
Rep Marcy Morrison (R)					200				200			
Rep Sam Williams (D)	200								200	200		VA
Silver Jaramillo (D)						150			150			
Rep Don Armstrong (D)		100							100		VF	NIO
Rep Ken Chlouber (R)					100				100	100		VA
Samantha Dixon (D)					100				100			
Rep Jim Dyer (D)					100				100	50		VA
Rep Doug Friednash (D)		100							100			
Kenneth Gray (R)						100			100			
Rep Robert Hernandez (D)		100							100		VF	NIO
Rep Jim Pierson (R)		100							100	300		VF
Rep Dan Prinster (R)					100				100	700		VF
Senator Paul Weissman (D)						100			100			
Rep Wayne Knox (D)						25			25			VA
Total to Candidates	28,250	10,500	500	9,700	6,450	1,028	3,000	750	71,683	29,350*		

* Figures include 1990 recipients that are not listed in 1992.

Issues/Political Parties

Recipient (1992)	PM	RJR	OTC	TI	TC	TL	MB	MV	TOTAL	*90T	PR93	SR89
Colorado Executive Committee	124,908	62,727	45,711						233,346	648,970		
Colorado Republican Committee			5,000			150	100	2,100	7,350	400		
Coloradans For The Future	5,000								5,000			
EPO Colorado Inc	2,500								2,500			
Colorado Tobacco & Candy PAC		340	1,245						1,585			
Democratic State Central Committee	450	500							950			
House Democratic Majority Fund						695		100	795	400		
No On #1 Committee						500			500			
Democratic Senate Committee	125					250			375	1,000		
Colorado Independents PAC						250			250			
Colorado NARAL						35			35			

Smoking in State Buildings and Schools

House Bill 1136 (by Rep. Martha Kreutz) would prohibit smoking in public areas of all state buildings, including the State Capitol. It passed the House 57-8. It was watered down in a Senate committee to exclude the State Capitol, and then strengthened in the Senate. The bill would make public areas non-smoking, unless Legislative Council makes exceptions. A March 8 article by Jennifer Gavin of the *Denver Post* says that this would not change much.

Secondhand smoke is a Class A carcinogen and there should be no smoking in State Buildings at all. If smoking is allowed, it should be limited to fully enclosed, separately ventilated areas that are paid for by the tobacco industry, and not the taxpayer. The legislature may be violating the Americans With Disabilities Act by allowing smoking in the public areas of the State Capitol because access is limited to people with respiratory problems.

Senate Bill 100 (by Senator Ray Peterson) would prohibit tobacco use on school grounds by students, faculty, and staff. The Bill passed the Senate 25-10, and then passed a House committee. It has been watered down to allow schools to designate smoking areas under "extraordinary" circumstances.

Public outcry from the 1993 preemption bill that would have weakened current regulations of smoking created such a backlash that many legislators now realize how strongly the public feels about regulations on public smoking. Some legislators, especially in the House, are beginning to vote the "pro-health" way rather than the "pro-tobacco industry" way as a result. Our next newsletter will let you know how legislators voted on these two bills.

For information about the status of the bills call 866-3055.

Bothered By Tobacco Smoke?

Exposure to secondhand smoke causes lung cancer, heart disease, and other illness in nonsmokers. The Environmental Protection Agency has now classified secondhand smoke as a Group A carcinogen, the most dangerous group of cancer-causing agents.

You should not have to breathe secondhand smoke against your will.

For fifteen years GASP of Colorado (Group to Alleviate Smoking Pollution) has been working to eliminate tobacco smoke from the air we breathe — at work, in restaurants, and in public places.

If you are bothered by tobacco smoke, GASP wants to hear from you.

Send us your name, address and telephone number.

GASP of Colorado

Group to Alleviate Smoking Pollution
2885 Aurora Avenue, Suite 37
Boulder, CO 80303
(303) 444-9799

GASP Runs Special Ads

GASP ran this advertisement in numerous papers throughout Colorado with a total circulation of 48,000. Each paper agreed to run the same ad twice for the cost of one ad. The goal of the campaign is to increase our network of supporters where GASP does not have many supporters.

GASP surpassed its goal of obtaining a data base of more than 10,000 supporters by the end of 1993. If you like the ad, you may run it in your local paper as a donation to GASP.

Ads were placed in these newspapers:

Community	Paper Circulation
Ouray	2,400
Leadville	2,500
Buena Vista	2,500
Limon	2,700
Springfield	2,800
Craig	2,900
Salida	2,900
Pagosa Springs	3,100
Wray	3,200
Burlington	3,300
Simla	3,600
Lamar	3,700
Cortez	5,400
Delta	7,000

More Airports Become Smoke-Free

Miami International and Los Angeles International Airport have now become smoke-free. These two airports are two of the largest international airports which attract visitors from all over the world. Mayor Wellington Webb will be permitting a restaurant chain to allow smoking in a totally separately enclosed and ventilated area in **Denver's new airport**. However, the rest of the airport will be 100% smoke-free. Here's GASP's current list of other smoke-free airports.

Smoke-Free Airport Guide

100% SMOKE-FREE

Dallas/Fort-Worth, Daytona Beach, Flagstaff, Houston (except enclosed VIP lounges), Miami International, Minnesota/ St. Paul, Sacramento, John Wayne (Anaheim, CA). All airports in Australia, Singapore, Zurich (Switzerland), and Amsterdam. Some airports in Canada.

100% SMOKE-FREE IN PUBLIC AREAS

(Designated smoking areas allowed in bars and restaurants)

Albuquerque (NM), Hartsfield International (Atlanta, GA), Denver International & Stapleton (CO), JFK (NY), La Guardia Intl. (NY), Los Angeles (CA), Long Beach (CA), Ontario (CA), Philadelphia (PA), Phoenix (AZ), Pittsburgh (PA), Salt Lake City (UT), San Francisco (CA) (except in fully enclosed glass rooms), Van Nuys (CA)

100% SMOKE-FREE IN PUBLIC AREAS

(Designated smoking areas allowed in bars, restaurants, and retail stores)

O'Hare (Chicago)

Up-dated March, 1994

Research, Science, and Polls

Secondhand Smoke Affects Fetuses

Scientists have found chemical evidence that nicotine can reach a non-smoking woman's fetus if she is routinely exposed to secondhand smoke.

The evidence turned up in hair samples from newborns, suggesting long-term exposure to nicotine and other potentially harmful components of tobacco smoke, said Dr. Gideon Koren.

Prior research also shows that when a pregnant woman smokes during pregnancy, risks to a fetus include low birthweight, prematurely and possible long-term effects on mental development, Koren and his co-authors said in the February 23 issue of the *Journal of the American Medical Association*.

Rocky Mountain News 2-23-94

Smoking Hurts Children

Smokers put children in their care at risk of more ear and lung infections, worsened asthma and more visits to the hospital, the nation's top doctor said Thursday.

U. S. Surgeon General Joycelyn Elders said many adults may be unaware of the serious health problems they are causing their children. She released the smoking report as part of a campaign to convince adults to snuff their cigarettes while they are around children.

Nearly 9 million children regularly breathe secondhand smoke, usually at home, and up to 67% of children under age five live in a home where at least one adult smokes. More than 750,000 children are exposed to smoke in day-care centers, and 83% of schools permit smoking.

"I don't think parents know the problems that they're causing their children. You know, they have a choice to smoke or not smoke, but their children are really innocent victims," Elders said.

Rocky Mountain News 1-7-94

Smoke Linked to Asthma

Tests of nearly 200 children with asthma have uncovered strong new direct evidence that secondhand smoke causes or worsens the condition in children.

Although doctors have suspected a connection between asthma and secondhand smoke for years, the link had been circumstantial, based on studies in which people were asked to estimate how much youngsters had been exposed to cigarette smoke from others.

The new study, published in today's *New England Journal of Medicine*, was far more direct. Doctors who conducted the study measured the children's exposure by looking for telltale chemicals in their urine.

When the doctors counted the number of asthma attacks each child had suffered during the preceding year, they discovered that youngsters exposed to the most secondhand smoke had 70% more attacks compared with children with little or no exposure.

Rocky Mountain News 6-10-93

Dangerous Encounter: When Others Light Up

A nice new colorful brochure on passive smoking is available from the College of American Pathologists. Call 1-800-522-5678 for a free copy.

Did Tobacco Firms Snuff Research?

The Justice Department is investigating whether tobacco companies illegally agreed not to produce or sell cigarettes that are less likely to start fires.

Andrew McGuire of the Trauma Foundation in San Francisco, which lobbies for fire-safe cigarettes, said fire-safe cigarettes are feasible but that tobacco companies have resisted marketing them because "they do not want the fallout of product liability over burn deaths and burn injuries caused by their current cigarettes."

Rocky Mountain News 3-9-94

There were 951 deaths, 3,381 injuries, and \$552 million in property damage from 187,100 fires caused by smoking materials in 1991, according to the National Fire Protection Association. Cigarettes caused 90.3% of those fires.

Colorado Poll Reveals Support for Tobacco Measures

A May 1993 survey of nearly 500 registered voters indicates:

- 67% would vote for an initiative to prohibit smoking in all public places and workplaces. The poll shows that 73% of nonsmokers and 40% of smokers would vote for such a law.
- 70% would vote for a licensing fee on tobacco retailers to help pay for enforcing the ban on tobacco sales to minors. The poll shows that 73% of nonsmokers and 59% of smokers would vote for such a law.
- 80% would vote for law requiring insurance companies to offer discounts to nonsmokers. The poll shows that 84% of nonsmokers and 58% of smokers would vote for such a law.

The poll was conducted by the Center for Private-Public Sector Cooperation at the University of Colorado at Denver.

Your 1994 Guide to Local Smoking Regulations in Colorado

This is a summary of how smoking is prohibited or restricted in Colorado's cities and counties. For this review, each law is classified into five key areas: the workplace, restaurants, public places, retail stores, and supermarkets. Each ordinance varies and the specific wording may be different. By State law, local laws on smoking take precedent over the current State law. Contact the city or county clerk to obtain a copy of regulations on smoking in your area.

WORKPLACE

General Description: Employers must provide employees with smoke-free work areas upon request. Sign requirements vary.

Covered: Arapahoe County, Arvada, Aspen, Aurora, Boulder, Boulder County, Cañon City, Colorado Springs, Denver, Englewood, Fort Collins, Glenwood Springs, Golden, Grand Junction, Greeley, Greenwood Village, Jefferson County, Lakewood, Littleton, Longmont, Louisville, Loveland, Parker, Pueblo, Snowmass, Telluride, Thornton, Trinidad, Vail, Westminster, and Wheat Ridge.

City and County Buildings Only: Douglas County, Weld County, and Woodland Park.

Not covered: Broomfield, Carbondale, and Louisville.

Variations: Thornton and Trinidad require employees to circulate petitions that must be signed by 50% of full-time employees before an employer is required to take an action to restrict workplace smoking. Westminster bans workplace smoking unless 50% of smokers request a smoking area.

Nonretaliation Clauses: Aspen, Colorado Springs, Denver, Lakewood, and Littleton, Parker, Telluride, Thornton, Westminster, and Wheat Ridge have a clause making it unlawful for employers to retaliate against a nonsmoking employee for exercising their right for a smoke-free work area.

RESTAURANTS

General Description: Restaurants must provide a nonsmoking area of sufficient size for patrons who request them. Patrons must be advised of the availability of a nonsmoking area either orally or by signs at entrances.

Covered: Arapahoe County, Arvada, Aspen, Aurora, Boulder, Boulder County, Broomfield, Cañon City, Carbondale, Colorado Springs, Denver, Englewood, Fort Collins, Glenwood Springs, Golden, Grand Junction, Greeley, Greenwood Village, Jefferson County, Lakewood, Littleton, Longmont, Louisville, Loveland, Parker, Pueblo, Snowmass, Telluride, Thornton, Trinidad, Vail, Westminster, and Wheat Ridge.

Not Covered: Carbondale and Vail.

Size Exemptions: Restaurants with a seating capacity of 30 or fewer do not have to provide nonsmoking areas in all communities and counties except Cañon City, Colorado Springs, Pueblo (50 seats), Denver (25), Louisville (25), and Trinidad (20).

No Size Exemptions: Aspen, Boulder, Longmont, Snowmass, and Telluride do not exempt any restaurants from the law.

Require Totally Enclosed Sections: Aspen, Snowmass, and Telluride allow restaurants to have a smoking area if that area is completely enclosed, separately ventilated, and does not consist of more than 50% of a restaurant's seating. Otherwise, smoking is prohibited in the restaurant.

Wait Clauses: A wait clause requires that restaurants provide a nonsmoking area without delay to anyone who requests it. The delay is considered reasonable if it is equal for smokers and nonsmokers. These communities have wait clauses: Arapahoe County, Boulder, Boulder County, Cañon City, Colorado Springs, Denver, Grand Junction, Greeley, Lakewood, Littleton, Louisville, Loveland, Parker, and Wheat Ridge.

PUBLIC PLACES

General Description: Smoking is prohibited in places open to the public such as elevators, galleries, libraries, museums, recreation centers, community centers, etc. Signs must be clearly posted at all entrances.

Covered: Arapahoe County, Arvada, Aspen, Aurora, Boulder, Boulder County, Broomfield, Cañon City, Carbondale, Colorado Springs, Denver, Douglas County (county buildings only), Englewood, Fort Collins, Glenwood Springs, Golden, Grand Junction, Greeley, Greenwood Village, Jefferson County, Lakewood, Littleton, Longmont, Louisville, Loveland, Parker, Pueblo, Snowmass, Telluride, Thornton, Trinidad, Vail, Weld County (county buildings only) Westminster, Wheat Ridge, and Woodland Park (city buildings only).

RETAIL STORES

General Description: Smoking is prohibited in any areas open to the public in retail stores, banks, or any other commercial establishment open to the public. Signs must be clearly posted at all entrances.

Covered: Arapahoe County, Arvada, Aspen, Aurora, Boulder, Boulder County, Broomfield, Cañon City, Carbondale, Colorado Springs, Denver, Englewood, Fort Collins, Glenwood Springs, Golden, Grand Junction, Greeley, Greenwood Village, Jefferson County, Lakewood, Littleton, Longmont, Louisville, Loveland, Parker, Pueblo, Snowmass, Telluride, Thornton, Trinidad, Vail, Westminster, and Wheat Ridge.

Not covered: Douglas County, Weld County, and Woodland Park.

Variations: Some ordinances allow the proprietor to have a smoking area in an area not open to the public. Some ordinances allow proprietors to designate up to 50% of the store as a smoking area. However, most proprietors find it easier to prohibit smoking rather than split a retail store in half.

SUPERMARKETS

General Description: Smoking is prohibited in supermarkets, grocery stores, and convenience stores. Signs must be clearly posted at all entrances.

Covered: Arapahoe County, Arvada, Aspen, Aurora, Boulder, Boulder County, Broomfield, Cañon City, Carbondale, Colorado Springs, Denver, Englewood, Fort Collins, Glenwood Springs, Golden, Grand Junction, Greeley, Greenwood Village, Jefferson County, Lakewood, Littleton, Longmont, Louisville, Loveland, Parker, Pueblo, Snowmass, Telluride, Thornton, Trinidad, Vail, Westminster, and Wheat Ridge.

Not covered: Douglas County, Weld County, Woodland Park.

A public service of GASP of Colorado
(Group to Alleviate Smoking Pollution)
(303) 444-9799

HOW TO ANSWER ARGUMENTS ABOUT SMOKING

There's so much pollution. What difference does tobacco smoke make?

ANSWER

Tobacco smoke paralyzes the cilia in the lungs and reduces the capacity of our bodies to handle the pollutants which are part of our lives. This is why smokers are more prone to colds and other diseases. Also, pollutants are synergistic; several together can be more harmful than would seem to be their total effect. Besides, smoking is the major polluter of indoor air. A majority of people spend most of their time indoors.

Why don't you help by not driving your car?

ANSWER

You don't see too many people driving cars indoors. No one would allow the kinds of outdoor pollution (to which they compare cigarettes) to exist indoors. For example, a car would never be permitted to give off fumes in a restaurant or in a workplace. Tobacco-smoke pollution is, in most cases, worse than the outdoor pollution. Besides, our society is already taking steps to reduce outdoor pollution.

Courtesy Should Take Care of the Problem

ANSWER

If courtesy were adequate to protect people, we wouldn't need any laws at all. Regulations do not interfere with people who are courteous; they only interfere with people who plan to be inconsiderate.

I Have a Right to Smoke

ANSWER

Smoking and clean indoor air cannot be equated. Clean indoor air and breathing are necessary to life; smoking isn't. Smoking is a privilege, not a right. Besides, most laws do not guarantee anyone the right to pollute the air.

I Smoke Because Everybody Does

ANSWER

Actually, less than 26% of the American adult population smokes.

I'm Not Hurting Anyone When I Smoke

ANSWER

Your loved ones and anyone near you are being harmed by tobacco smoke pollutants. You set a bad example for your children. Forcing your children to breathe the toxic chemicals in tobacco smoke might constitute child abuse. It is also a fire hazard to you and your family and it raises everyone's insurance rates.

My Grandfather Lived to Be 90 and Smoked All His Life

ANSWER

You could put on a blindfold and walk across a busy highway at rush hour and possibly not get hurt. This does not make it a wise thing to do and only a small percentage of those who tried would survive. Your grandfather was one of those fortunate enough to survive. Every day more than 1000 Americans die of smoking-caused diseases or fires. Don't forget those around your grandfather. Secondhand smoke kills thousands of Americans every year and causes a great deal of eye, nose, and throat irritation. Smokers risk not only their health, but also the health of those around them.

I Can't Tell My Customers Not to Smoke in My Store

ANSWER

It's your establishment, and you have a right to protect the health, welfare, and safety of your employees, your customers, and your merchandise. Secondhand smoke is a Class A carcinogen, the most dangerous classification for cancer-causing agents.

I Cannot Ask My Guests Not to Smoke.

ANSWER

Your first obligation is to provide safe accommodations for your guests, the majority of whom don't smoke. Just as you would not serve bad food, you should not allow polluted air. As for your smoking guests, they wouldn't like you to tempt them to drink if they were alcoholics; they wouldn't like you to tempt them with sugar if they were diabetics.

The Majority of Those at this Meeting Are Smokers, So the Majority Should Prevail.

ANSWER

This is lynch-mob thinking. If a few people want to rob another of health, is a majority opinion the appropriate way to decide?

This is a Limitation of My Freedom

ANSWER

Limitation of one freedom is often necessary to protect a more important freedom. In this case, health rights are more important than the "freedom" to indulge in a self-destructive habit that also harms others. Freedom of choice is no longer the best choice when that choice endangers others. Everyone accepts as good and proper the limits of many freedoms. That is why we have speed limits and many other public health laws.

Condensed from a two-page paper listed in GASP's order form of more than 50 educational materials.

Crackdown nets 15 clerks selling tobacco to minors

By CLAY EVANS
Camera Staff Writer

There is no law against minors smoking cigarettes or chewing tobacco, but there is one against selling cigarettes and chew to minors.

With that in mind, Boulder police this week launched an effort to smoke out convenience stores that have been selling tobacco to children.

The results of the effort appear to show that few stores are obeying the laws on minors and tobacco: police issued 15 summonses to clerks at 15 convenience stores targeted in the operation. At another store, a clerk asked how old a potential young customer was, and the sale was not made.

"We got a couple of kids to help us. We sent them into the various stores with an officer in plainclothes to watch the transaction and a uniformed officer outside," said Sgt. Molly Bernard. "They went up to the counter, asked to buy tobacco, paid, got change and as soon as the transaction was finished, officers talked to the clerk about what

happened."

All 15 clerks were charged with sale of tobacco products to minors, a petty offense with a possible fine up to \$200, Bernard said.

Police Chief Tom Koby said the tobacco sting was prompted by an increased awareness that children are getting tobacco, contrary to state law.

"It is a problem beyond just health," he said. "It is a problem that the schools are having, too."

Stores where tobacco was sold illegally to minors were: Texaco, 2877 Baseline Road; Conoco, 601 S. Broadway; Convenience Plus, 2700 Baseline; South Creek Market, 4700 Table Mesa Drive; Texaco, 1480 Canyon Blvd.; Boulder General Store, 2009 13th St.; Lolita's, 800 Pearl St.; Boulder Drug, 1647 Pearl St.; Circle K, 1275 13th; 7-11, 2850 Baseline; Amoco, 4742 Table Mesa; PDQ, 5200 Manhattan Circle; 7-11, 17th and Walnut streets; Rich's Amoco, 902 Pearl; and Total gas station, 1704 17th.

DAILY CAMERA, SEPTEMBER 1993

Where to File a Complaint About Violations of the Americans With Disabilities Act

People who have a respiratory condition that limits their use of smoke-filled facilities may file complaints against any facility that allows smoking. This could include shopping malls, stadiums, grocery stores, retail stores, etc.

If the facility is a government building or receives funds from the U.S. government, you can call the Civil Rights Division in Colorado at 844-4774.

Complaints about other public accommodations can be filed with the Justice Department, Civil Rights Division, Box 66118, Washington, DC 20035. The phone number is 202-514-0301.

Utah Man Files ADA Suit

A Utah resident who suffers from a genetic lung disease has filed a complaint against a number of restaurants and bowling chains for violating the Americans With Disabilities Act. He claims that the smoke in these facilities denies him access under section 12182. *Tobacco on Trial*

LASSO TOBACCO COLORADO

The Lasso Tobacco Campaign sponsored by the Colorado Health Department and the American Cancer Society, kicked off its five-year campaign in Colorado on November 4. The goal of the campaign is to significantly reduce smoking in Colorado over the next five years. A number of committees have been formed to work on the tobacco issues in the community environment, worksites, school and youth access issues, and with community and multi-cultural groups. GASP members who would like to become more involved in the campaign or get on the group's mailing list should call 692-2510.

Help Distribute the New Restaurant Guide

GASP needs volunteers to help distribute the restaurant guide in your immediate area. We will be happy to send you a box of guides you can keep in your car and distribute as you go places in your neighborhood. The guide stands out in a crowd of "freebies" and is snatched up quickly.

"Everyone was delighted to distribute the guide," says Mary Ann De Pinto of Brighton. She placed copies at the Brighton library, a health-food store, a seniors center, a recreation center, and a clothing store. "People were very glad to receive the guide," says Alice Gray of Estes Park. She dropped copies off at various smoke-free restaurants, medical centers, and doctor's offices. One volunteer leaves 25 copies a week at his local health club. He says they are usually gone by the end of a week.

Ideal places to drop 20 to 25 guides: health clubs, health food stores, libraries, recreation centers, community centers, grocery stores, senior centers, bookstores, colleges, churches, smoke-free businesses and restaurants, and any place that circulates "freebie" publications. Before placing guides, GASP suggests you ask the manager or owner for permission.

There is no charge for the guides, but a donation or stamps will help defray the postage costs. We suggest \$3 to cover costs of mailing 100 guides, \$4 for 200, \$5 for 300, etc. I'll send you a package via parcel post or UPS. Please don't request more guides than you can handle.

Volunteer to Help With Guide Distribution

I'd be happy to distribute ☐ 100 ☐ 200 ☐ 300

_____ (other amount) guides in my neighborhood area.

I also am enclosing a donation of \$_____ to help defray postage costs.

Your Name _____

Address _____

City/Zip _____

Phone _____

Return to GASP at address below:

GASP

of Colorado

Group to Alleviate Smoking Pollution

2885 Aurora Avenue, Suite 37
Boulder, CO 80303-2252

(303) 444-9799

ADDRESS CORRECTION REQUESTED

Volunteers Needed for People's Fair

GASP needs volunteers to help distribute information and the new restaurant guide at the **Capitol Hill People's June 4-5 in Denver**. We will also be collecting signatures for the cigarette tax. This highly popular fair attracts 275,000 people each year. Volunteers may sign up to help sit at the booth for a three-hour shift either on Saturday, June 4 or Sunday, June 5.

Call 444-9799 to sign up to volunteer.

GASP is also looking for a one or two people who might be interested in running a booth at the **Boulder Creek Festival May 28 and 29**. Call us by April 11 if you are interested.

More Than 50 Restaurants Join GASP

In the last two years, more Colorado restaurateurs have become GASP members. Currently, 58 restaurants and 4 bars/nightclubs belong to GASP. All of them are smoke-free. Two of the larger restaurants are the Italian Fisherman in Aurora and the Gondolier in Boulder. Two-Bitts in Boulder, Cafe Paradiso in Denver, Mama Rose's in Estes Park are considered to be five-star restaurants. The Gabby Gourmet rates Two-Bitts a "to die for" restaurant. The County Harvest Buffet is the only chain that is a member. Other popular eateries include: Chataqua Dining Hall, Lucile's, and Rocky Mountain Jose's in Boulder, Ristorante Catalano and Mesquite House East in Englewood, Frontroom Pizza in Lakewood, Perkins and Jose's in Littleton, Karen's in Louisville, the Olive Branch, Furr's, and Dale Street Cafe in Colorado Springs, and many others.

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The Nonsmokers' Voice

GASP of Colorado, the Group to Alleviate Smoking Pollution
2885 Aurora Avenue, Suite 37, Boulder, CO 80303 (303) 444-9799

Promoting smoke-free policies since 1977

Membership and subscription information on page 3. Printed portions may be copied or reprinted. Credit to GASP of Colorado is appreciated.

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Tobacco Tax Makes the Ballot

With Patrick Reynolds, the grandson of tobacco baron R. J. Reynolds, cheering on supporters of the Fair Share for Health campaign, 102,615 signatures were submitted to Secretary of State's office on August 4. Twelve days later the Secretary of State ruled that a random check of the signatures indicated that 75,873 are valid — far beyond the 49,274 needed to qualify for the ballot. It will be amendment one.

The measure would increase tobacco taxes in Colorado by 50¢ per pack and earmark funds for programs to prevent or reduce tobacco use, and for health care for those who cannot afford it. The tobacco tax will generate \$130 million a year, with 40% to be used to prevent tobacco use by kids and adults. The tobacco industry spends more than \$60 million a year promoting smoking in Colorado (4.5 million nationally). Colorado's current 20¢ tax ranks in the bottom third in the nation.

The tobacco industry is expected to spend at least \$5 million to fight the measure. It spent \$23 million to fight an earmarked tax in California in 1988, \$9 million in opposing the 1992 Massachusetts tax, and \$4 million on a Michigan tobacco tax earmarked to reduce property taxes. (See article p. 14)

The tobacco industry has already spent more than \$1 million opposing the tax to date, according to disclosure records GASP obtained from the state. All the money to oppose the tax comes from out-of-state tobacco companies. Tobacco lobbyist Poncho Hays has been retained to coordinate the industry's efforts.

Reynolds, who sold off all his tobacco stock in 1979, said, "It's important that the public not be deceived by the cunning barrage of tobacco-industry advertising." He said that the tobacco industry ran the most deceptive ads he has ever seen to oppose the tax in California and that the industry outspent proponents by more than \$20 million.

Now the real battle begins. The tobacco industry launched its campaign of deception September 12. The tobacco industry has already contributed more than \$3.5 million for the anti-tax campaign.

Volunteers are needed to spread the truth by distributing brochures, posting yard signs, writing supportive letters to the editor, assisting in the Denver office, and helping raise or donating funds. Yard sign area coordinators are also needed.

To help, call the Fair Share Campaign at 831-4680.

* Portions of this article taken from articles by John Sanko of the *Rocky Mountain News*

40,000 people get GASP's smoke-free dining guide, and GASP's TV spot yields more than 780 calls.

■ p. 3 & 4

400 more smoke-free restaurants!

■ p. 5, 6, 7

47,000 nonsmokers killed by secondhand smoke every year. Other research.

■ p. 7, 15

GASP grades our State legislators on their votes on 1994 pro-health tobacco legislation.

■ p. 9

Colorado's top three tobacco lobbyists and their other clients. What to do with the list.

■ p. 10

Blowing smoke in someone's face may constitute assault and battery.

■ p. 11

What's behind the tobacco industry's latest disinformation campaign?

■ p. 11, 12, 14.

Major communities with no laws on public smoking, and four new local laws.

■ p. 13

Circulation this issue: 1,300.

GASP Kicks Off Fall TV Campaign Sunday, October 2

GASP's 30-second television spot about the toxic chemicals in tobacco smoke will debut on the **5pm news on KUSA Channel 9**. Thanks to donations from GASP members, the spot will be seen by more than one million Coloradans over a period of six weeks.

Continues on page 3

President's Page

By Pete Bialick

Pro-Health Advocacy Grows in Colorado

It's been a very busy year for me and many other GASP members who have been involved in the increasing efforts to promote smoke-free policies and reduce tobacco consumption. Every week there is a meeting to attend or advice or information requested.

First, there's the ASSIST (American Stop Smoking Intervention Study) project. This project is primarily funded by the National Cancer Institute and receives financial support from the national American Cancer Society. The seven-year \$7 million grant is designed to reduce smoking prevalence to 17% by 1998. The first two years were spent developing plans and networks. Implementation began in October 1993. To get further information about ASSIST and a copy of their most recent newsletter, call Deb at 692-2516.

Second, there's the Coalition for a Tobacco-Free Colorado. The Coalition recently received a two-year grant of \$1 million from the Robert Wood Johnson Foundation in New Jersey. The grant will be used to conduct a public media campaign to promote smoking cessation, discourage the uptake of smoking, further educate the public about the dangers of tobacco, and educate the public about policy interventions to reduce smoking. In the next six months you will probably see this media advocacy campaign. The grant will also be used to enlist policy makers in Colorado to support efforts to prevent and reduce tobacco use.

Third, there's the Fair Share for Health tobacco tax that will be decided by the voters on November 8 (see story page 1). This initiative will help reduce smoking and promote smoke-free policies on a continual basis because 40% of the funds generated by the tax will go toward tobacco education and prevention programs.

GASP's "Staff"

Some people think that GASP has a lot of volunteers and staff. Our quality materials and programs make GASP appear to be much bigger than it is. This newsletter is sent to 1,100 people who represent about 1,650 GASP members. GASP membership generates 75% of our annual budget. GASP also has a list of 9,350 nonmember supporters who generate 10% of our annual donations. Our annual budget fluctuates every year but has been around \$50,000 the last two years. A program like the restaurant guide alone costs \$25,000 to implement.

I am the only full-time paid staff person for GASP. I pay CU students or temporary job service workers to come in and assist with various jobs when we can afford it. I also contract for special services like graphic

design, and envelope stuffing. I'd like to hire a permanent part-time assistant when our annual budget increases past \$60,000.

Waitperson Education Award

GASP has just received a \$2,000 award from the ASSIST program for a statewide waitperson education campaign this Fall. The goal of the project is to increase waitperson awareness about the latest research about environmental tobacco smoke (ETS), and to develop a data base of waitpersons affected or concerned by exposure to ETS.

Waiters and waitresses have a 90% increased risk of lung cancer that is most likely caused by ETS. ETS levels in restaurants are 1.6 to 2 times higher than in offices, and 1.5 times higher than in homes. The Centers for Disease Control says that restaurants that allow smoking can have six times the pollution of a busy highway.

GASP Programs Win Three Awards

GASP's *Guide to Smoke-Free Dining* won a first-place regional award in the eight-state 1993 Rocky Mountain Tobacco-Free Challenge. GASP won state awards for its positive "No-Smoking" signs (community information category), and for its print ads on the toxic chemicals in tobacco smoke (media advocacy category).

The Militant Smokers' Rights Movement

The "militant" smokers' rights movement has been growing and getting more organized in Colorado. These groups do not represent most smokers because ninety percent of all smokers would like to quit smoking. These groups are supported by the tobacco companies. The tobacco industry tells them to deny that the tobacco industry is behind them. These groups use the same old arguments and tactics the tobacco industry uses: denial, distraction, and deception. They show up at city council meetings to protest further regulations on smoking, organize letter-to-the-editor campaigns, protest in front of smoke-free businesses, and have organized phone trees that inundate talk-shows on the subject of smoking with their tobacco-industry propaganda.

They are now writing letters to the editor that at first appear to favor the pro-health view on tobacco. The letters eventually take a pro-tobacco industry viewpoint on a particular issue. One such letter recently blasted the tobacco industry but then questioned the evidence about secondhand smoke. The tactic is obviously designed to take advantage of the public's support for smoking regulations.

It is important that pro-health advocates not take anything for granted. Apathy will help these militant smokers erode efforts to protect the public from secondhand smoke.

Did you know?

The Colorado Ballet accepted a \$20,000 grant from Philip Morris in March. Concerned supporters of the

Guide TV Spot Yields 780 Calls

GASP's 30-second spot promoting the restaurant guide and smoke-free dining has generated more than 780 calls from more than 115 paid and free television spots. The spot, which aired on KUSA-TV in Denver, generated nearly 500 calls and reached more than 450,000 homes during a two-week paid media campaign. The spot has also aired as a public service announcement on ten TV stations since May. GASP mailed the spot to the top 23 television stations in Colorado and asked the stations to run them as a public-service announcement. Channel 9 was the only TV station to mention the guide on the news.

The spot starts by showing two people smoking in a dark, gloomy restaurant. Then it switches to a couple enjoying a smoke-free meal in a cheery well-lit restaurant with the mountains in the background. People Productions of Boulder produced the spot. The audio text goes:

Are you tired of dining in a cloud of smoke? Then get the new *Guide to Smoke-Free Dining* and discover more than 750 restaurants and cafes all over Colorado that are completely smoke-free. Call GASP, the Group to Alleviate Smoking Pollution, now at 444-9799 and they will send you the *Guide to Smoke-Free Dining* absolutely free. Get the guide and enjoy dining out again.

TV Airings of GASP's Restaurant Guide Spot

Station	Number of Spots
KUSA TV9	14 paid spots, 10 PSA's, noon news
KMGH TV7	19 PSA's
Channel 31	13 PSA's
TCI, Boulder	24 paid spots, and 24 PSA's
Channel 53 PSA	12 PSA's during the Pierre Wolfe restaurant show
KCNC TV4	3 PSA's (started Sept. 12)
KRDO TV13, Co. Spgs	2 PSA's
TCI, Denver	2 PSA's
KWGN TV 2	1 PSA
Channel 18, Littleton	1 PSA

Guide Media Coverage

The 1994 *Colorado Guide to Smoke-Free Dining* has received good media coverage. The guide was mentioned in 25 newspaper stories, 80 television PSA spots, 40 paid TV spots, 13 radio news spots, more than 50 radio PSA spots, 7 newsletters, two magazines, and two computer bulletin boards.

In addition to the requests from all over Colorado, GASP has received requests for the guide from people all over the U.S. and a few foreign countries.

More guide news on next page

GASP "Deadly Chemicals" TV Campaign

(Continued from page 3)

The campaign is designed to counter a massive misinformation campaign about secondhand smoke by the two leading cigarette producers in the U.S -- Philip Morris and R. J. Reynolds. The two companies have spent more than \$100,000 on full page ads in Denver's two newspapers in the last month.

The spot features four of the 47 toxic or carcinogenic chemicals in tobacco smoke, according to 1989 U.S. Surgeon General's report. They include: **nicotine** — an active ingredient in bug sprays; **cyanide** — a deadly ingredient in rat poison; **toluene** — a poisonous industrial solvent; and **butane** — a flammable chemical in lighter fluid.

The audio text reads: "Some of the deadly chemicals found in these poisons are among the 'refreshing' ingredients found in cigarette smoke. Think about it. For more information about the dangers of secondhand smoke, call GASP, the Group to Alleviate Smoking Pollution, at 444-9799."

Additional funds are needed to help expand the counteradvertising attack. To help, make your tax-deductible donation to the GASP Ad Fund.

JOIN GASP and together we will all breathe easier

- ☐ Yes, I support GASP's efforts to promote smoke-free air.
Here is my contribution of _____.
\$100__ \$75__ \$50__ \$25__
(GASP's annual membership dues start at \$25)
- ☐ I support your efforts, but I do not want to become a member.

Name _____
Address _____
City-State-Zip _____
Phone _____

Mail and make checks payable to:

GASP OF COLORADO
2885 Aurora Avenue, Suite 37
Boulder CO 80303-2252

40,000 Restaurant Guides Distributed

The 1994 *Colorado Guide to Smoke-Free Dining* has been distributed to more than 40,000 people since January 1994. About 750 copies are left in stock. GASP has spent \$25,500 to print, promote, and distribute the guide, while receiving \$22,350 in donations and sponsorships. The \$3,000 deficit is more than three times the cost overrun we had anticipated. However, the guide has brought in 125 new GASP members, it has been distributed to many people who are severely affected by secondhand smoke, and the educational sections have increased awareness about the dangers of secondhand smoke.

Many other groups and health departments that are contemplating publishing a similar guide are borrowing ideas from GASP's guide.

If GASP is to publish and distribute another guide in 1996, we will either have to find ways to reduce costs or find a sponsor to underwrite the entire costs. There are now more than 1,200 smoke-free restaurants in Colorado (22% of all restaurants) -- a 450 increase since the January '94 edition that lists more than 750 restaurants. An update is on the next page.

Now Available From GASP

The "25 Reasons to Become A Smoke-Free Restaurant in Colorado" brochure has been updated and reprinted with the assistance of the ASSIST project. The brochure gives convincing arguments why restaurants should become smoke-free. When hand-delivered to an owner or manager of a restaurant, they become more effective.

We are also helping distribute wallet-size cards you can give out at restaurants and bars that allow smoking.

Dining here would be more enjoyable if it weren't for the tobacco smoke!

Another patron for a smoke-free environment.

These materials are available free to GASP members, but please help us with a donation (or stamps) to help cover postage costs. Call or write GASP for the brochure or cards.

Call 444-9799 or write us at:
2885 Aurora Ave Suite 37, Boulder, CO 80303

The Nonsmokers' Voice Vol. 16 #2 p. 4

Self-Serving Surveys THE 30 PERCENT MYTH

When pro-tobacco forces in California want to scare communities away from public-smoking bans, they sometimes use seemingly objective surveys that show restaurants losing an average of 30 percent of their revenue after bans go into effect. The figure and the surveys that produced it are far less scientific than they have been made to appear.

Restaurants in Beverly Hills, for example, are said to have lost 30 percent of their business during a smoking ban that became effective in 1987. The number has been quoted in *The Los Angeles Times* and *TIME* magazine. It comes from a survey by the Beverly Hills Restaurant Association, a group organized by a public-affairs consultant named Rudy Cole. The survey asked restaurants how much business they thought they lost during the ban; it didn't attempt to quantify those losses using any sort of objective measure. "That was not a scientific survey," Cole admits.

A more rigorous study, this one of taxable sales at Beverly Hills restaurants, was later conducted by the accounting firm Laventhol & Horwath. It showed a more modest average drop: 6.7 percent.

The 30 percent figure surfaced again in the city of Bellflower, a Los Angeles suburb that banned restaurant smoking from March 1991 to June 1992. Shortly after the rule took effect, restaurateurs received survey questionnaires sponsored by Restaurants for a Sensible Voluntary Policy. That group was supported by the Tobacco Institute and had Rudy Cole as its executive vice president. The survey itself was prepared by an employee of the Dolphin Group, a public-relations agency that serves Philip Morris USA.

The Bellflower survey -- again based on anecdotal responses -- also reported that restaurants lost an average of about 30 percent of their customers. But a study of sales receipts commissioned by the city of Bellflower showed that restaurant revenues actually rose by 2.4 percent during the smoking ban. Stanton Glantz and Lisa Smith, researchers at the University of California, San Francisco, studied sales data in 13 communities that had banned restaurant smoking -- including Bellflower and Beverly Hills. They found no significant long-term drop anywhere.

Pro-tobacco forces circulated the Bellflower survey in California towns considering anti-smoking rules. One version said the survey was sponsored by the California Business and Restaurant Alliance. It didn't mention that the alliance is run by an executive of the Dolphin Group, Philip Morris's PR firm. The statistic gained even wider currency when the Tobacco Institute cited the Beverly Hills survey in ads run in restaurant-industry publications, urging restaurateurs to fight smoking bans.

Consumer Reports, May 1994.

Colorado Guide to Smoke-Free Dining Up-Date

Revisions to GASP's 1994 *Colorado Guide to Smoke-Free Dining*, with more than 400 new listings!

METROPOLITAN AREA								
Arvada			Cucina Leone	763 S University	722-5466	McDonald's	6650 W Coal Mine Rd	973-8229
Bagel Nook	6480 Wadsworth	431-6311	Falafel King	Tabor Center	629-6003	McDonald's	8500 Crestline Ave	972-1967
Quizno's	6504 Wadsworth	467-0083	La Casbah	9955 E Hampden	337-3232	McDonald's	8241 S Holly	740-8565
Subway	8025 Sheridan	427-0292	Le Peep Grill	3030 E 2nd Ave	394-2040	McDonald's	1395 S Santa Fe	744-6769
Subway	6406 Wadsworth	420-3094	Meyers & Wolfe	Tabor Center	534-7148	McDonald's	5858 S Santa Fe	795-5649
Subway	8700 Wadsworth	424-4243	North Deli	633 17th St	295-0467	Quizno's	2510 E Arapahoe Rd	220-8251
Subway	9584 W 58th Ave	456-9645	Panhandler Pizza	Tabor Center	623-2198	Quizno's	8501 W Bowles	932-9060
Subway	12304 64th Ave	423-1204	Regency Subs	4642 S Ulster	220-7800	Quizno's	8053 S Broadway	795-1500
Willy's Wings	9296 W 58th Ave	425-6825	McDonald's	5304 E Colfax	333-0611	Quizno's	9425 S University	791-0714
Aurora			McDonald's	4020 W Colfax	332-2016	Subway	7941 S Broadway	730-8488
Chick-Fil-A	Aurora Mall	364-8601	McDonald's	5550 W Dartmouth	986-0814	Subway	7410 S University	721-8572
Church's Chicken	15199 E Colfax	364-5414	McDonald's	6355 E Evans	756-0271	Subway	6768 W Coalmine Ave	933-9134
Coffee Beanery	Aurora Mall	341-7988	McDonald's	5085 Federal	477-0655	Subway	5065 S Wadsworth	972-8186
Dozens	2180 S Havana	337-6627	McDonald's	200 16th St	543-6567	Subway	2030 E County Line Rd	798-6577
McDonald's	Aurora Mall	343-6279	McDonald's	904 16th St	592-1750	Subway	11757 W Ken Caryl	932-8777
McDonald's	1050 S Chambers Rd	696-7592	McDonald's	3320 W 38th Ave	458-0127	Louisville		
McDonald's	11025 E Colfax	364-5212	Marvin Gardens	2223 S Monaco	756-8230	Quizno's	1387 S Boulder Rd	665-0977
McDonald's	14251 E Colfax	343-6169	Popeye's Chicken	2122 E Colfax	355-1505	Northglenn		
McDonald's	958 S Havana	343-6567	Popeye's Chicken	5454 E Colfax	331-0343	McDonald's	599 W 104th Ave	452-8894
McDonald's	16891 E Iliff Rd	751-4580	Quizno's	700 Colorado Blvd	322-5809	Parker		
McDonald's	16890 E Quincy	690-6868	Quizno's**	760 S Colorado	759-3566	Boston Chicken	10951 S Parker Rd	841-8488
Mrs Fields Bakery	Aurora Mall	360-5143	Quizno's**	DIA Concourse A	342-7399	McDonald's	10950 S Parker Rd	841-8214
Quizno's	3301 Peoria	367-1155	Quizno's**	DIA Concourse B	342-0697	Subway	10970 S Parker Rd	841-9123
Pizza Hut	16991 E Quincy	690-4540	Quizno's	1275 Grant St	837-9096	Thornton		
Popeye's Express	15290 E Iliff	751-8133	Quizno's	1660 Lincoln St	863-0950	Boston Chicken	12040 Colorado Blvd	451-0400
Popeye's Chicken	3122 S Parker Rd	671-7674	Quizno's	4403 S Tamarac Pk	770-2604	McDonald's	8700 N Washington	289-4886
Round the Corner	Aurora Mall	343-9733	Quizno's	2442 S University	733-3354	McDonald's	10195 N Washington	452-5119
Subway	15340 E Alameda	750-5280	Subway	9555 E Arapahoe	799-8080	McDonald's	3994 E 120th	450-0428
Subway	11417 E Colfax	344-1911	Subway	472 Broadway	733-1921	Subway	8650 N Washington St	289-4634
Subway	1155 S Havana	369-0050	Subway	4696 S Broadway	761-5050	Subway	630 E 104th Ave	451-1361
Subway	2680 S Havana	750-2085	Subway	1600 California	893-0317	Westminster		
Subway	4132 S Parker Rd	690-2264	Subway	1050 W Colfax	572-3700	Big Al's	Westminster Mall	650-5667
Subway	6700 S Parker Rd	766-9880	Subway	1550 S Colorado	757-1778	Chick-Fil-A	Westminster Mall	427-8576
Boulder			Subway	5050 S Federal	730-3958	Cinnabon	Westminster Mall	427-6000
Alfred Packard Grill	University Mem. Ctr	492-6284	Subway	7400 E Hampden	220-5310	Cozzoli's Pizza	Westminster Mall	427-0751
Annam Cafe	1600 Broadway	938-9228	Subway	1945 S Sheridan	989-0683	Hotdogs & More	Westminster Mall	429-2488
Black Eyed Pea	2600 Canyon	449-1575	Subway	201 University	321-9093	Magleby's Muffins	Westminster Mall	427-2466
China Gourmet	3970 N Broadway	440-3500	Subway	2008 S University	744-2944	Main Street Deli	Westminster Mall	426-8414
Chucho's Coffeehouse	1336 Pearl	442-3661	Subway	4445 Washington	297-3100	Manchu Wok	Westminster Mall	426-0057
Gindi's Pita-ria	1325 Broadway	545-6761	Subway	1777 W 38th #105	no phone	McDonald's	9995 Wadsworth	420-8484
Java Hut	1886 30th St	443-2885	Subway	900 16th St	573-9861	Pete & Jerry's	Westminster Mall	429-7262
La Iguana	1301 Broadway	938-8888	Tokkyu Bento	Tabor Center	534-8116	Quizno's	8715 Sheridan Blvd	657-9497
Mamacitas	1149 13th St	443-2300	Vietnamese Kitchen	Tabor Center	395-4737	Quizno's	12003 Pecos	254-4770
Mataam Fez	2226 Pearl St	440-4167	Wall Street Deli	Tabor Center	534-1460	Renzios Greek Food	Westminster Mall	428-7660
Mr Tomatoes	University Mem. Ctr	492-6920	Edgewater			Subway	12002 Melody Dr	252-0737
Quizno's	601 S Broadway	494-5360	McDonald's	1701 Sheridan Blvd	237-1070	Subway	9987 Wadsworth Pky	456-1428
Quizno's	1136 Pearl	449-3366	Englewood			Tacos at the Mall	Westminster Mall	650-2911
Quizno's	2875 Pearl	444-6744	McDonald's	3601 S Federal	781-4097	Westminster Dinner Theatre	7121 Sheridan	650-1522
Round the Corner	Crossroads Mall	444-4423	McDonald's	630 W Hampden	762-1187	Wishbone	9701 N Federal	465-6204
Subway	2359 Arapahoe	449-1474	Quizno's	12201 E Arapahoe Rd	790-7788	Yogurts & Salads	Westminster Mall	426-8414
Subway	5290 Arapahoe	443-5399	Evergreen			SOUTHEAST		
Subway	1200 Pearl	444-1743	McDonald's	1246 Hwy 74	670-9923	Avondale		
Subway	1260 Toedtl Dr	499-9420	*Loaf'N Jug	Hwy 287	670-0384	*Loaf'N Jug	243 E US Hwy 50 E	947-3668
23rd St Market-Deli	2299 Pearl	447-9942	Federal Heights			Calhan		
Zolo Grill	2525 Arapahoe	449-0444	McDonald's	9190 Federal	426-1535	*Loaf'N Jug	1025 5th St	347-2634
Brighton			Subway	1407 W 84 Ave	650-0123	Colorado City		
McDonald's	895 Kuner Rd	659-6602	Golden			*Loaf'N Jug	4401 Hwy 165	676-3366
Broomfield			Subway	17708 S Golden Rd	279-7466	Colorado Springs		
Quizno's	6765 W 120th	438-0312	Greenwood Village			Beau Jo's	2415 W Colorado	442-0270
Subway	555 Hwy 287	465-5969	Bourbon St Orig. Pizza	5139 S Yosemite	721-6150	Boston Chicken	1015 N Academy	573-1901
Castle Rock			Highland's Ranch			Boston Chicken	6964 N Academy	599-9688
Subway	110 S Wilcox	660-8124	Nicola's Chicago Style Pizza	9463 S University	791-9800	Burger King	7808 N Academy	593-7707
Subway	5050 Factory Shop Blvd	688-1577	Lafayette			Burger King	375 S Academy	574-4610
Commerce City			*Loaf'N Jug	1208 Centaur	666-4629	Burger King	4241 Austin Bluffs	598-6261
McDonald's	6050 Parkway Dr	288-9418	Lakewood			Burger King	946 N Circle Dr	636-2763
Denver			240 Union Restaurant	240 Union	989-3562	Burger King	170 W Fillmore	632-5124
Bennett's BBQ	Tabor Center	893-3399	McDonald's	6801 W Alameda	237-9690	Burger King	1895 S Nevada	634-7626
Blimpie Subs	Tabor Center	534-5400	McDonald's	12408 W Alameda	989-0055	Burger King	1727 E Platte	473-0530
Boston Chicken	700 Colorado Blvd	320-1022	McDonald's	801 Wadsworth	237-8231	Burger King	306 S 8th St	475-2353
Buffalo Ranch	Tabor Center	446-9170	Subway	7200 W Alameda	935-4788	Chuck's Stop Diner	132 W Cimarron St	633-7022
Burger King	Tabor Center	893-1087	Subway	8601 W Colfax	233-2991	Indian Palate	117 E Bijou	633-1080
Casa Burrito	Tabor Center	592-9236	Subway	1535 S Kipling #D	985-9935	*Loaf'N Jug	4335 Airport Rd	597-2525
Chester's Chicken	Tabor Center	446-8366	Subway	550 S Wadsworth #221	937-3573	*Loaf'N Jug	1930 S Academy	570-1060
Chinatown Express	Tabor Center	534-2555	Subway	3355 S Wadsworth	989-5582	*Loaf'N Jug	5109 Austin Bluffs	637-1166
Dozens	236 W 13th Ave	572-0066	White Fence Farm	6263 W Jewel	935-5945	*Loaf'N Jug	3625 Chestnut	593-0707
Ikano Bowl	790 Colfax	837-9378	Littleton			*Loaf'N Jug	2505 S Chelton	390-5156
Church's Chicken	1111 E Colfax	333-2649	Hardee's	5240 S Wadsworth	932-1231	*Loaf'N Jug	710 Cheyenne Meadows Rd	576-4428
Church's Chicken	3401 Colorado	333-2649	Jose's	2420 W Main	798-5897	*Loaf'N Jug	2802 E Pikes Peak Ave	633-8623
Church's Chicken	44th & Federal	477-0124	*Loaf'N Jug	7887 N Rampart Range Rd	979-6261	*Loaf'N Jug	3705 Drennan Rd	392-7644
			Marie Callender's	51 W Dry Crk Ct	795-8833			

Continued on page 6

Guide to Smoke-Free Dining Up-Date

Colorado Springs Continued

*Loaf'N Jug	6695 Galley Rd	574-1997
*Loaf'N Jug	13854 Gleneagle Dr	488-9373
*Loaf'N Jug	6855 E Hwy 94	591-8112
McDonald's	1244 N Academy	596-1977
McDonald's	4801 N Academy	598-4982
McDonald's	2515 S Academy	392-8249
McDonald's	750 Citadel Dr E	597-6201
McDonald's	324 E Fillmore	632-3007
McDonald's	434 Garden of the Gods	599-8774
McDonald's	1824 S Nevada	633-1171
McDonald's	Peterson AFB	597-4858
McDonald's	8120 Hwy 83	593-0511
Quizno's	1590 Briargate Blvd	593-9949
Rose, The	1109 S Tejon	442-1918
Subway	1431 N Academy	547-1992
Subway	3307 N Academy	574-2129
Subway	8029 N Academy	528-8377
Subway	2499 S Academy	380-8321
Subway	4364 Austin Bluffs Pkwy	260-0523
Subway	1735 B St	576-1441
Subway	724 Cheyenne Meadows Dr	540-8587
Subway	2930 W Colorado	475-7402
Subway	6660 Delmonico	548-1991
Subway	2345 E Platte Ave	630-0637
Flagler		
*Loaf'N Jug		765-4895
Fowler		
*Loaf'N Jug		263-4446
Fountain		
*Loaf'N Jug	7055 Alegre Cir	390-4252
*Loaf'N Jug	102 Sante Fe	382-7123
McDonald's	105 Plaza Blvd	391-1315
Hugo		
*Loaf'N Jug	109 W 4th St	743-2868
Lamar		
*Loaf'N Jug	300 N Main St	336-4041
*Loaf'N Jug	1107 S Main St	336-5244
Las Animas		
*Loaf'N Jug	414 Amba Thompson	456-0309
La Junta		
*Loaf'N Jug	101 N Main St	384-8360
*Loaf'N Jug	2222 San Juan	384-8361
*Loaf'N Jug	918 W 3rd St	384-8355
McDonald's	27680 Hwy 50	384-8979
La Veta		
*Loaf'N Jug		742-3857
Manitou Springs		
*Loaf'N Jug	137 Manitou Ave	685-1740
Monument		
Boston Chicken**	825 US Hwy 50 W	545-9950
McDonald's	450 Hwy 105	488-0044
Pueblo		
Arby's	Pueblo Mall	545-8837
Boston Chicken	540 Hwy 105	481-0001
Dairy Queen Brazier	61 Lehigh Ave	561-8669
Dairy Queen Brazier	2105 Oakshire	545-0198
Dairy Queen Brazier	1200 W Hwy 50	543-4130
*Loaf'N Jug	3639 Baltimore Ave	544-6272
*Loaf'N Jug	1002 Bonforte Blvd	542-4638
*Loaf'N Jug	1720 Constitution Rd	544-4685
*Loaf'N Jug	2419 Elizabeth	543-6662
*Loaf'N Jug	3920 Hollybrook Ln	564-0835
*Loaf'N Jug	3980 Ivywood Ln	561-9222
*Loaf'N Jug	2050 Lake Ave	564-0837
*Loaf'N Jug	2405 W Northern Ave	561-4660
*Loaf'N Jug	33 Montebello	545-7566
*Loaf'N Jug	1818 Norwood	543-6661
*Loaf'N Jug	2610 Sante Fe Dr	544-0212
*Loaf'N Jug	120 S Santa Fe Ave	544-4550
*Loaf'N Jug	14 E Spaulding Ave	547-2478
*Loaf'N Jug	4800 Thatcher Ave	564-0828
*Loaf'N Jug	1502 Troy Ave	544-4551
*Loaf'N Jug	1525 W 4th St	546-1433
*Loaf'N Jug	2119 E 4th St	546-1403
*Loaf'N Jug	604 W 29th St	544-4735
*Loaf'N Jug	24920 Hwy 50 E	543-6663
McDonald's	3551 Dillon Dr	542-8394
McDonald's	612 W Northern	544-3424
McDonald's	1921 S Pueblo Blvd	564-0470

McDonald's	800 W 6th Ave	545-2388
McDonald's	711 Hwy 50 W	542-7601
Subway	229 Abriendo	544-5252
Subway	701 N Main	583-0630
Subway	3216 W Northern	564-8121
Subway	943 Hwy 50 W	545-7777
Taco Bell	635 W Corona	543-5171
Rocky Ford		
*Loaf'N Jug	305 N 10th St	254-6414
Springfield		
*Loaf'N Jug	1101 N Main St	523-6464
Trinidad		
*Loaf'N Jug	411 University	846-4182
Nana & Nano's Pasta Hse	415 University	846-2696
Purgatoire Cafe	267 N Commercial	846-0288
Vineland		
*Loaf'N Jug	36031 HWY 50 E	948-4133
Walsenburg		
*Loaf'N Jug	200 Main St	738-3515
Woodland Park		
*Loaf'N Jug	790 Red Feather Ln	687-1014
*Loaf'N Jug	260 US Hwy 24	687-3128
McDonald's	524 Hwy 24 E	687-0777
NORTHEAST		
Fort Collins		
Amigos	4600 S Mason	282-0105
Amigos	713 Lemay	221-9161
Boston Chicken	3519 S College	223-7300
Chick Fil-A	Foothills Fashion Mall	226-1641
China Palace	117 S College	221-0448
Chinese Combo Exp.	Foothills Fashion Mall	223-1960
Dairy Queen	Foothills Fashion Mall	225-1940
East Coast Pizza	Foothills Fashion Mall	223-7007
Egg & I	2809 S College	223-5271
Eldora Pool & Ice Center	1801 Riverside	221-6683
Grecian Deli	102 W Olive St	482-1991
Obydass Sandwich Shop	822 S College	493-9187
One Potato, Two	Foothills Fashion Mall	226-3945
Pobre Pablo's	1802 N College	482-0895
Poudre Valley Hosp.	Cafeteria 1024 Lemay	495-8060
Pulcinella Pizzeria	3640 S Mason St	229-1400
Renzo's Greek Food	Foothills Fashion Mall	282-8818
Sandwich Garden	123 N College	221-5201
Silver Grill	218 Walnut	484-4656
Steele's Deli	200 W Foothills Pkwy	226-4309
Steele's Deli	1001 E Harmony Rd	225-2525
Steele's Deli	309 W Mountain	482-0123
Subway	Foothills Fashion Mall	225-1964
Subway	CSU Lory Student Ctr	224-3064
Subway	126 S College	482-9450
Subway	3645 S College	223-5954
Subway	2160 W Drake	484-7620
Subway	755 S Lemay	224-5668
Subway	1101 W Elizabeth	224-5914
Subway	2629 Redwing Rd	229-0303
Subway	Toddy's Deli	223-3456
Walmart Cafeteria	4625 S Mason	223-0715
Fort Morgan		
McDonald's	1210 N Main	867-8833
Greeley		
Egg & I	3830 W 10th St	353-7737
McDonald's	2912 W 10th St	356-2513
Subway	725 25th St	353-8477
Subway	1020 28th Ave	352-9495
Subway	2146 35th Ave	330-3960
Subway	1998 Greeley Mall	352-4344
Limon		
*Loaf'N Jug	707 Main St	775-2522
Longmont		
Boston Chicken	955 S Hover Rd	884-0998
Chinese Combo	Twin Peaks Mall	651-2942
East Coast Pizza	Twin Peaks Mall	776-6252
Great American Grill	Twin Peaks Mall	776-6331
Java Stop	301 Main St	772-1731
McDonald's	Hwy 119 & I-25	651-9608
Muffin Shoppe	Twin Peaks Mall	682-0201
Old Prague Inn	7521 Ute Hwy	772-6374
Quizno's	1250 S Hover Rd	651-7744
Renzo's Greek Food	Twin Peaks Mall	651-3804
Subway	1155 S Main St	678-1722
Taco Bell	Twin Peaks Mall	651-6862
Tacos Etc	Twin Peaks Mall	678-8226

Loveland		
McDonald's	1809 E Eisenhower	669-4211
Runza Drive Inn	2204 N Lincoln	669-2131
Subway	1709 Eisenhower	663-7883
Sterling		
McDonald's	214 W Main	522-1407
Subway	900 W Main St	522-3902
NORTHWEST		
Allenspark		
Wild Basin Smorgasbord	2 miles from town	747-2545
Aspen		
McDonald's	406 S Mill	925-8647
Avon		
Cardinale's Italian	Eagle-Vail Business Ctr	949-6457
Subway	0047 E Beaver Crk Blvd	949-1312
Basalt		
Subway	0080 Cody Ln	927-2520
Breckenridge		
*Loaf'N Jug		453-1824
Carbondale		
Old Nugget Cafe	403 Main St	963-9757
Village Smithy	26 S 3rd St	963-9990
Clifton		
McDonald's	3219 I -70 Loop	434-9190
Conifer		
*Loaf'N Jug	9904 US Hwy 285	838-6684
Subway	24152 Black Bear Ln	838-1577
Subway	10875 Hwy 285	838-6946
Craig		
McDonald's	1080 W Victory Way	824-7638
Eagle		
*Loaf'N Jug	0122 Fairgrounds Rd	328-1000
Estes Park		
Aspen Lodge	6120 Hwy 7	586-8133
Black Canyon Inn	800 MacGreggor	586-9344
El Centro	222 E Elkhorn	586-2807
McDonald's	501 Big Thompson	586-3434
Frisco		
*Loaf'N Jug		668-0767
Grand Junction		
A & W	Mesa Mall	241-4643
Burger Concepts	Mesa Mall	245-9051
Chelsea's London Pub	Mesa Mall	245-9767
Corn Dog 7	Mesa Mall	243-7487
McDonald's	Mesa Mall	245-3900
McDonald's	1212 North Ave	242-1105
One of a Kind Pizza	Mesa Mall	243-2079
Pat's Kitchen	Mesa Mall	241-7237
Subway	184 E Elkhorn #G	586-5023
Subway	115 W Grand Ave	241-3009
Taco John's	Mesa Mall	245-8070
Idaho Springs		
Beau Jo's	1517 Miner	573-6924
Subway	2384 Colorado	567-0302
Georgetown		
The Place	715 7th St	569-2552
Nederland		
On the Ryes	1 W 1st	258-7003
Parachute		
Cuby Hole Cafe	71 Tamarisk Tr	285-9370
Steamboat Springs		
Subway	1815 Central Park Dr	879-0202
McDonald's	1150 S Lincoln	879-0247
Vail		
McDonald's	2171 N Frontage Rd W	476-1966
Subway	2161 N Frontage Rd	476-3827
Ward		
Bearberry	3371 Gold Lake Rd	4359-3544
Winter Park		
Pizza Hut	27 Loins Gate Rd	726-8101
Subway	78885 Hwy 40	726-0202
SOUTHWEST		
Alamosa		
*Loaf'N Jug		379-3545
*Loaf'N Jug	301 Murphy Dr	589-4785
Buena Vista		
*Loaf'N Jug	610 Hwy 24	395-2121
Cañon City		
*Loaf'N Jug	912 Royal Gorge Rd	276-6565
McDonald's	2395 Fremont Dr	275-9257
Subway	1701 Fremont	269-1864

Continues of page 7

Cortez

Francisca's Fine Mexican Food 125 E Main 565-4093

Crested Butte

Bakery Cafe 302 Elk Ave 349-7280

Del Norte

*Loaf'N Jug 657-2607

Delta

McDonald's 108 Gunnison River Rd 874-5503

Durango

The Red Snapper Inc 144 E 9th St 259-3417

Subway 2101 Main Ave 259-0887

Gunnison

McDonald's 800 E Tomachi 641-5050

Subway 136 W Tomichi 641-1853

Lake City

Carson View Grill 944-2796

Monte Vista

*Loaf'N Jug 852-4547

Subway 2011 Grand Ave 852-2423

Montrose

La Estancia 322 N Townsend 249-6272

McDonald's 1035 Main St 249-3339

Pagosa Springs

Mountain Cactus 120 Piedra Rd

Rolling Pin Bakery-Cafe 214 Pagosa St 264-2255

Subway 510 Pagosa St 264-5131

Ridgway

True Grit Cafe 123 N Lena 626-5739

Salida

*Loaf'N Jug 448 Hwy 50 E 539-7423

Telluride

221 South Oak 221 S Oak 728-9507

* These places are not restaurants, but places that have tables and food is sold to eat. ** Opening soon.

BARS, NIGHTCLUBS, OR DANCING**Fort Collins**

Mountain Top Tavern 167 N College 484-4974

NOT 100% SMOKE-FREE OR NOW ALLOWS SMOKING

New Vietnam (Denver, p. 16)

Fan Club Grill (Monte Vista, p. 42)

Herb's Hideout (Denver bar, p. 45), but owner "says" he will have smoke-free nights.

GONE OUT OF BUSINESS

Golden Pheasant (Boulder, p. 10)

Sofia's (Golden, p. 20)

Piccolino's (Lakewood, p. 21)

Mark's Sandwich Shop (Colorado Springs, p. 30)

A La Carte (Breckenridge, p. 36)

Pour La France (Snowmass, p. 39)

Cheese Shop (Vail, p. 40)

Gregor's (Telluride, p. 44)

Eye of the Blackbird (Castle Rock bar, p.45)

CORRECTIONS & NEW ADDRESSES

Fowl Play (Boulder, p. 10): 2850 29th St.

Bluepoint (Denver, p. 14): 1801 Wynkoop & 295-6076.

Green's (Denver, P. 14):1469 S Pearl & 744-1940

Subway (Lakewood, p. 21): 7111 W Alameda.

Healthy Alternative (Breckenridge, p. 30): Rasta Pasta.

Sunset Jazz Club (Fort Collins, p 32): phone 484-4604.

Johnson's Cafe (Estes Park, p. 37): 533 E Big Thompson

D'Coffee Beanery (Vail, p. 40): 241 S Frontage Rd

Let's Dance Ballroom (p.45): 758-2822

Up-dated September 12, 1994

**CALL US FOR ADDITIONS OR
CHANGES TO THIS LIST**

GASP of Colorado

Group to Alleviate Smoking Pollution

2885 Aurora Avenue, Suite 37

Boulder, CO 80303

(303) 444-9799

GASP Grades Legislators on 1994 Legislation

For the first time since GASP formed in November 1977, two pro-health bills dealing with tobacco passed through the legislature. Senate Bill 100 requires public schools to become smoke-free, and House Bill 1136 eliminates smoking in the State Capitol except for in a few designated enclosed areas.

We gave legislators an **A** if they voted correctly on both bills, a **C** if they voted right on one and wrong on the other, and an **F** if they voted against GASP's position on both bills. In the Senate we gave **A**'s to those who voted for (Y) SB 100 (schools bill) and to those who voted against (N) HB 1136 (Capitol bill) that was weakened by Senator Joan Johnson. In the House we gave **A**'s to those who voted for (Y) SB 100 (schools bill) and to those for (Y) HB 1136 in its strong version before it went to the Senate.

The graph shows the names of the legislators followed by their party in parenthesis, their votes on SB 100 and HB 1136, and GASP's grade. In the SB 100 and HB 1136 columns "Y" means yes, "N" means no, "A" means absent, "E" means excused, "S" means sponsor of the bill, and "CS" means cosponsor of the bill.

Legislator	SB 100	HB 1136	Grade	Legislator	SB 100	HB 1136	Grade
Governor Roy Romer (D)	Y	Y	A	Rep Diana Degette (D)	Y-CS	Y-CS	A
Senate				Rep Charles Duke (R)	N	Y-CS	C
Senator Don Ament (R)	N	N-CS	C	Rep Jim Dyer (D)	Y	Y-CS	A
Senator Michael Bird (R)	Y	N	C	Rep Robert Eisenach (D)	Y	Y-CS	A
Senator Tilman Bishop (R)	N	N	C	Rep Lewis H Entz (R)	N	Y	C
Senator Tom Blickensderfer (R)	N	N-CS	C	Rep Mary Ellen Epps (R)	N	N	F
Senator Lloyd Casey (D)	Y	Y	C	Rep Jeanne Faatz (R)	Y	Y	A
Senator Sam Cassidy (D)	N	Y	C	Rep Faye L Fleming (R)	Y	Y	A
Senator Michael Feeley (D)	Y	Y	C	Rep Tim Foster (R)	N	Y-CS	C
Senator Dennis Gallagher (D)	Y	N	A	Rep Doug Friednash (D)	Y-CS	Y-CS	A
Senator Regis Groff (D)		Y	A	Rep Russell George (R)	Y	Y-CS	A
Senator Sally Hopper (R)	Y-CS	N-S	A	Rep Ken Gordon (D)	Y	Y-CS	A
Senator Joan Johnson (D)	N	Y	F	Rep Tony Grampsas (R)	Y	Y	A
Senator Elsie Lacy (R)	Y	Y	C	Rep Daphne Greenwood (D)	Y	Y	A
Senator Donald J Mares (D)	Y-CS	N-CS	A	Rep Bob Hagedorn (D)	Y	Y	A
Senator Bob Martinez (D)	Y	Y	C	Rep Robert Hernandez (D)	Y	Y	A
Senator Al Meiklejohn (R)	N	Y	F	Rep William H Jerke (R)	Y	Y	A
Senator Jana Mendez (D)	Y	N	A	Rep Vi June (D)	Y	Y	A
Senator Richard F Mutzbaugh (R)	N	Y	F	Rep William Kaufman (R)	Y	Y-CS	A
Senator Tom Norton (R)	Y	N	A	Rep Moe Keller (D)	Y	Y	A
Senator Bill Owens (R)	Y	Y	C	Rep Peggy Kerns (D)	N	Y-CS	C
Senator Robert Pastore (D)	Y	Y	C	Rep Wayne N Knox (D)	Y	Y-CS	A
Senator Ray E Peterson (D)	Y-S	N-CS	A	Rep Martha Kreutz (R)	Y-CS	Y-S	A
Senator Linda Powers (D)	Y	Y	C	Rep Michelle Lawrence (R)	N	Y-CS	C
Senator Ray Powers (R)	N	Y	F	Rep Doug Linkhart (D)	N	Y-CS	C
Senator James Rizzuto (D)	Y	Y	C	Rep Glenda Lyle (D)	Y-CS	Y-CS	A
Senator Jim Roberts (R)	E	N	A	Rep Bill T Martin (R)	E	Y	A
Senator Steve Ruddick (D)	Y	N-CS	A	Rep Mildred Mattingly (D)	Y	N	C
Senator Bob Schaffer (R)	Y	Y	C	Rep Ron May (R)	Y	Y	A
Senator Bill Schroeder (R)	Y	Y	C	Rep. Moellenberg (R)	N	Y	C
Senator Gloria Tanner (D)	Y	N	A	Rep Marcy Morrison (R)	N	Y-CS	C
Senator Mary Anne Tebedo (R)	Y	Y	C	Rep Alice Nichol (D)	N	N	F
Senator Bill Thiebaut (D)	N	Y	F	Rep David T Owen (R)	N	N	F
Senator Claire Traylor (R)	Y	N-CS	A	Rep Phil Pankey (R)	Y	Y	A-
Senator Dave Wattenberg (R)	N	Y	F	<i>* Initially voted against HB 1136 in committee.</i>			
Senator Paul Weissmann (D)	Y	Y	C	Rep Penn (R) Piffner (R)	N	Y	C
Senator Jeff Wells (R)	Y	Y	C	Rep Jim Pierson (D)	Y-CS	Y-CS	A
Senator Dorothy Wham (R)	Y	N	A	Rep Dan Prinster (D)	Y	Y	A-
House of Representatives				<i>* Initially voted against HB 1136 in committee.</i>			
Legislator	SB 100	HB 1136	Grade	Rep Tom Ratterree (R)	N	Y	C
Rep Steve Acquafresca (R)	N	Y-CS	C	Rep Jeannie G Reeser (D)	N	N	F
Rep Jeanne Adkins (R)	Y	Y	A	Rep Peggy Reeves (D)	E	Y-CS	A
Rep Vickie Agler (R)	N	Y	C	Rep Gil Romero (D)	Y	Y-CS	A
Rep Debbie Allen (R)	N	N	F	Rep Dorothy Rupert (D)	Y-CS	Y-CS	A
Rep Norma Anderson (R)	Y	Y	A	Rep Mike Salaz (R)	N	Y-CS	C
Rep Don Armstrong (D)	N	N	F	Rep Paul (D) Schauer (R)	Y	Y	A
Rep Celina Benavidez (D)	Y	Y	A	Rep Bob Shoemaker (D)	N	N	F
Rep Charles E Berry (R)	Y	Y	A	Rep Carol Snyder (D)	Y	Y	A
Rep Mary Blue (D)	Y	Y-CS	A	Rep Bernhard Strom (D)	Y	Y-CS	A
Rep Ken Chlouber (R)	Y	Y-CS	A	Rep Pat Sullivan MD (R)	Y-S	Y-CS	A
Rep Drew Clark (R)	N	Y	C	Rep Jack Taylor (R)	N	Y	C
Rep Michael Coffman (R)	Y	Y-CS	A	Rep Shirleen Tucker (R)	Y	Y-CS	A
				Rep Samuel Williams (D)	Y	Y-CS	A
				Rep Ruth Wright (D)	Y	Y-CS	A

Clients of Colorado's Top Three Tobacco Lobbyists

(Based on the Secretary of State's 1994 list of registered professional lobbyists)

Frank L Hays Jr.

Company: Hays, Hays, & Wilson
Lobbyist for the Tobacco Institute, and head of the anti-tobacco tax campaign.

Clients Include:

ASARCO
Building Owners & Managers Assn
Cherry Creek High School District
Colorado Assn of Realtors
Colorado Life Convention
Colorado Municipal Bond Dealers Assn
Colorado Restaurant Assn
Colorado Ski Country, USA
Colorado Society of Anesthesiologists
COPIC Insurance Company
Dawn Mining Company
E-470 Authority
Flex-O-Lite, Inc.
Forbes Trinchera Ranch
Idarado Mining Company
Independent Bankers of Colorado
International Council of Shopping Ctrs
Metro Taxi, Inc
Motion Picture Assn of America
Nat. Assn of Independent Office Parks
Newmont Mining
Securities Industry Association
Shell Oil Company
Trial Judges Assn
Variable Annuity Life Insurance Co.
West Publishing Company
Wine & Spirits Wholesalers of Colorado

Wallace Stealey

(also Michelle and Pat Stealey)

Company: Stealey & Associates
Represents R.J. Reynolds Tobacco Company, and is a consultant for the anti-tobacco tax campaign.

Clients Include:

American Resort & Residential Development Assn
Archer Daniels Midland Company
ASARCO
Coloradans for a Competitive Financial Climate
Colorado Education Assn
Colo. Federation of Public Employees
Colorado Houndsmen Assn
Colorado Licensed Beverage Assn
Colorado Restaurant Assn
Colorado Rockies
E-470 Authority
Environtest Systems Inc
Ethanol Management Company
Forbes Trinchera Ranch
Great-West Life Insurance Company
Health Insurance Assn of America
Independent Bankers of Colorado
Joseph E Seagrams & Sons
Klode Towing & Salvage
Map Transportation Services, Inc
Metro Taxi, Inc - Yellow Cab Colo Spgs
National Assn of Social Workers
Newmont Mining Corporation
Newmont Resurrection
Professional Travel Company
Rio Grande Water Conservation District
Shell Oil Co
The Taubman Company
Trial Judges Assn
United Title Companies of Colorado
West Publishing Company

Ruben A. Valdez

Represents Philip Morris USA, and previously consulted for the anti-tobacco tax campaign.

Clients Include:

ASARCO
City of Thornton
Colorado Health Care Assn
Colo. Parks & Wildlife Employees Assn
Denver Water Board
Manor Healthcare Corp
Metropolitan Consortium for Cultural Educ.
Piper Jaffray, Inc.
Public Record Corporation
Rose Medical Center

Question: How do you know when someone from the tobacco industry is lying?

Answer: Whenever you see their lips moving!

Variation of a joke in the ASH Review

IDEAS FOR ACTIVISTS

1) Write or call the director of the group or business represented by a tobacco lobbyist. Ask them why they use a lobbyist that helps promote smoking — the number one cause of disease and death in Colorado. Tobacco kills 4,500 people each year in Colorado.

2) If you are not satisfied with the response, you may want to consider contacting members of the Board, moving your business to a competitor, or withdrawing your support of the organization. Be sure to write a letter to explain your decision.

3) Make others aware of this list. Copy it and give it to people you know who work with or are familiar with these groups or businesses. Ask them to write or call the Chairman of the Board or the Corporate Officer.

Blowing Smoke Around Others May Be Battery

Exposing someone to secondhand cigarette smoke can constitute “battery,” the same legal description applied to punching someone in the jaw, three courts have found.

Over that past year, civil court judges in California, Georgia, and Ohio have agreed that battery, which usually entails touching someone against his or her will, can apply to cigarette, cigar or pipe smoke. “Pipe smoke is visible,” a Georgia state appeals court said in one of the cases. “It is detectable through the senses and may be ingested or inhaled. It is capable of touching or making contact with one’s person in a number of ways.”

Not everyone who smokes around other people can be deemed an assailant. But a smoker who knows that someone nearby is allergic -- and who continues to smoke in that person’s presence -- is a fair target for a civil suit, lawyers say. (Battery can be charged as a criminal offense or, as in the secondhand-smoke cases, alleged in a civil lawsuit for damages.)

Normally, employees who get sick on the job can get paid only through the workers’ compensation system, in which recoveries are limited. A battery allegation lifts a case out of workers’ comp and allows for bigger recoveries. “Potentially, you’ve got compensatory damages and punitive damages -- there’s no limit,” says Larry A. Minsky, a Long Beach, Calif., attorney for a smoke-sensitive woman who recently filed such a case.

Lawsuits over secondhand smoke are not new, but developments in pollution law and public opinion about smoking have helped make some battery claims possible. Just as landowners can now treat some kinds of pollution as a “trespass,” plaintiffs’ lawyers say, cigarette smoke can be “battery” even though no physical contact occurred.

The Wall Street Journal, April 11, 1994

Secondhand Smoke Victim Wins Suit

A woman whose asthma was seriously aggravated by cigarette smoke from other office workers can collect in a workers’ compensation case, New York’s highest court ruled. The State Court of Appeals ruled 6-0 that Veronica Johanssen was subject to “an unusual hazard” from a large number of smokers in an office with no working ventilation system. She worked as an office assistant for the New York City Department of Housing Preservation. She said the smoke-filled office brought on two severe asthma attacks that forced her to be rushed to the hospital.

Daily Camera, June 22, 1994

Disinformation campaign can't hide truth about tobacco

The tobacco industry has been trying, with limited success, to discredit the 1993 EPA report classifying environmental tobacco smoke (ETS) as a Group A carcinogen. Let’s get the facts straight rather than believe the misinformation campaign of the industry, industry sympathizers, and militant smokers.

Researchers at the Institute of Health Policy Studies at the University of California recently found that the majority (71%) of the comments that were critical of the risk assessment derived by the EPA were submitted by tobacco industry reviewers. The institute’s research indicates that tobacco-industry reviewers used meaningless papers which were not peer-reviewed, quoted statements from industry-sponsored conferences, quoted studies out of context, and use letters-to-the-editor or editorials to support their not-very “scientific” objections.

The EPA’s report was approved by a 16-member Science Advisory Board, consisting of prestigious independent scientists from around the country. The Board unanimously agreed to classify ETS as a Group A carcinogen even though six of the 16 scientists had financial ties to the tobacco industry. The public may obtain a four-page summary of the report by calling the EPA office at 1-800-438-4318.

The tobacco industry continues to deny the scientific evidence about the dangers of smoking. There are more than 50,000 scientific studies on the hazards of smoking, and more than 600 on the dangers of secondhand smoke. The U.S. Surgeon General, the National Academy of Sciences, the World Health Organization, the American Medical Association, the Environmental Protection Agency, and every viable major health organization that has studied the effects of secondhand smoke all agree that exposure to ETS is hazardous and deadly.

Tobacco smoke contains more than 4,700 chemicals, forty-three of which are cancer-causing or toxic according to the 1989 U.S. Surgeon General’s report. Tobacco smoke contains: carbon monoxide, nicotine (an ingredient in some bug sprays), arsenic, tars, hydrogen cyanide (used as a rat poison), benzopyrene, formaldehyde, cadmium (found in batteries), benzene (the ingredient that forced Perrier water to recall its products a few years ago), nitrogen dioxide, butane (used for lighter fluid), acetone (a solvent and paint stripper), toluene (an industrial solvent) and radioactive elements. It doesn’t take a rocket scientist to figure out that breathing those chemicals will damage your health.

Note: GASP President Pete Bialick sent this letter to the editor to the *Rocky Mountain News* and the *Denver Post*. The News reprinted it on May 5, 1994.

Tobacco Industry's Deceptive Ad Campaign

Philip Morris and RJ Reynolds launched a new propaganda campaign to deflect this summer's damaging disclosures about the industry by obscuring the health concerns of smoking and secondhand smoke and creating a false alarm of prohibition. **This campaign is an attempt to control the symbols and terms of the public debate on tobacco.**

The ads, with headlines such as "Today It's Cigarettes. Tomorrow?," "Is the Government Going Too Far?," and "Smoking In a Free Society," attempt to portray the industry as a friend to both smokers and nonsmokers, sounding the alarm of a supposed threat to the freedom and liberty of all Americans.

By painting a scenario of Prohibition and Big Government interference in people's lives, the ads establish a dichotomy between the reasoned voice of the tobacco industry opposing a new prohibition and the implied zealotry of the anti-smoking prohibition. Since the majority of the public opposes prohibition, a debate defined in these terms is a victory for the industry.

The ads establish a second dichotomy, concerning reasonableness. The ads, "brought to you in the interests of an informed debate," stress the "need" for a "policy of accommodation." In the industry's terminology, "accommodation" becomes a social nicety, rather than a serious public-health issue. By framing the debate this way, the tobacco industry casts pro-health advocates as unreasonable, inconsiderate, and uninformed.

Industry Arguments and Suggested Responses

Industry Argument: Tobacco control advocates seek to prohibit smoking by adults everywhere, including in the home.

Suggested Response: Wrong. No government agency of pro-health group has ever gone on record endorsing prohibition of tobacco. By raising this issue the industry is again trying to deflect attention away from the central issue of the right of citizens in workplaces and public places to be free of involuntary smoke.

FDA Commissioner David Kessler has repeatedly stated that he does not want to create a black market by prohibiting tobacco. He has stated that it would be more reasonable to regulate tobacco by focusing on how to prevent youth from smoking by restricting cigarette sales or marketing. This type of regulation is what the debate should be about.

Industry Argument: Cigarettes are not addictive.

Suggested Response: The fact that, in 1994, tobacco executives are still making this claim is evidence that nothing they say or do has any relation to the truth. Industry spokespersons take advantage of the public's misunderstanding of addiction by continually arguing that cigarettes can't be addictive since millions of smokers have quit on their own. Therefore, they say, tobacco shouldn't be compared to "hard drugs" such as heroin or cocaine that everyone knows are addictive. However, a study of soldiers addicted to heroin while in Vietnam found that 90 percent quit on their own when they returned to the United States, showing that just because one is able to quit using a substance does not mean that it is not addictive. A more relevant group of people to consider are the millions of smokers who would like to quit but feel they can't.

Industry Argument: Nicotine manipulation means added nicotine.

Suggested Response: Dr. Kessler has charged only that the industry deliberately manipulates nicotine levels to maintain addiction. But the industry claims that Kessler has charged them with raising nicotine levels, and then indignantly denies that strawman as part of its campaign to deny that cigarettes are a drug delivery system.

Industry Argument: The EPA and similar studies on secondhand smoke are the products of corrupt science.

Suggested Response: Philip Morris and RJR manipulate facts and symbols to convey the impression that EPA and other scientists condemning ETS are engaged in corrupt science. The industry has funded, and seized upon a series of scientific quibbles by a fringe faction of economists and statisticians to slander the broad scientific consensus that ETS constitutes a major environmental hazard. The industry's claims on this subject have as much credibility as their claims that nicotine is not addictive or that smoking doesn't cause any health problems. The industry accuses EPA of faulty science, while the only scientists supporting the industry are those they pay to do so. Their main spokesman on this issue, Jacob Sullum, is not even a scientist but a magazine editor.

Industry Argument: The industry is only trying to get its side of the story out.

Suggested Response: Although the ads are presented as having the lofty goal of adding to the public debate on tobacco, they are in fact part of a public-relations campaign that dates to the 1950's, when the industry ran a full-page ad announcing the creation of the Council for Tobacco Research (CTR). The ad, under the headline, "A Frank Statement to Cigarette Smokers," pledged that the CTR would examine "all phases of tobacco use and health." This "independent" organization has yet to admit that smoking is a cause of lung cancer, and has spent millions advancing "sympathetic science," according to the *Wall Street Journal*.

Forty years later, the industry is continuing its money-is-no-object PR campaign with these latest ads. In Colorado, GASP estimates that more than \$100,000 was paid for full-page ads in the *Rocky Mountain News* and *Denver Post*.

The Real Issue

The industry is continuing to attempt to deflect the discussion on tobacco away from the health issue: That 419,000 people each year die from smoking-related diseases; that 3,000 children a day start on the path to nicotine addiction; that secondhand smoke causes 47,000 deaths annually in nonsmokers in the U.S.

Suggested Actions

1. Write letters-to-the-editor of papers that carry the ads, pointing out that these ads are just more propaganda churned out by the industry. You can argue for space for your own arguments, perhaps in a news article or the op-ed page, since a debate in which only one side can afford to take out full-page ads in national newspapers is clearly not an even one.
2. Since RJR is targeting talk show hosts, consider contacting a local radio or TV talk show host to suggest a show about the ads and the industry's strategies.

Reprinted from a bulletin of the Advocacy Institute

Local Legislation

Pitkin County

To protect nonsmokers, Pitkin County unanimously approved a proposal of the Aspen-Pitkin County Environmental Health Department that bans smoking in all public places, restaurants, and bars, and severely restricts smoking in the workplace.

The regulation will apply to all businesses and facilities except those in Aspen and Snowmass Village. Aspen allows smoking in partitioned bars.

The regulation provides "protection of people who have no choice" but to work in smoky environments, said Commissioner Wayne Ethridge. He said it was designed to protect non-smoking food workers and retail-store employees who are subjected to secondhand smoke.

GASP member Sharon Mollica, a leader of the 1984 effort to restrict smoking in Aspen restaurants and now an owner of Redstone-area bed and breakfast, applauded the regulations. Tracy Hill of the ASSIST program coordinated the effort.

Portions taken from the *Rocky Mountain News*, April 24, 1994

Larimer County

Smoking has been banned in public places in Larimer County, including lobbies, hallways, banks, stores and elevators. Larimer County commissioners approved the smoking ban in an effort to make smoking restrictions consistent throughout the county. Restaurants are allowed to set up smoking sections. Fort Collins voters passed the first comprehensive clean indoor air law in Colorado in 1984. GASP members Nancy Mayer and Ann Watson coordinated the campaign.

Northglenn

The City Council passed a law eliminating smoking in most public places, including the Northglenn Mall, giving employees the right to work in a smoke-free work area, and requiring restaurants seating more than 25 people to have a nonsmoking area. Until then, Northglenn was the largest city in the metro area without any regulations. The ordinance goes into effect in November. Kyle Osborn, who works with the ASSIST project, coordinated the effort.

Westminster

The City Council tightened its clean indoor air ordinance after a city-wide poll showed that more than 70% of residents and businesses supported eliminating smoking in retail stores and the Westminster Mall.

Durango

Durango voters rejected a strong ordinance similar to the Aspen ordinance by a vote of 998 to 665. The ordinance, lead by Realtor John Rice, met with heavy opposition by the restaurant industry. Even the local health department would not back the law.

How GASP Helped

GASP mailed out action alerts to supporters to call, write, and attend meetings in Pitkin County (40+), Northglenn (80+), and Westminster (140+). We also helped provide information and advice to local activists and city councilmembers. GASP was not consulted about how to win the referendum campaign in Durango and did not know about it till five days before the election.

Colorado Cities and Counties Without Comprehensive Laws on Public Smoking

Cities Over 2,500

Commerce City	16,466
Brighton	14,203
Durango	12,430
Sterling	10,362
Fountain	9,984
Federal Heights	9,342
Fort Morgan	9,068
Montrose	8,854
Castle Rock	8,708
Lamar	8,343
Craig	8,091
La Junta	7,637
Alamosa	7,579
Cortez	7,284
Steamboat Springs	6,695
Evans	5,877
Cherry Hills Village	5,245
Fort Lupton	5,159
Windsor	5,062
Sheridan	4,976
Salida	4,737
Gunnison	4,636
Rifle	4,636
Edgewater	4,613
Woodland Park	4,610
Maintou Springs	4,535
Monte Vista	4,324
Brush	4,165
Rocky Ford	4,162
Fruita	4,045
Delta	3,789
Walsenburg	3,300
Estes Park	3,184
Carbondale	3,004
Berthoud	2,990
Florence	2,990
Burlington	2,941
Yuma	2,719
Leadville	2,629
Total	243,374

Unincorporated County

Areas Over 2,500

El Paso	97,565
Adams	62,606
Mesa	57,710
Douglas	45,889
Weld	32,939
Pueblo	23,902
La Plata	18,044
Fremont	15,663
Garfield	13,341
Montrose	13,216
Delta	11,225
Eagle	10,776
Montezuma	9,680
Elbert	8,072
Morgan	7,371
Summit	7,174
Teller	6,987
Park	6,639
Logan	6,122
Chaffee	5,951
Otero	5,946
Alamosa	5,926
Routt	4,959
Rio Grande	4,768
Gunnison	4,378
Clear Creek	4,359
Las Animas	4,311
Archuleta	4,138
Grand	4,125
Yuma	4,026
Conejos	3,774
Lake	3,378
Prowers	3,100
Moffat	2,942
Washington	2,742
Bent	2,567
Kit Carson	2,528
Gilpin	2,508
Total	531,347

☛ Population figures based on 1990 census.

A total of **238 cities** (out of 266) and **58 counties** (out of 63) in Colorado **do not** have comprehensive laws regulating public smoking. A "comprehensive law" protects nonsmokers in work places, retail stores, grocery stores, restaurants, and public places.

Tobacco's Hot Issues

You couldn't turn on the television or radio, or pick up a magazine or newspaper this summer, without discovering another tobacco-related story:

ABC's "Day One" exposed cigarette manufacturers' manipulation of the amount of nicotine in cigarettes, maintaining it at levels that the industry knows to be addictive. CBS's "60 Minutes" revealed that the tobacco industry has stonewalled the government on production of a fire-safe cigarette. *TIME*, *Consumer Reports*, *New York Times Sunday Magazine*, *The New Yorker* and other magazines made tobacco a lead article. And there are others.

Representative Henry Waxman is sponsoring a bill to make virtually all buildings open to the public smoke-free (H.R. 3434).

Secretary of Labor Robert Reich has proposed OSHA regulations which could potentially make 6 million workplaces smoke-free.

The Food and Drug Administration (FDA) is investigating the regulation of tobacco products.

Life has become somewhat harried for the average tobacco manufacturer. A cigarette executive complained that there seemed to be a conspiracy against the industry -- "these things are not all happening by coincidence, there's a lot going on and it's well-planned and well-coordinated." Meanwhile, following the "Day One" story, Philip Morris executives have taken to holding "crisis management" sessions every morning.

While it was thrilling to watch the tobacco industry on the run, now is **not** the time to declare victory or become complacent. We should note that the events listed above have yielded **no change in policy to date**. Translation: talk is cheap; now where's the action? There is a Chinese character which loosely translates as "Crisis as Opportunity." A similar concept is summarized by the old adage about "making lemonade from lemons." We should not forget that the tobacco industry is well acquainted with both of these principles.

The media likes to feature the most controversial issues being discussed. We lose a lot when prohibition talk replaces talk of clean indoor air and tobacco taxes.

The *Washington Post* recently editorialized that, given the threat of a ban on tobacco products, no action should be taken on tobacco policy. They reasoned that current trends in voluntary private policies will take care of everything; it's just a matter of time. **This is dangerous talk.**

Not getting burned - Controlling our issue

While the recent media attention to tobacco issues is exciting, if all it accomplishes is a lot of blathering about tobacco and no constructive policy measures, it hasn't really helped -- and it could backfire by creating a backlash in public opinion.

Like a good tug-of-war team, we'll win ground if we pull in synch. We also have to direct our energy at the fight for strong legislation on critical issues: clean indoor air legislation, tobacco taxes to reduce smoking, promote smoke-free policies and prevent preemption of local smoking.

Excerpted from Update, published by ANR (Americans for Nonsmokers' Rights).

TOBACCO TAX INITIATIVES

Amazing One-Year Results from Massachusetts Tobacco Tax

In January, the Massachusetts Tobacco Control Program released preliminary findings on the effects of the state's 25 cent/pack excise tax increase and on its new media campaign. These estimates will be followed with a complete report later this spring.

The Massachusetts Department of Revenue is reporting a 12.8% drop in cigarette packs sold in 1993 compared to 1992.

It is estimated that the tax alone most likely contributed to between 7% and 8% of the drop in cigarette sales, with out-of-state sales and historical decline contributing the remainder.

Thirty-seven million fewer packs of cigarettes were smoked in the state during 1993, resulting in \$35 million in savings. It is estimated that the tax alone resulted in 80,000 fewer Massachusetts teens and adults smoking in 1993.

The state's anti-smoking television ads are recognized by approximately 78% of the Massachusetts adults and 90% of Massachusetts youth surveyed.

STAT (Stop Teenage Addiction to Tobacco) newsletter

Tobacco Tax Doing Wonders in California

The largest and most aggressive anti-smoking campaign ever undertaken led to a 28 percent drop in the number of smokers in California over five years, three times the national decline.

The assessment also showed that bans on smoking in the workplace cut cigarette consumption by 26 percent and helped many smokers quit altogether.

The California program was created by a referendum called Proposition 99 in 1988 and is financed by a 25-cent hike in the state cigarette tax.

It includes school education programs, grants to cities and towns to develop workplace and restaurant smoking policies, and a series of biting advertisements.

One ad showed tobacco industry executives seated around a table in a smoke-filled room, chuckling and saying, "We're not in this business for our health."

The report found that the ads and the grants to cities and towns were the most effective programs.

Associated Press, March 1994

Tobacco Industry's Millions Couldn't Buy This Election

The tobacco industry spent about \$4 million in an unsuccessful effort to kill a Michigan ballot measure that tripled the tax on a pack of cigarettes, according to campaign finance reports.

The Michigan Committee for Fair Taxes spent nearly \$5 million overall fighting the ballot measure known as Proposal A. Voters in March overwhelmingly passed the proposal raising the cigarette sales tax to 75 cents from 25 cents.

The \$4 million included \$1.3 million from R.J. Reynolds Tobacco Co. in North Carolina and \$2.2 million from The Tobacco Institute in Washington, D.C. Those figures include in-kind contributions.

American Medical News

Women at High Risk From Passive Smoking

Nonsmoking women face a significantly higher risk of developing lung cancer after long-term exposure to secondhand smoke in the home, workplace or social settings, a study by the American Medical Association has found.

Women who live with a smoker face a 30 percent greater chance of lung cancer. If they work around smokers, the risk jumps to 39 percent. In social settings -- at least two hours a week on a regular basis -- they face a 50 percent greater increase.

The study, the largest of its kind, studied women over five years in five cities -- Atlanta, Houston, New Orleans, Los Angeles, and the San Francisco Bay Area.

From a story in the *Daily Camera*, June 8, 1994

EPA Paper Responds to Tobacco Industry Attack

"Setting the Record Straight: Secondhand Smoke is A Preventable Health Risk" is the title of a recent 7-page paper put out by the EPA explaining the scientific facts about environmental tobacco smoke.

The EPA paper also responds to a number of tobacco industry arguments designed to "distract the public from the fact that secondhand smoke poses a real and preventable health risk."

To get a copy of the paper, call the EPA's toll-free Indoor Air Quality Information Clearinghouse at **1 (800) 438-4318**.

KEEP YOUR ADDRESS UP TO DATE

If you move, please let GASP know at once. The Post Office does not forward bulk mail. Instead, pieces are returned to us for remailing. This means your newsletter or an important action alert could be delayed two or four weeks. It also increases our mailing and administrative expenses.

\$39 Billion Could be Saved by Eliminating Smoking in Public Places

Banning smoking in most public places could save American society \$39 billion or more a year, primarily from avoided illnesses and deaths from tobacco smoke, according to an April report released by the Environmental Protection Agency (EPA). The report, which received rigorous review, found that massive health care savings would be possible if Congress passed a national ban. For example, at least \$35 billion a year would be saved in health costs from premature deaths avoided and from fewer illnesses for children, said the study.

The report finds that smoking adds \$4 billion to \$8 billion a year to office maintenance costs for such things as carpet and furniture burned by cigarettes, damage to computer equipment, and repainting walls discolored by smoke residue.

The report is available from the EPA. GASP has a copy in its office. Call 1-800-438-4318.

Excerpted from the *Rocky Mountain News*, April 22, 1994

Anti-Smoking Ads Endure

Children not only emulate the hip kids in slick TV commercials who say smoking's not cool; they retain that anti-smoking attitude years after the ads go off the air.

In the June 18 issue of the *American Journal of Public Health*, University of Vermont researchers found that children exposed to anti-smoking radio and TV ads were 35% less likely to smoke than their peers in communities where the campaign didn't air. The University spent \$2 million on a four-year campaign that showed popular kids disdaining cigarettes or fearing that tobacco would diminish their dates.

Two years after the ads disappeared, the students who watched, by now in high school, were still less likely to smoke. In fact, the odds that students who didn't watch would smoke were 1.6 times higher.

Excerpted from the *Rocky Mountain News*, June 19, 1994

Cigarette Advertising Increases

4.6 Billion Spent in 1991

The tobacco industry spent **\$4.6 billion in advertising in 1991**, the same year a long decline in US smoking ended, according to the Federal Trade Commission.

In its annual report to Congress, the FTC said the industry's marketing budget grew 16% in 1991, with nearly 40% of ad money going to promotions such as discount cigarettes and coupons. Outdoor and in-store advertising also grew.

Also in 1991, a 25-year decline in smoking leveled off, according to the Centers for Disease Control and Prevention.

Has the tobacco industry figured out how much advertising it has to spend to keep American consumption from continuing to fall?

Portions taken from the *American Medical News*

Smoke-Free Malls in Colorado

Aurora Mall	Aurora
Crossroads Mall	Boulder
Cherry Creek Mall	Denver
Chapel Hills	Colorado Springs
Citadel	Colorado Springs
Foothills Fashion Mall	Fort Collins
Mesa Mall	Grand Junction
Northglenn Mall (Nov. 1)	Northglenn
Southglenn Mall	Littleton
Tabor Shopping Ctr	Denver
Twin Peaks Mall	Longmont
Westminster Mall	Westminster

September 1994



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(303) 444-9799

ADDRESS CORRECTION REQUESTED

The Nonsmokers' Voice

Published by:

GASP of Colorado

(Group to Alleviate Smoking Pollution)

2885 Aurora Avenue, Suite 37

Boulder, CO 80303

(303) 444-9799

(303) 444-2399 FAX

Promoting smoke-free policies since 1977.

Membership and subscription information on page 3.
Printed portions may be copied or reprinted with
credit to GASP of Colorado.

ISSN # 0897-9626 Editor: Pete Bialick

Proofreading: Melly Newman

Vol. 17.1, April 1995

GASP Guide is on the Internet!

An up-to-date listing of smoke-free restaurants is now available through the Internet. The current list contains more than 1,200 smoke-free restaurants in Colorado.

To access it use the telnet command:
telnet culine.colorado.edu 852. Select:
Community Services.....BCN, CARL, Gopher,
Police, Travel, Weather, RTD and in that
menu, select: GASP Guide to Smoke-Free
Dining.

The entire guide is some 1200 lines if you
page through it, but it is within a find program
that lets you select (via tabs) various search
options, such as a specific city. GASP will be
updating the list every three months. GASP
Board member Ernest Stiltner set it up.

GASP Seeks New Sponsors for the 1996 Colorado Guide to Smoke-Free Dining

The popularity of the *Colorado Guide to Smoke-Free Dining* continues to increase. GASP's goal is to distribute the 1996 guide to 50,000 people.

GASP distributed the 1994 guide to more 40,750 people, more than ever before. The guide media campaign generated more than 1,700 individual calls and letters, and nearly 25,000 additional requests from individuals, organizations, and businesses. GASP also mailed 13,650 guides to our supporters in Colorado. GASP expects the 1996 guide to have twice as many listings as the 1994 guide (771 total). GASP raised \$23,300 for the guide and spent \$26,623.

The guide is a wonderful opportunity to support a popular and necessary project. The guide is particularly helpful for seniors, people with respiratory problems, and people concerned about secondhand smoke. It is published every two years and it is used repeatedly. It also helps promote smoke-free policies, encourage more restaurants to adopt smoke-free policies, and educate the public about the dangers of secondhand smoke.

Sponsorship and advertising rates start as low as \$250. For additional information, call GASP today.

1996 Sponsorship Rates

Inside-front cover listing	\$250	Contributor
One-eighth page (1 1/4 x 3 1/4)	\$500	Ruby
One-quarter page (2 1/8 x 3 1/4)	\$1,000	Emerald
One-half page (3 1/4 x 3 1/4)	\$1,500	Bronze
Full-page (7 1/4 x 3 1/4)	\$3,500	Silver
Full-page & logo on the front cover	\$7,000	Gold

Contributors of \$250 or more will be listed on the front inside cover of the guide. The size of the guide may be increased to a 5 by 8 format which would increase the width of all ads by one inch. Gold sponsors may assist in the overall distribution and content of the guide.

Volunteers Needed to Poll Local Restaurants

GASP of Colorado now needs volunteers to help poll local eateries by phone to update GASP's statewide smoke-free dining directory. The work can be done at home during your spare time over a two-week period and involves calling eateries listed in The Yellow Pages. GASP wants to complete all polling by the beginning of May. In the Denver metro area, GASP will assign you a list of 50 to 100 eateries to call.

Volunteer today! Call: 444-9799.

Shorter Newsletter for 1995

GASP of Colorado will be experimenting with a shorter newsletter, while publishing more issues. In addition, GASP members who have a fax machine or an E-Mail address will also receive special short bulletins almost every month. GASP will have a permanent E-Mail address sometime around May of this year. If you have access to either a fax machine or have an E-Mail address, let us know.

FOR FAST ACTION ALERTS...
HAVE YOU GIVEN GASP YOUR FAX NUMBER?
FAX OR CALL IN YOUR FAX # NOW
PHONE: 444-9799
FAX: 444-2399

Consumer Reports on Secondhand Smoke and Teen Smoking

The January and March 1995 issues of *Consumer Reports* have excellent articles on secondhand smoke and teen smoking. GASP has obtained permission from *Consumer Reports* to reprint both articles as a special report later this year. GASP's Board agreed to try to obtain funds to print and distribute more than 10,000 copies. About 2,500 would go to all local and state policymakers and local Chambers of Commerce.

An abbreviated version of both reports is available through America Online, Compuserve, Dialog, Nexus, and Prodigy. Go to the *Consumer Reports* menu.

1994 ANNUAL FINANCIAL REPORT

GASP's 1995 income was down from the previous year. The most likely culprit was the amount of time and energy GASP volunteered toward the tobacco-tax campaign. In 1995 GASP spent \$58,946, while our revenue was \$48,592. GASP spent some of the bank balance excess money from 1993 on 1994 program services, counteradvertising, the restaurant guide, and a new computer.

GASP's main source of income came from membership dues (\$27,914), counteradvertising donations (\$8,772), and program donations (\$9,218). The main expenses were for counteradvertising (\$20,451), wages and contract services (\$16,668), and program services (\$6,618). The complete financial report is available to GASP members upon request.

GASP's membership stayed at about 1,500. Our list of nonmember contacts grew to more than 10,000. This database consists of exmembers, supporters, and other Coloradans who have contacted GASP for information, publications, etc.

Restaurant Employee Education Program

There are currently 129,535 restaurant employees in Colorado, according to the Colorado Labor Department. Twenty percent of Colorado's restaurants are 100% smoke-free, which means that approximately 26,000 restaurant employees are completely protected from exposure to environmental tobacco smoke (ETS). This means that there are up to 100,000 restaurant employees who could be exposed to ETS on a daily basis.

Waiters and waitresses have a 50 to 90% increased risk of lung cancer that is most likely caused by ETS. ETS levels in restaurants are 1.6 to 2 times higher than in offices, and 1.5 times higher than in homes. The Centers for Disease Control says that restaurants that allow smoking can have six times the pollution of a busy highway.

The principal goal of the project is to increase restaurant employee awareness about the latest research about ETS, develop a database of restaurant employees affected by exposure to ETS, and further encourage more smoke-free policies for restaurants and bars.

To accomplish this goal, GASP has created wallet-sized educational bills to be distributed to restaurant employees. The design on the \$3 mock bill features Abraham Lincoln holding his nose with the headline "Secondhand Smoke is No Joke." The design was made to appeal to people under 29, because they consist of 70% of the restaurant-employee workforce. GASP is asking supporters to keep these "Abe bills" in their wallets and give them out to restaurant employees along with their regular tip. GASP has mailed out 5,000 copies to its members and will be distributing thousands of copies in the next few months. Additional "Abe bills" are available free upon request.

Tobacco Possession Bill

House Bill 1207 would have tightened the current state law on tobacco usage and made it illegal for anyone under 18 to possess tobacco. Youths caught with tobacco would be fined \$50 or required to perform community service. The bill was sponsored by Rep. Gary McPherson and Senator Sally Hopper. The bill passed the House and then was killed on the Senate floor by a standing vote. Legislators who voted against it felt it was a form of government intrusion on a habit that "wasn't hurting anyone else." Senator Linda Powers of Crested Butte compared it to sugar. Others compared tobacco use to movie popcorn or red meat.

Some people oppose youth tobacco-possession laws because it goes after the victim rather than the perpetrator. Some feel it benefits the tobacco industry because it takes the pressure off the seller. However, when underage kids buy tobacco they are knowingly committing a crime. They are purchasing a product that is a drug, and a product that is more lethal than alcohol. Our current state law prohibits kids from buying tobacco, but they may possess it. That is why kids consider our state law a joke. Some people feel such laws help give parents an extra incentive to keep

underage kids from purchasing tobacco. The tobacco industry needs kids to take up smoking to replace the thousands of people who quit smoking or die from smoking each year. GASP of Colorado supports possession laws as a way to discourage kids from taking up smoking, but we also agree that the emphasis should be placed on going after the seller first.

GASP Publications Being Copied Nationally

Publications created by GASP of Colorado are being copied by numerous agencies and groups. Our "25 Reasons to Become a Smoke-Free Restaurant" has become a hot item that has been copied by nearly a dozen other groups and states. Our restaurant guide is also being mimicked. We have received three requests about our new "Abe bill" from two groups and a hospital. GASP of Colorado is happy to let other groups copy our materials; we simply ask that GASP of Colorado receive credit for creating them when they are printed. A membership donation (\$25) is also appreciated.

Counteradvertising Report

GASP of Colorado spent a record high \$20,450 on counteradvertising during 1994. The campaign will continue to counter the tobacco industry with more educational ads in 1995 and will concentrate our efforts in local communities. GASP will determine how much it will spend in local communities (or counties) based on the percentage of donations generated from that area.

1994 Campaign

- GASP placed ads in more than a dozen high-school newspapers reaching more than 50,000 students. The ads utilized photographs of a preserved frog in a jar, a bug spray, and rat poison.
- GASP created a 30-second spot promoting the restaurant guide and smoke-free dining. Ten television stations used the spot as a public service announcement, generating more than 350 more calls. GASP also ran paid spots on KUSA-TV, generating more than 700 calls and reaching more than 500,000 homes.
- GASP produced a 30-second spot about some of the deadly chemicals in tobacco smoke. The spot ran 26 times on KUSA-TV, reached more than 650,000 people, and generated more than 200 calls.
- GASP ran a series of ten print ads on secondhand smoke in the *Capitol Reporter*.

Board Notes

Tom Stevens has become a new member of GASP's Board of Directors. Roberta Nielsen, who had served almost ten years, resigned to go to work for Recording for Blind. We're going to miss her!

GASP members interested in joining the Board should call Pete Bialick at 444-9799.

Corporate Smoking Policies

The International Facility Management Association found in a survey of its members that 71 percent of workforce facilities don't allow smoking in any areas of their buildings, up from 42 percent in 1991.

Daily Camera 2/13/95

Dunkin' Donuts restaurants have announced they will go smoke-free June 1 of this year.

Envirotest has hired the leading tobacco lobbyist in the state, Frank Hays Jr, to promote the new car inspection program. Envirotest is under agreement with the State Health Department's air-quality division to provide for inspection services.

GASP has some leftover "Enough Tobacco Lies" bumper stickers used during the tobacco tax campaign. They are available free to GASP members upon request.

GASP "PICKETT" STAMP AUCTION

GASP will be auctioning a *Legends of the West* sheet of stamps with the Bill Pickett misprint error. The sheet was originally withdrawn from circulation due to an error in the picture of Bill Pickett. The U.S. Post Office then held a lottery and distributed a limited number of error sheets. GASP member Betsy Lyle has donated one of those error sheets to GASP and has requested that it be auctioned to the highest bidder.

The current value of the error sheet is around \$200, and the minimum starting bid will be \$200. GASP members may bid on the stamp by mail or by phone. Bidders may call in to obtain the highest bid and may change their bid up until the deadline of 5pm on Wednesday, May 31.

JOIN GASP and together we will all breathe easier

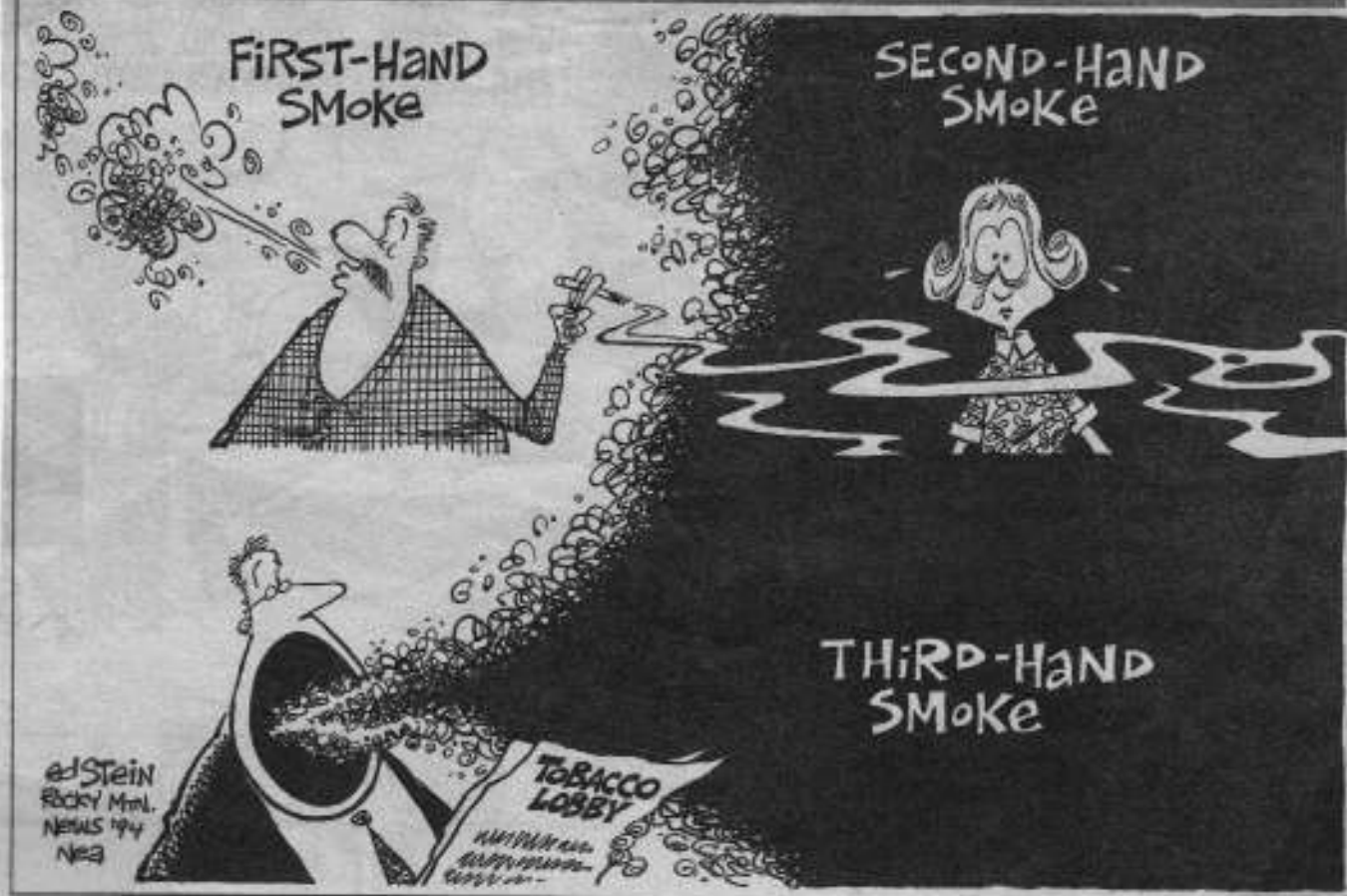
- ☐ Yes, I support GASP's efforts to promote smoke-free air. Here is my contribution of \$100___\$75___\$50___\$25___ Other___
(GASP's annual membership dues start at \$25)

Name _____
Address _____
City-State-Zip _____
Phone _____

Mail and make checks payable to:

GASP OF COLORADO
2885 Aurora Avenue, Suite 37
Boulder CO 80303-2252

ED STEIN'S VIEW



Rocky Mountain News Sun., Sept. 25, 1994

GASP

of Colorado

Group to Alleviate Smoking Pollution

2885 Aurora Avenue, Suite 37
Boulder, CO 80303-2252

(303) 444-9799

ADDRESS CORRECTION REQUESTED

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The Nonsmokers' Voice

Published by:

2885 Aurora Avenue, Suite 37
Boulder, CO 80503-2252
(303) 444-9799 (303) 444-2399 FAX

Promoting smoke-free policies since 1977.

Annual membership and subscription is \$25.

Printed portions may be copied or reprinted with credit to

GASP of Colorado.

GASP is a nonprofit tax-exempt 501-C-3 organization.

ISSN # 0897-9626:

Editor: Pete Bialick

Vol. 17.2, October 1995

Restaurant Guide Update

More than 50 volunteers helped complete the polling for the 1996 Colorado Guide to Smoke-Free Dining. The guide will list more than 1750 smoke-free restaurants, representing more than 30% of all restaurants in Colorado. The guide will be released to GASP members first, and then to the general public during the first part of 1996.

The guide helps encourage more restaurants to become smoke-free. More than 1,000 restaurants have become smoke-free in the last two years. If 50% or more of all Colorado restaurants become smoke-free by 1998, the guide may no longer be necessary. This could mean that the 1996 guide could become a collectors item.

GASP plans to print 50,000 copies for 1996, and needs to raise \$30,000 to cover all costs. GASP still needs to raise another \$10,000 to reach the goal. GASP makes no profit on the guide, and actually lost \$3,000 on the 1994 guide. To allow more time to raise additional funds, and because GASP is helping support the Boulder ballot initiative, the deadline for sponsorships and advertisements has been postponed till November 13, 1995.

Help Sponsor the Guide With a Donation of \$100 or More

The inside back cover of the guide will be set aside to recognize individuals and companies that donate \$100 to \$249 toward printing the *1996 Colorado Guide to Smoke-Free*. Sponsors of \$250 or more are mentioned on the front inside cover (see last newsletter for sponsorship details). We can succeed in raising the additional funds needed if GASP finds one hundred \$100 sponsors. **To add your name to the list, send your individual or company donation to GASP by November 13, 1995.** GASP treats sponsorships as a special donation, but members may request that the donation be treated as a membership renewal. To sign on as a sponsor, please fill out the coupon on the right.

Boulder Fights for Fresh Air

GASP of Colorado is endorsing and helping FAIR (Fresh Air Is a Right) -- a group of concerned Boulder residents who are supporting a November 7 ballot measure that protects people from secondhand smoke in all workplaces, retail stores, and all other indoor public places. The measure also assures smoke-free air in restaurants and bars, but still permits (but does not require) smoking in a fully-enclosed separately ventilated area that doesn't exceed half of the total space. Similar laws in Aspen, Telluride, and Snowmass, and many other communities indicate that these laws are self-enforcing and do not have an adverse economic impact on local business. More Boulder restaurants and some bars will likely become smoke-free if it passes. A ballot victory is important to all Coloradans concerned about reducing exposure to secondhand smoke, especially around children. Fort Collins set an important precedent in 1984 when a ballot initiative protecting nonsmokers passed resoundingly. Boulder's law might have the same impact because it would be the first major Colorado city to assure fresh air in the workplace, restaurants, and in bars. The tobacco industry knows this and will do everything it can to prevent it. The tobacco lobby is already involved. **Donations are needed now if supporters are to succeed.** (Please note that contributions to FAIR are not tax-deductible.) For more information contact: **FAIR, Box 1467, Boulder, CO 80306** or call 440-4248.

A historical review is on the next page.

Yes, I'd like to see my name in the 1996 Colorado Guide to Smoke-Free Dining

Here is my donation of : ☐ \$100 ☐ \$150 ☐ \$200 ☐ \$249
Other amount _____

GASP welcomes all donations but only those of \$100 or more will be listed in the guide. ***The deadline is November 13, 1995.***

Name _____
Address _____
City, Zip Code _____
Phone _____

This is how I want to be listed.

Make checks payable to **GASP Guide** and mail
it to the address on the top of this page.

Boulder Historical Perspective

On August 1 the Boulder City council passed on a 7 to 1 vote an ordinance assuring 100% fresh air in all workplaces, retail stores, restaurants and bars. A group of opponents consisting of five bar owners, one restaurant owner, and the local smokers' rights groups joined forces to fight the ordinance. The tobacco lobby has also been involved. The tobacco industry has kept a low profile and let's front groups do its dirty work because it has such a poor image (this has been reported in other communities with similar ballot initiatives). Then, the opponents collected enough signatures, using paid circulators, to repeal the ordinance. Nearly half of the collected signatures (about 5,000) were thrown out. Some witnesses say the petitioners went so far as to ask nonresidents to sign the petition. Some people say the petitioners mislead people into signing the petition by claiming it banned smoking in places it did not, such as nursing homes. If that is indeed the case, it wouldn't surprise us. These are the same kind of tobacco industry tactics that are well-documented in other communities. The most recent article, titled "New Tobacco Industry Strategy to Prevent Local Tobacco Control", was published in the July 28, 1993 issue of JAMA (Journal of the American Medical Association).

One week before the City had to decide what to do with the ordinance, the opposition showed up at a council meeting asking for a compromise. The council held public hearings with both sides and offered nearly a dozen compromises, but the petitioners rejected every one. The opponents wanted to leave everything the way it was. The City Council wanted to be reasonable, yet they also wanted to further protect workers, entertainers, and children from a toxic and cancer-causing form of pollution. The amended ordinance, which was placed on the ballot and will be decided by the people, gives bar and restaurant owners the option of still allowing smoking in fully-enclosed separately ventilated areas and outside patios. The rest of the ordinance, which assures clean air in the workplace and retail stores, was not changed. GASP thinks the compromise ordinance is a reasonable way to protect the public's health.

On August 20, the Daily Camera printed an open forum letter supporting the original law by Pete Bialick, President of GASP. That letter is reprinted on page three.

Counteradvertising Report

GASP of Colorado designates between 5 to 10% of membership dues toward counteradvertising plus any specific donations made to the ad fund. (The percentage drops when donations drop). The Board of Directors recently agreed that the program would be more effective if the funds generated during the year are spent toward the end of the year when there is more to spend.

In April GASP ran two new newspaper ads in the Capitol Reporter -- a publication reporting on the State Legislature and distributed to 8,000 people near the State Capitol. Groups like Miami GASP and others have copied the ads. We'd like to run them in other newspapers, so let us know what you think of them (see pages 4 and 5).

The Truth About Secondhand Smoke and Teen Smoking

GASP of Colorado is distributing reprints of two exceptional Consumer Reports articles on secondhand smoke and teen smoking. The articles are well-researched, educational, and make a number of thoughtful recommendations. They provide insightful revelations about the tobacco industry's marketing and public relations practices. Additional copies are available through ASSIST at 692-2510.

The articles will help further educate the public and businesses about the issue of secondhand smoke and teen smoking because Consumer Reports is such a reputable publication. It is published by Consumers Union, an independent group whose goal is to aid the consumer by using and evaluating products. Consumer Reports accepts no advertising.

Key features -- secondhand smoke article:

- Contains a balanced analyses about the scientific evidence on secondhand smoke, including the risks of getting lung cancer and heart disease.
- Examines and rebuts the tobacco industry criticisms of the scientific evidence.
- Tells how the tobacco industry tries to spread doubt and discredit the scientific research on secondhand smoke.
- Says, "The case against secondhand smoke has reached the point where there can be no doubt about the scientific evidence."
- Recommends limiting smoking in public places, restaurants, and the workplace.

Key features --teen smoking article:

- Three thousand kids start smoking in the U.S. every day.
- Teen tobacco use is on the rise, but adult tobacco use is down.
- How tobacco advertising influences kids to buy and use tobacco.
- Why smokeless tobacco is a serious cancer threat.
- Reveals how teens easily purchase tobacco despite restrictions on tobacco sales to minors.
- Provides suggestions on helping teens avoid tobacco.
- Recommends restricting tobacco sales to minors, eliminating or reducing tobacco advertising, and increasing tobacco taxes.

GASP Puts More Emphasis on Programs

GASP's newsletter has become shorter so that we can put more emphasis on programs, publications, counteradvertising, and education. The Consumers Report reprint project is one of these programs. By placing more emphasis on programs, GASP hopes to become more focused and effective. GASP will continue issuing newsletters and other communications to keep in touch with our members. Our fax communication network has grown to more than 150 members. We'd like to double that.

If you have a fax at work or at home and haven't given it to GASP, fax it to us at 444-2399.

Starting today, everyone can stop “accommodating” Philip Morris.

This sign stinks.

Does Philip Morris really want to accommodate smokers? Most smokers want to quit smoking, so where is the Philip Morris smoking cessation program?

The Philip Morris accommodation program, and program symbol, is nothing more than an attempt to stall the establishment of smoke-free policies, to divert public attention from the health issue, and to promote smoking. By using the Chinese symbol for harmony and coexistence, Philip Morris tries to infer that smoking policies are contentious and divisive. It infers that people would not be “accommodating” if they objected to someone smoking indoors. **But the truth is that smoking policies help protect the public from secondhand smoke, help smokers quit smoking, and save businesses money.**

Philip Morris doesn’t say how the campaign would help protect the people who work in or use the areas that “accommodate” smokers. What about the children that use these areas? Does Philip Morris want you to sacrifice your health and safety for their company profits?

The accommodation symbol does more to promote smoking than anything else. And it is another way for Philip Morris to promote smoking without displaying the Surgeon General’s warning.

This campaign does accommodate **one thing only**...Philip Morris’s bank account.

So, the next time you see the Philip Morris accommodation sign...

1. Ask the management why they are helping promote smoking, and ask them to remove the sign.
2. Let management know you won’t come back until the sign is removed.

A public service of the Group to Alleviate Smoking Pollution
(GASP of Colorado).

This ad is part of GASP’s counter-advertising program and is solely supported by public donations. GASP is a statewide nonprofit organization that has been promoting smoke-free policies since 1977.

For a free brochure about GASP call 444-9799.

Can we have an open debate about whether smoking causes forest fires?

The issues that surround smoking in the woods and forest fires are so complex, and so emotional, it's hard to debate them objectively.

Over the years, you've heard so often that smoking in the woods causes forest fires-and so little challenging these reports-that you may assume that the case is closed.

Studies that conclude that smoking in the woods causes forest fires have regularly ignored major arguments and findings to the contrary.

For example, many people who smoke in the woods never cause forest fires, and some forest fires occur even if no one smokes. So how can smoking possibly be a cause of forest fires?

Besides, if no one was there to see the fire start, and the fire burned the cigarette that supposedly started it, how can we be sure that a cigarette was the cause?

The evidence about smoking being a cause of forest fires is merely statistical. Simply because a large number of forest fires start where smokers throw their matches or cigarettes doesn't prove that the smoking actually caused the fire.

Many of the independent scientists who work for us or hope to receive our large grants believe that the issue is far from clear, and that more open debate and research are needed. That's why we spend millions of dollars each year on research to see if smoking in the woods can possibly cause forest fires.

During the coming months we will discuss a number of other key questions related to smoking in the woods and fires.

Some of the things we will say may surprise you, just as some of the things we said in this ad probably surprised you. We're even surprised that we had the gall to say them.

But we won't shy away from saying them, no matter how illogical they are, because, quite frankly, that's our whole point.

We believe that if we say these things often enough, some people will believe them. And that we can make any issue into a controversy by spending enough money for large ads like this.

That's why we maintain that there are lots of unanswered questions and no simple answers about any issue that affects our profits.

In future ads we'll try to convince you that smoking in bed doesn't cause fires, and that smokers are more likely to go to heaven.

Please keep an open mind about our ad campaigns. The best way to do that is to be sure that your mind is empty.

Philip More Cancer Company
J. R. Renegade Tobacco Company
The Toblacko Institute

This parody is a public service of the Group to Alleviate Smoking Pollution (GASP of Colorado) and paid for by public donations to the GASP ad fund. GASP is a statewide nonprofit organization that has been promoting smoke-free policies since 1977. For a free brochure about GASP call 444-9799.

GASP of Colorado

Group to Alleviate Smoking Pollution

END-OF-YEAR REPORT

TOBACCO TAX QUESTIONS

The Colorado 50¢ tobacco tax lost, but Arizona's 40¢ tobacco tax passed by a margin of 14,400 votes. The tobacco industry spent about the same amount opposing Arizona's tax and used some of the same wording and tactics. **So what was the difference?**

If you look at the history of the six tobacco tax initiatives to date, the two that failed (Montana and Colorado) had one thing in common -- the proponents did not have the money to counter the tobacco industry. The four that succeeded (California, Massachusetts, Michigan, and Arizona) were able to mount a counter-attack. **Pro-health advocates lost the election in Colorado because they were not able to raise enough money to counter the tobacco industry.** Arizona's 40¢ tobacco tax passed because advocates were able to counter the tobacco industry with a \$1.8 million budget, compared to a \$300,000 budget in Colorado (about \$50,000 was spent on advertising, the rest on staff, campaign costs, and getting it on the ballot).

Why was it a Constitutional amendment? To assure that the funds were spent to reduce smoking and not to build prisons or something else. Legislators may change the wording of ballot measures not placed in the Constitution, and, as the tobacco industry suggested, "do anything they want with the money." In other states where the legislature controls the money allocation for tobacco taxes, funds for tobacco prevention and education have been gutted under pressure from the tobacco industry.

Did government leaders initiate the tax? No, it was initiated by members of the Coalition for a Tobacco-Free Colorado. **Was 50¢ too much?** Polls showed it was not, but perhaps a 25¢ tobacco tax would have had less opposition. **Could it have been written more clearly?** Yes, but this would not have made any difference in the outcome. **Will there be another tobacco tax attempted in the future?** Only if proponents can raise the money (at least \$1 million) before they start collecting signatures.

Will the \$6 million the tobacco industry spent on the tobacco tax and the loss have a ripple effect? The tobacco industry may try to seize the opportunity to introduce legislation that is favorable to them in the next legislative session. This might include another preemption bill, an "accommodate smokers" bill, etc. Pro-health advocates need to be prepared to counter such efforts.

Growing anti-government sentiment may hamper efforts to continue to protect the health of Colorado's nonsmokers. It is important that GASP continue our efforts to educate the public about the danger of secondhand smoke.

FOR 1995

GASP will continue its efforts to promote smoke-free policies. GASP will kick off a restaurant employee educational program in January. GASP will continue pressing for more local policies regulating smoking in public, continue its counteradvertising and educational campaigns, and begin raising money for the publication of the 1996 Colorado Guide to Smoke-Free Dining. Goals for 1995 will be discussed at the meeting of the Board of Directors on January 31. Meetings are open to all GASP members.

BOARD MEMBERS NEEDED

GASP of Colorado is now accepting applications for the Board of Directors. Board members serve in an advisory capacity and play a role in the decision-making process. The Board meets every six weeks in Denver during the evening. Applicants must be dues-paying members of GASP and are expected to serve a three-year term. Call Pete at 444-9799 for an application of if you'd like to attend the next Board meeting January 31.

FAST ACTION FAX ALERTS

GASP will be working on setting up our new computer to send out action alerts to GASP members about important local, state, or national actions. Bulk mail can be slow, and the cost of sending first class action alerts will be even more expensive next year. Fax alerts will be used when immediate action is needed. **If you have a fax we may reach you at, please fill out this form and return it to us.**

Name _____
Address _____
City, State, Zip _____
Home Phone _____
FAX Phone _____
*Attention: _____

**Fill in if additional information is needed to get you a fax*

Mail to:
GASP ACTION FAXES
2885 Aurora Avenue, Suite 37
Boulder, CO 80303-2252

**Join GASP with a
donation of
\$25 or more.**

The Nonsmokers' Voice

Published by:



2885 Aurora Avenue, Suite 37
Boulder, CO 80303-2252

(303) 444-9799 (303) 444-2399 FAX

Promoting smoke-free policies since 1977.

Membership and subscription information on page 5.
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Boulder Sets the Tone

On November 7, Boulder voters approved one of the most comprehensive laws protecting nonsmokers in Colorado. The new law protects people from secondhand smoke in all workplaces, retail stores, and all other indoor public places. The measure also assures smoke-free air in restaurants and bars, but still permits (but does not require) smoking in a fully-enclosed separately ventilated area that do not exceed half of the total space.

Three weeks after the ordinance passed, a GASP survey of Boulder restaurants found 83 new places had become 100% smoke-free, while 12 places (mostly bar-restaurants) were implementing separately enclosed and ventilated smoking and nonsmoking areas. The survey was designed to update GASP's list of smoke-free eateries, but a number of employees and managers told volunteers it wasn't hurting businesses. Some respondents also said they are happier, that the air is clearer, that you can smell the food better, that reservations and seating are simplified and easier, and that the waiting period is often shorter.

Economic reports look good so far

While it is still too early to establish a good long-term economic impact study on the effect of Boulder's no-smoking ordinance, financial reports from the Boulder's sales tax department over the first four months (when compared to the previous year) indicate an increase in sales in most sales categories. In food service establishments and bars there has been an average 8.99% increase in sales tax receipts from November through February (again, when compared to the previous year).

Sales-tax revenue reports (which are required by law) are the only data which can measure food-service sales in an unbiased and accurate fashion. Long-term economic impact studies based on tax reports in more than 25 other communities with similar laws (including Aspen, Snowmass, and Telluride) indicate that smoke-free policies do not hurt business.

How GASP Helped

In addition to helping form FAIR (Fresh Air Is a Right), GASP of Colorado assisted in a number of ways. GASP helped raise money, helped provide volunteers and key local contacts, and helped mobilize grassroots support. Several GASP members and supporters helped distribute literature, post yard signs, write letters, and attended or spoke at public hearings.

Continued on page 2

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And other news...

Circulation this issue: 1,300.

TOBACCO LOBBYIST COMES CLEAN

Victor Crawford used to work for the Tobacco Institute. Because he was dying from cancer caused by smoking, he decided to go public. Before he died in March, Crawford shared some of the secret tactics of the tobacco lobby in an exclusive eye-opening interview.

Pages 7-9

Reprinted by permission

City is right to go after secondhand smoke

By PETE BIALICK

The Boulder City Council has taken a positive step toward further protecting the health, welfare and safety of all Boulder residents by passing the new smoking ordinance. Boulder now joins more than 70 other communities with similar smoking restrictions.

The move is appropriate considering secondhand smoke is the third leading cause of preventable death in the U.S. — killing an estimated 53,000 Americans each year from lung cancer, heart disease, and other cancers (Glantz/Parmley *Circulation* 1991). The Colorado Department of Health and Environment estimates our state's death toll from secondhand smoke is between 500 to 700 people a year.

GASP of Colorado (the Group to Alleviate Smoking Pollution) supports any efforts to reduce or eliminate smoking in public places to protect people from a Group A carcinogen. An acceptable alternative to the new ordinance would be to allow bars or restaurants to have a separately ventilated, fully enclosed smoking room where workers don't have to enter. Denver International Airport and other smoke-free airports provide such rooms. Remember that separate smoking areas on commercial airlines didn't protect passengers or employees from the toxic chemicals in tobacco smoke.

In 1993 the Environmental Protection Agency (EPA) classified environmental tobacco smoke as a known Group A carcinogen, the deadliest classification reserved for elements like asbestos and arsenic. Secondhand smoke contains 4,700 chemicals — 43 are known human carcinogens. There is no safe exposure level to these toxic and cancer-causing chemicals (EPA and U.S. Surgeon General).

Let's put this issue in perspective: Asbestos kills about 15

Americans each year, secondhand smoke kills 53,000 Americans each year. If a public place had asbestos in the air, it would be closed down till the menace was removed. The cost of removing asbestos from an average building is around \$300,000. A no-smoking sign is about all it takes to eliminate smoke's toxic chemicals from a public place.

Consumer Reports says, in its January 1995 issue titled "The Truth about Secondhand Smoke," that the scientific evidence about the danger of secondhand smoke can no longer be doubted.

"Thousands of people in the U.S. may be dying or made sick every year from other people's smoking," it says.

Consumer Reports recommends tighter restrictions on smoking in offices, factories, restaurants, stores and public transit facilities. The article also reveals how the tobacco industry tries to spread doubt and discredit the scientific research on secondhand smoke.

Shouldn't bar and restaurant employees and entertainers have the right to work in a safe environment like all other workers? Waiters and waitresses exposed to secondhand smoke have an increased risk of lung cancer. Secondhand smoke levels in restaurants are 1.6 to 2 times higher than in offices, and 1.5 times higher than in homes (*Journal of the American Medical Association*). The Centers for Disease Control says that restaurants that allow smoking can have six times the pollution of a busy highway.

How about protecting our children in bars, restaurants, stores

Environmental tobacco smoke (ETS) increases children's rates of bronchitis, pneumonia, coughing, wheezing and other respiratory conditions, chronic ear infections, and middle ear effusions.

ETS increases the frequency of episodes and severity of symptoms in asthmatic children. The EPA estimates that 7,500 to 15,000 children under 18 months of age are hospitalized due to exposure to ETS each year. In addition, up to a million asthmatic children have their condition worsened by ETS.

Given these facts, shouldn't smoking be eliminated in any public place where children are allowed? People with small children know it is not always easy to choose the places you take your children. Did you also know that many bars admit children up to a certain time of night?

The arguments being used against this new law are the same arguments the tobacco industry uses. Victor Crawford, a tobacco lobbyist who is dying from lung cancer, says that the tobacco industry's strategy is to use various smokescreens designed to divert public attention from the health message. These smokescreens include using the freedom or "it's legal" argument, using bogus surveys, quoting papers that are not peer-reviewed by other scientists, denying the evidence, and attacking the messenger. Crawford says that one of the industry's favorite diversionary tactics is to cast proponents as health-nazis.

The tobacco industry has been involved in every major ballot initiative limiting public smoking in Colorado since 1984. If this issue gets on the ballot, the tobacco industry will undoubtedly spend huge amounts of money trying to influence a local election. Did you know the tobacco industry spent a

record \$5.5 million to defeat the tobacco tax last year?

Why is the tobacco industry so concerned? According to an August 1993 article in *The Nation*, "If smoking restrictions caused the nation's 47 million smokers to cut down by three cigarettes a day, annual gross sales would fall by nearly \$5 billion."

Every time the council has tightened the smoking law, some people have claimed — without any substantial proof — that it will affect businesses. In other communities with similar bans, sales tax revenue comparisons indicate that smoking bans do not affect sales at bars or restaurants.

In Boulder, the number of smoke-free restaurants has tripled in the last four years — a strong indication that smoke-free policies don't hurt businesses. And don't forget that according to the Boulder Health Department, 83 percent of Boulder residents don't smoke. Also, 80 percent of all smokers want to quit smoking (National Cancer Institute).

A 1992 California poll of nearly 8,000 smokers found that more than two-thirds of smokers do not feel the need to smoke when they dine out. Polls in New York, Wisconsin and Texas also show that smokers don't stop patronizing a business because of a smoke-free policy.

It's not the smoker GASP minds; it's the smoke. GASP has, and always will, support any efforts to reduce or eliminate the public's exposure to a toxic and hazardous indoor air pollutant that is a Group A carcinogen — secondhand smoke.

(Pete Bialick is the president of GASP of Colorado, a statewide nonprofit organization that has been promoting smoke-free policies in public places and educating the public about the dangers of secondhand smoke since 1977. He is married and has three small children.)



BIALICK

Boulder Continued...

The three leading donors to the FAIR campaign were the American Cancer Society, GASP of Colorado, and Corporate Express. Other organizations that helped with the campaign (by providing volunteers and technical or other assistance) included individual ASSIST Coalition members, the Boulder Health Department, the Boulder County Prevention Connection, the American Heart Assn, the Rue Morgue bookstore, and members of various medical and environmental groups. ANR (Americans for Nonsmokers Rights) was the most helpful national group.

The Opponents

The local mouthpiece for the tobacco industry was led by a number of pro-smoking individuals. Opponents mounted a lawsuit against the ordinance, but a Boulder District Judge Murray upheld the ordinance and ruled that the issue was resolved fairly at the ballot. Similar challenges have been mounted in other communities with tough no-smoking ordinances by pro-tobacco groups without success. (For an insiders' view, see the Victor Crawford interview p7-9)

Opponents received most of their money from the Colorado Restaurant Association, which has long been an ally of the tobacco industry. They employed lobbyist Shayne Madsen (who represents Kraft — a subsidiary of Philip Morris) got assistance from the National Smokers' Alliance (a Philip Morris front group), and received money from several tobacco retailers.

Pitkin County

The Pitkin County Commissioners revised their clean-indoor-air law in September 1995. The ordinance is similar to Aspen's ordinance which prohibits smoking in most public places and restaurants, and gives employees the right to a nonsmoking work environment. Bars may allow smoking as long as they are fully enclosed and separately ventilated. Pitkin county covers small communities that are unincorporated, including Redstone, Woody Creek, Thomasville, Meredith, and Old Snowmass.

Upcoming Ordinances

Since the tobacco lobby has spies who read this newsletter, we aren't going to tip our hand about what is going on. However, if you live in a community which is working on either upgrading its clean-indoor-air laws or youth-access laws, GASP of Colorado will try to contact members in those communities.

PEOPLE'S FAIR VOLUNTEERS NEEDED JUNE 1 AND 2

GASP needs volunteers to help distribute the guide and other literature at the Capitol Hill People's Fair in Denver's Central Park (by the Art Museum). Come sit at our booth for two or three hours on **Saturday, June 1 or Sunday, June 2**. Approximately 250,000 people visit the fair each year. GASP needs about a dozen volunteers to take turns running the booth.

Call GASP now at 444-9799 to volunteer.

GASP E-MAIL ADDRESS

GASP of Colorado now has an E-Mail address.
It is **GASPCO@aol.com**.

Mother Jones Exposé on Tobacco Companies

Pick up a copy of the May-June issue of *Mother Jones* and read an eye-opening exposé about the tobacco companies called "Inside the Nicotine Network." A number of other Coloradans were interviewed for the issue.

Office Volunteers Needed

GASP needs office volunteers to help mail out guides, file papers, enter data in the computer, and help with other administrative chores. Our Boulder office is open Monday through Friday from 9:30 am to 5:30 pm, but please call 444-9799 in advance to arrange to come in and help for a few hours.

Volunteers Needed to Distribute Smoke-Free Dining Guide

GASP needs more volunteers to help distribute the restaurant guide in your immediate area. More than 60 people and groups are helping distribute the guide. Many volunteers keep a box of guides in their car and drop them off as time permits. Good places to distribute the guides are health clubs, health-food stores, libraries, recreation centers, community centers, grocery stores, senior centers, bookstores, colleges, churches, smoke-free businesses and restaurants, and any place that circulates "freebie" publications.

There is no charge for the guides, but a donation or stamps will help defray the costs. GASP suggests a \$5 donation for 100 guides, \$6 for 200, \$7 for 300, etc. Allow two weeks for delivery, and please do not request more guides than you can handle. Call us at 444-9799 or return this coupon.

I'll Be Glad to Help Distribute the Guide in My Area

Count on me to help distribute ☐ 100 ☐ 200
☐ 300 ____ (other amount) guides in my area.

I also am enclosing a donation of \$ ____
to help defray costs.

Please make all checks payable to: GASP of Colorado.

Name _____

Address _____

City/Zip _____

Phone _____

GASP of Colorado
Group to Alleviate Smoking Pollution
2885 Aurora Avenue, Suite 37
Boulder, CO 80303-2252
(303) 444-9799

✂ Clip Out or Copy and Return

1996 EDUCATIONAL ADVERTISING CAMPAIGN

Rocky Mountain News Ads Generate Nearly 400 Calls

Nearly 400 people have responded to a series of 15 small educational ads GASP of Colorado ran in the funnies section of the *Rocky Mountain News*. Ads offering free copies of the recent *Consumer Reports* exposé on secondhand smoke and teenage smoking generated more than 230 requests. Some of the same ads also ran in the *Capitol Reporter* newspaper. Funds for the campaign come from GASP's Educational Fund account. The fund is supported by special donations and ten percent of all membership dues.

Smoke-Free Dining is a Breath of Fresh Air

GASP will be running a 30-second television spot promoting the new restaurant guide and smoke-free dining. In 1994, our paid TV spots generated more than 800 calls. GASP has revised the spot and will run paid spots during the 11:30 news on KMGH, Channel 7, starting May 13, and during the noon news on KUSA, Channel 9, starting June 3. All spots will run on Monday, Wednesday, and Friday. If we had a larger advertising budget, we could buy ads in prime-time news shows. GASP has also sent the spot to most of Colorado's major television stations as a Public Service Announcement (PSA). A number of stations have already begun to broadcast the PSA.

GASP also ran two print ads for the guide that generated more than 40 requests. One ad appeared in the *Rocky Mountain Motorist*, the magazine that goes to all American Automobile Association members in Colorado. The other ad appeared in the *Rocky Mountain News*.

Would you like to run these small 2 x 4 ads in your local newspaper?

In most cases, a donation of \$50 to \$100 to the GASP Educational Fund will pay for running one ad in your local paper. Call GASP at 444-9799 for details.

SECONDHAND SMOKE

Find out why
Consumer Reports
recommends tightening
restrictions on smoking in
offices, stores, factories,
restaurants, and other places.

READ THE FREE REPORT

Reprinted by permission of Consumers Union.

CALL: 444-9799 GASP of Colorado
(Group to Alleviate
Smoking Pollution)
2885 Aurora #37
Boulder CO 80303

*Paid for by donations to the
GASP educational fund.*

*This ad generated 32 calls.
More ads on page 4 and 6.*

Consumer Reports looks at

TEENAGE SMOKING

**Nine ways to help your
kid avoid tobacco**

Read the Report

Compiled by an independent team of
investigators with no ties to the tobacco industry.
Reprinted by permission of Consumers Union.

**For a free copy
call: 444-9799**

GASP
of Colorado
Group to Alleviate Smoking Pollution 5882

*Paid for by the GASP
educational fund.*

Aurora #37
Boulder CO 80303

*More than 75 people responded to this ad,
which ran in the Rocky Mountain News twice.*

MEMBERS RANK GASP PROGRAMS

GASP of Colorado has been conducting a survey asking members to rank GASP's five principal programs. GASP mails the survey out with annual membership renewal forms. Through the end of February, 161 members completed the survey. All programs produced above-average totals when ranked on a scale of 1 to 5, with a 5 being reserved for the top score.

How GASP's Programs Rank:
Smoke-free policies and ordinances
Educational campaigns about secondhand smoke
Smoke-free restaurant campaign
Smoke-free dining guide
Counteradvertising campaign

GASP efforts have encouraged hundreds of restaurants to adopt smoke-free policies. Some restaurant owners have told GASP that seeing other restaurants adopt smoke-free policies has motivated them to change their policies. That is one reason GASP has sent the 1996 guide to nearly all 6,000 restaurants and cafes in the Colorado. The restaurant guide plays a vital role in the overall smoke-free restaurant campaign.

The primary purpose of the counteradvertising campaign is part of GASP's efforts to further educate the public about the dangers of tobacco by sponsoring paid advertisements. To clarify this point and as a direct result of the poll, GASP's Board of Directors recently renamed the account used to pay for these programs. The new name is the "GASP Educational and Ad Fund."

1996 Guide to Smoke-Free Dining Update

GASP has distributed and mailed 28,000 copies of the 1996 *Colorado Guide to Smoke-Free Dining* since the booklet came out in January. Another 23,000 remain to be distributed. Total cost of the program, which is supported by sponsorships, is about \$25,000. To date, the guide has been mentioned in 14 newspapers, on 10 radio stations, and one television station. Public service announcements have been given to all major TV stations and most radio stations.

Since the guide was published, GASP has added many more listings. The list is updated on the Internet and the Travel Bank BBS (see below). Round the Corner recently made most of its Colorado restaurants smoke-free. GASP also helped Conway's Red Top make the transition to smoke-free. The restaurant is a small gourmet hamburger chain in Colorado Springs.

Guide Corrections

Restaurants come and go and change policies. When policies change, it is often due to ownership changes. Volunteers polled more than 4,700 Colorado eateries by phone for the 1996 guide, while another 2,200 new eateries were contacted by mail. Occasionally, errors happen in polling or people misunderstand the questions. That is why GASP sends out a confirmation letter to all newly listed places before publishing the guide. Some are confirmed by phone. The following restaurants have either now changed policies, are out of business, or never notified GASP that they were mistakenly identified as being smoke-free.

Restaurant	City	Guide Page #
Italian Fisherman	Aurora	p. 11
Fettoush	Denver	p. 20
Monterrey Pasta Company	Denver	p. 22
Chelsea's London Pub	Grand Junction	p. 31
The Break	Greeley	p. 33
Cactus Club	Wheat Ridge	p. 45

Please call GASP to report additions or corrections.
You can now E-mail messages to us at GASPCO@aol.com.

Internet and BBS Guide Updates

An updated list of more than 1,900 smoke-free eateries in Colorado, which includes Boulder eateries, is available electronically through the Internet and through the Travel Bank Bulletin Board Service. GASP will post a new update at the end of May. The Internet address is: [Telnet culnecolorado.edu](http://Telnet.culnecolorado.edu) 852. The Travel Bank BBS can be reached at 671-7669.

Want to try an on-line service and the Internet? If you have a modem and a computer, you can obtain trial memberships on America Online worth 15 free hours through GASP. Write us with information about your computer system and we will arrange for the software to be mailed to you.

Here's what *Consumer Reports* says about

The Truth About Secondhand Smoke

"The (tobacco) industry
has spent millions
to block or roll back state and local
public smoking restrictions."

Read it Yourself

A report compiled by an independent team of
investigators with no ties to the tobacco industry.

Reprinted by permission of Consumers Union.



2885 Aurora #37
Boulder CO 80303

For your copy call:
444-9799

A nonprofit educational
& advocacy group.

Another educational fund ad.

Is Secondhand Cigar Smoke Dangerous?

The average cigar emits three times as much carcinogenic matter and 30 times as much carbon monoxide as one cigarette, according to research by James Repace, a physicist and policy analyst for the Environmental Protection Agency.

Reported in Bottom Line Personal, Oct. 1, 1995

Smoking at the Denver Zoo

Smoking has been banned in the indoor areas of the Denver Zoo, but smoking continues to be allowed anywhere outside. When the zoo is crowded, this can create problems of secondhand smoke exposure when people congregate in lines at animal exhibits. Children could get burned when an adult holds a cigarette and flicks the ashes. Something should be done to protect the health and safety of all children at all zoos.

To express your concerns write to:

Clayton Frehelt, Denver Zoo, City Park, Denver CO 80205
Mayor Wellington Webb, City of Denver,
1437 Bannock, Denver CO 80202

Web Pages

While GASP of Colorado doesn't have a web page, a number of other pro-health groups do have them. If you have access to the Web Crawler, look under "anti-smoking". Check out the "Master Anti-Smoking Page" and the "Advocacy Institute." Two national groups have web pages: Americans For Nonsmokers' Rights (ANR) at www.nosmoke.org, and ASH (Action on Smoking and Health) at <http://ash.org/ash>. Beware of sheep in wolves clothes though. There are also a number of tobacco industry front groups, pro-smoking groups, and industry sympathizers posting on the Web. ANR has a list of industry front groups which can be obtained by E-mail or by calling them at 510-841-3032.

The GASP Legal Fund

The GASP Legal Fund is a special GASP fund created to help assist individuals who need legal assistance or advice with secondhand smoke problems.

GASP of Colorado has been receiving an increasing number of complaints about problems dealing with secondhand smoke seeping into condos, apartments, and businesses. GASP also continues to receive complaints about exposure to secondhand smoke in the workplace. While GASP is able to provide papers helping provide suggestions, many people need legal assistance and advice.

So that the legal fund can provide more assistance to individuals in need, donations are now being solicited. All donations to the GASP legal fund qualify as a tax deduction.

The GASP Legal Fund
2885 Aurora Avenue, Suite 37
Boulder CO 80303

GASP's Annual Report

GASP of Colorado's Annual Report of revenue and expenses, basic programs, and list of Board members and advisors will come out after May 15. GASP's annual revenue for 1995 was \$60,190, while our expenses were \$45,574. Most of the year-end surplus revenue was held to cover the costs for printing and distributing the 1996 restaurant guide (a program that will cost \$25,000). The annual report is available to all GASP members by request.

Board Holds Elections, Adds New Advisors

Every three years GASP's Board of Directors holds elections for officers. Pete Bialick was re-elected President, Dr. Frank Judson was re-elected Vice President, and Richard Breidenbach became our new Secretary. Breidenbach replaced June Mercer, who retired after more than 12 years on the Board.

GASP also added some new people to GASP's Advisory Board. We'd like to welcome Guy Murrel, a public relations consultant, and John Sadwith, the Executive Director of the Colorado Trial Lawyers Association. Former Board member Roberta Nielsen, who is now employed as a coordinator for Recording for the Blind, also became part of the advisory board.

NO SMOKING NECKTIES AVAILABLE AGAIN

A Great Father's Day Gift

GASP of Colorado is once again making available fully-lined quality ties bearing the red and white international no-smoking symbol. Make a point without saying a word! The cost to members, including shipping, is \$13.50 for one tie, \$25 for two, and \$33 for three. Currently available in brown. All proceeds from sales of the ties will go into GASP's Educational Fund.

JOIN GASP and together we will all breathe easier

- ☐ Yes, I support GASP's efforts to promote smoke-free air. Here is my contribution of _____ \$100 _____ \$75 _____ \$50 _____ \$25 _____
(GASP's annual membership dues start at \$25)
- ☐ I support your efforts, but I do not want to become a member.

Name _____
Address _____
City-State-Zip _____
Phone _____

Mail and make checks payable to:

GASP OF COLORADO
2885 Aurora Avenue, Suite 37
Boulder CO 80303-2252

Passive Smoking: Even Worse Than We Thought

The cigarette industry must have had a coughing fit last April when a major article in the *Journal of the American Medical Association* analyzed the ways other people's smoke imperils your heart. The industry keeps telling us that nonsmokers are exposed to the "equivalent" of only a cigarette or two a day, and that they should thus "accommodate" smokers. However, the JAMA article pointed out the flaws in this argument and painted a much scarier picture. It described dozens of risks to the cardiovascular system posed by repeated exposure to secondhand smoke. One of the authors was Stanton Glantz, professor of medicine at the University of California at San Francisco, whose work has been under unprecedented attack in Congress, apparently due to pressure from the tobacco industry.

Here are some of the report's findings:

- The great majority of deaths caused by secondhand smoke involve heart disease — an estimated 37,000 of the total 53,000 passive-smoking deaths in this country each year.
- Nonsmokers may be *more* susceptible to heart and vascular damage from secondhand smoke than smokers are, even though they absorb much smaller doses of the smoke's toxins. That's because smokers develop compensatory responses to some of the adverse cardiovascular effects of cigarette smoke — but nonsmokers don't get the "benefit" of these adaptive responses.
- Carbon monoxide from the smoke cuts down on the amount of oxygen the blood can carry to the heart of nonsmokers. It also reduces the heart's ability to use the oxygen it does receive.
- Secondhand smoke boosts heart rate when at rest or exercising, shortens time to exhaustion, and makes it harder for the heart to recover after strenuous exertion.
- Repeated exposure causes other kinds of permanent damage to the heart and arteries (notably thickening of the walls of the carotid artery). It also damages the lining of the arteries, which encourages the formation of artery-narrowing plaque.
- Even low levels of secondhand smoke increase the stickiness of blood platelets in nonsmokers, making it more likely that a clot will form in the narrowed arteries, which can ultimately lead to a heart attack.
- Secondhand smoke lowers levels of HDL cholesterol, the "good" type that protects against coronary artery disease.
- It worsens the damage done by free radicals (destructive oxygen compounds) to heart muscle cells.
- When a heart attack occurs, prior exposure to secondhand smoke worsens the damage and makes the outcome more serious.

Of course, these risks depend on how much smoke you're exposed to, which is hard to quantify — it's determined, for instance, by how large the room is, the ventilation, the number of cigarettes, and how long you're exposed to them. Nevertheless, though some smokers may wonder what nonsmokers are making such a fuss about, this report shows that there are *plenty* of reasons to worry about secondhand smoke.

—Berkeley Wellness Newsletter, December 1995

Consumer Reports looks at

TEENAGE SMOKING

**Find out how tobacco
advertising influences kids
to buy or use tobacco.**

Read the Report

Compiled by an independent team of
investigators with no ties to the tobacco industry.

Reprinted by permission of Consumers Union.

**For a free copy
call: 444-9799**

GASP
of Colorado
Group to Abolish Smoking Policies

*A nonprofit educational
& advocacy group.*

2885 Aurora #37
Boulder CO 80303

This ad generated 41 calls the first time GASP ran it.

Ways to Clear the Air

There are many creative ways to make donations to GASP to support GASP's programs and its future. You can include charitable gifts to GASP of Colorado in the form of:

- Specific property or securities — works of art, stamp or coin collections, real estate, or a portion of a business;
- A bequest in your will;
- A future percentage of your assets;
- The "residue" of your estate — property remaining after other bequests have been fulfilled;
- The remainder of your IRA, pension, or life insurance after you are gone;
- In-kind donations of office equipment, frequent flyer travel awards, items to place in a garage sale, etc.

Need Advice?

Dick Duff, can provide advice to GASP supporters on how they may arrange charitable gifts and transfers to the maximum advantage of the donor and GASP. He is a member of GASP's Advisory Board, and a member of the Colorado Bar Association. He may be reached at 756-3599.

☛ *Dick will donate to GASP 25% of any fees charged.*

The following interview by Victor Crawford, which appeared in the July 19, 1995 of JAMA (Journal of the American Medical Association Vol 273 #3 pages 199-202) is provided as an educational public service by GASP of Colorado, a statewide nonprofit organization.

Victor Crawford died of cancer in March 1996.

Reprinted in the *Nonsmokers' Voice* with permission © Copyright 1995, American Medical Association (AMA).

Cancer Converts Tobacco Lobbyist: Victor L. Crawford Goes On the Record

SHAKESPEARE said it in *Julius Caesar*: "The evil that men do lives after them / The good is oft interred with their bones." Oft, but not always. Sometimes someone who does what many view as wrong has both the time and inclination to make amends.

Victor Crawford does not have much time—he is dying of T2, N2c squamous cell stage IV carcinoma of the base of the tongue with pulmonary and bone metastases—but he does have the inclination to undo much of the harm he says he believes he caused as a lobbyist for the tobacco industry.

Crawford, an attorney and retired Maryland state legislator who lives in Rockville, Md, worked as a contractual lobbyist for the Tobacco Institute during the late 1980s. He did it for the money, he says, although it wasn't very much. He estimates that he made at least \$20,000 during the 6 years he helped the tobacco industry fight public health efforts to restrict smoking.

Crawford was a skilled and persuasive lobbyist. He had served 16 years in the Maryland legislature, first in the House of Delegates and then in the Senate, before he retired from it in 1982 and became a lobbyist. Working for the tobacco industry was his chance to get a "black hat" client—"the kind that have very liberal lobbying budgets and let you do a job the way it's supposed to be done."

In January 1991, Crawford felt a sharp pain in his neck, which was misdiagnosed as an inflamed artery. The next year, he learned the truth. A biopsy of a lesion in his throat revealed the presence of squamous cell carcinoma that his physician told him was "a textbook case of cancer caused by smoking." In 1993, metastases were found in his lungs, liver, and pelvic bone. He underwent several surgical procedures and received experimental taxol treatments to slow the growth of remaining tumors. Recent tests, however, show new lesions in his lungs for which his physicians are recommending chemotherapy.

Crawford had been a smoker since he was 13 years old, starting with ciga-



Normally clean shaven Victor L. Crawford, with the beard he wore following his first cancer surgery.

rettes and switching to a pipe and cigars in his late thirties.

In 1994, a chance meeting with Michael Pertschuk, former chair of the US Federal Trade Commission who is now with the Advocacy Institute, an anti-smoking group based in Washington, DC, led to Crawford's reluctant agreement to provide—anonously—background information about lobbying for the tobacco industry to journalist Roger Rosenblatt. The journalist, who was working on an article for *The New York Times Magazine*, persuaded the ex-lobbyist to go on the record.

Crawford decided to speak out because, he says, "If you stay in the closet, you die in darkness." Never before has someone who worked so closely with the tobacco industry's top political and propaganda strategists come forth to clear the air.

Despite advancing illness, as long as he is able, Crawford is determined to bear witness against the industry that markets the products that he says robbed him of his health. He has appeared in antismoking television and radio public service announcements. Last

year, his testimony to the Maryland legislature helped pass one of the toughest antismoking laws in the nation. The law bans smoking in virtually every indoor workplace, including bars and restaurants. Also in 1994, he helped to fight a statewide referendum in California, supported by the tobacco industry, that would have replaced tough local anti-smoking measures with a weaker state measure. The referendum was defeated. This March in Florida, he fought the attempt to repeal a law that makes it easier for the state to sue tobacco companies to recover public money spent on treating tobacco-related illness. Despite his emotional testimony, the legislature voted for repeal. Gov. Lawton Chiles vetoed the legislation; a major lobbying effort is under way to override the veto.

In this interview, Crawford shares some of the secrets of the tobacco lobbying trade from a perspective few if any have held outside the tobacco industry. Sharing his knowledge of industry tactics here and in other forums is a good that will live long after him.

JAMA: How did you get to work for the Tobacco Institute?

Mr Crawford: When I retired from the Maryland legislature in January 1983, I started lobbying, first for what we call the "white hats," such as the Montgomery County Council, Olney Theater, the Bar Association, things like that. But white hats don't have the big money, it's the "black hats" that do: race tracks, gambling, liquor, tobacco, banking, insurance. When I was approached in the mid 1980s by the people at the Tobacco Institute to be one of the contract lobbyists here in Maryland, I jumped at it. The money was good and it was a way to break into that part of the field. In every state they have lobbyists they use on a case-by-case basis. The only full-time ones they have are at the Tobacco Institute, and they usually work on the Hill.

The Tobacco Institute monitors every state, and everything that comes up on the state level, in the statehouse, courthouse, county council, county executive, little townships, anything that

relates in any way to smoking, tobacco, or to their industry, for example, vending machines, they approach like a big cat at a mouse hole—when they see something move, they pounce. Thanks to the technology of communications and computers, as soon as that mouse sticks its head out of the hole, boom, they know. And then they'd call me and I'd get down to headquarters and say, "Okay, what do you want done?" And they'd tell me.

My job was unusual in that because I was in Maryland, right here in a suburb of Washington, I would go down to the headquarters of the Tobacco Institute in the District and meet with them. In most states, they would fly somebody out and meet with their local people.

JAMA: What exactly would you do?

Mr Crawford: Let's pick a recent case. Montgomery County [Maryland] made restaurants set aside a certain part for nonsmoking. We fought that tooth and nail. Then a city in the county, Takoma Park, in 1990 decided to ban all smoking in all restaurants. Well, we [the tobacco lobby] can't live with that, because first of all, it's a suburb of Washington, DC, so the *Washington Post* will pick it up and everybody on Capitol Hill will read it. Number two, the head of the Tobacco Institute lives in Montgomery County, and all their bigwigs live out here. Number three, that would set a terrible precedent for banning smoking in restaurants. No other municipality or subdivision had absolutely banned all smoking in all restaurants at that time.

So we had a meeting at the Tobacco Institute. I came up with the idea that Takoma Park and the area it's in are full of immigrants from Central America—El Salvador, Nicaragua, Honduras, Guatemala—and also it's a very liberal area. They made themselves a nuclear-free zone and all that sort of stuff.

Now it's obvious to us that people from Central America smoke like chimneys—and if we could identify those Hispanic restaurants that were inside Takoma Park and those that were just outside the city limits, we would have a hell of a good argument by showing that the antismoking law would force these poor Central Americans, who came here pursuing the American dream, out of business—all their customers would walk across the street to the restaurants where smoking is allowed.

So on the computer, we located where all the Hispanic restaurant owners were, contacted them through the phone bank, had them all show up at the hearing screaming bloody murder, waving signs, you know, "You're anti-Hispanic," "bunch of racist bastards," and so on. They protested that the law would ban smoking in their restaurants but not right across the

street [outside Takoma Park] at a Hispanic restaurant run by an archrival, who would get all their business because customers could just walk across the street to smoke.

Well, the bill died. We killed it. It was because we were able to identify every Hispanic-owned restaurant in Takoma Park. We did it all in a few weeks. It's amazing what can be done with computers. In every district, [the Tobacco Institute] knows the smokers' names, addresses, sex, race, and in many cases even the brands they smoke. With computers and the phone bank they can turn out a demonstration in 24 hours, 500 people out there screaming "Protect smoker's rights," "Protect our constitutional right to choose," "Leave us alone, you Princetonian, Harvard-educated eggheads." Very effective.

JAMA: So the first thing is to identify an approach, a battle plan?

Mr Crawford: The first thing is, you go to the sponsor of the proposed antismoking bill and find out if they're serious or not. Many times the sponsor just wants to get his or her name and a nice big article in the newspaper, and if the bill dies they're not really going to cry about it. It looks good in their brochure.

However, sometimes they are very serious about it. They're health conscious, or they've had a mother who died of lung cancer or something, and they're very upset about it, and they want to push this legislation. Then you sit down and see if you can't work out a compromise with the sponsor, if there isn't some way that you can sidestep the issue or work something out whereby you don't have to do battle. It's the old Chinese adage from *The Art of War*: The best general is the one who never does battle but is able to outmaneuver his enemy. That's what you try to do. If you can't do that, then you go to war.

And you go to war by mobilizing everybody and getting up all the opposition until finally, if you can't get the bill killed, you get it amended to the point where it really doesn't do much.

JAMA: Was the elevator bill in Maryland an example of that?

Mr Crawford: Oh, it was a beautiful example. This was years ago when the antismoking thing was just getting started. A state senator from Baltimore put in a bill to ban smoking in elevators, which actually was a good bill. If you're in an elevator and somebody is smoking, it's terrible. But up until a few years ago, everybody could do it. First of all, it was obvious that the senator was going to get something through. We'd had her bills killed so often that people were starting to feel sorry for her.

So the first amendment on the thing

was, it had to be enforced by the state Department of Labor and Industry, because they regulate elevators. Now, they don't have any police force, no enforcement mechanisms, but we put in the bill it had to be enforced by that department. Secondly, we put in that there had to be a large sign in the elevator, something like a foot-and-a-half by a foot, saying there was a fine of \$25. Then we added that in order to enforce the law, the smoking had to be done in the presence of a police officer. And then to make absolutely sure the bill didn't do anything, the police officer had to be in uniform. So with these amendments, we figured if somebody's dumb enough to walk into an elevator that has a big sign saying no smoking—\$25 fine, with a cop standing there in a uniform, and they light up anyway, they deserve to be arrested and pay a \$25 fine!

That's how you could take a bill and amend it so it looked good in [the senator's] brochure. She put an antismoking bill through—but it didn't do anything. You can't enforce it. So we can live with that. And that's how, with a lot of bills that make it through, you find out that they don't really do anything.

Another good example: for years, antitobacco activists have been trying to make the owner of a store—not the person who actually sells the cigarettes—criminally or civilly liable for selling cigarettes to minors. The reason is simple. In these little convenience stores, the salesperson is usually a third-world refugee who's trying to pursue the American dream by holding down three jobs. Busy as hell, he turns his back and somehow he sells a pack of cigarettes to a guy who's 16 or 17. Well, who wants to prosecute him? What state's attorney wants to give this poor dude a bad time when the one who's making a profit is the owner of the store? But you can't get a bill through making the owner responsible. We wouldn't let you.

We would say that the criminal responsibility be put where it belongs, on the criminal. And who is the criminal? The guy who sold the cigarettes. He shouldn't have done that. He violated the law. But who the hell wants to prosecute him? In return for a favorable amendment we would offer to agree to increasing the penalty for selling cigarettes to minors. Send him to jail. Hell, give him the gas chamber!

JAMA: Can you comment about the tobacco industry strategy of always trying to take the fight up to the state level, away from the local?

Mr Crawford: We could never win at the local level. The reason is, all the health advocates, the ones that unfortunately I used to call "health Nazis," they're all

local activists who run the little political organizations. They may live next door to the mayor, or the city councilman may be his or her brother-in-law, and they say, "Who's this big-time lobbyist coming here to tell us what to do?" When they've got their friends and neighbors out there in the audience who want this bill, we get killed. So the Tobacco Institute and tobacco companies' first priority has always been to preempt the field, preferably to put it all on the federal level, but if they can't do that, at least on the state level, because the health advocates can't compete with me on a state level. They never could.

On the local level, I couldn't compete with them. And that's why all your antismoking legislation without exception has started at the local level, all across the country. The Congress itself has done virtually nothing. Even the states are just starting to act. But back in the 1980s, it was the little counties, municipalities, townships, where your antismoking legislation was coming from. And that's what was driving the tobacco guys crazy, because they had to pay people like me to run around and fight the damn things. And every time I'd put out a fire one place, another one would pop up somewhere else.

JAMA: You've commented in some news stories I've seen on the philosophy, "If you can't attack the message, you attack the messenger."

Mr Crawford: That's also the "Nazi" technique. Here's how we would do it. I'd say, "Now, you've heard all these witnesses who say that smoking causes lung cancer and emphysema and heart conditions. Now, ladies and gentlemen of the county council, the jury is still out on that issue. There is right and wrong probably on both sides, there are scientists on both sides, some agree, some don't agree, and that's not settled and cast in stone yet. But that's not the big issue. Let the medical people determine that issue. That's not the issue before you."

The issue before you is the constitutional basic right of your citizens to be able to choose their lifestyle and what they want to do. And these people are trying to take away that right."

So now, I've gotten away from the message and I'm attacking the messengers, and I start raising hell about them and wave the flag and play the Star Spangled Banner, and if it's done right, the message gets lost. It's the messengers who are on trial—and often the messengers are not equipped to defend themselves.

JAMA: Do you know anything about the local smokers' rights groups that have been set up all over? How closely tied are these groups to the tobacco industry?

Mr Crawford: As much as I can tell you without going into attorney-client privilege would be that there is nothing that happens in this area that is not known about and supported or funded or somehow nourished by those who will profit from it. That is a basic given. And who is going to profit from it? You (as a tobacco lobbyist) often work for front groups. For example, if we wanted to get rid of [FDA chief David] Kessler, who's the biggest thorn in their side, I would have funded AIDS groups and got them fired up that he's not approving anti-AIDS drugs fast enough. Raise all kinds of hell and go to [President] Bill Clinton and get him to fire Kessler. And who would benefit? Tobacco, of course. But the AIDS people would do the dirty work because they're so involved, and that's how it's done. You never leave your fingerprints at the scene of the crime.

JAMA: But they haven't done that yet?

Mr Crawford: (Laughs). Well... I'm not going to comment. But let me tell you something. Don't you think there hasn't been a lot of stuff going on in Washington—there's an election coming up, a lot of money's needed for the election, a lot of business ties need to be cemented—don't you ever sell them short. You are dealing with the Tobacco Institute, with the smartest, toughest, brightest bunch of people you have ever met. And ruthless. If you ever want to see a bunch of cowboys work, watch Philip Morris. They are tough. I mean they shoot from the hip. It was Philip Morris who did that California thing [the failed statewide referendum that, if passed, would have superseded tough local antismoking laws], after they were advised not to. That California thing was dumb, because they had their name attached to it. They should never have done that.

JAMA: They got very bold there.

Mr Crawford: Of course they are. And they're getting bolder. It's a take-no-prisoners fight. You're talking about \$100 billion a year in gross profits. That's a lot of money. And man, anything goes. And anything will go. And don't ever think they won't come out and try to strike a deal on something down there [in Washington]. They've already got control of the Congress. You're not going to see any antismoking legislation come out of Congress as long as the Republicans have control. They've already said that. You're in the big leagues, and you've got to expect to get beamed and spiked. That's the way it is. It's one of the most sophisticated, well-organized lobbying machines in the world.

JAMA: You've recently received an award for your antismoking efforts, I believe.

Mr Crawford: Yes, an award from the Smoke-Free Maryland Coalition. I also

just received the first lawmaker of the year award from the American Heart Association Maryland affiliate, which the association has named after me, the Victor L. Crawford Lawmaker of the Year Award. The Bar Association also gave me one for having had the courage to speak out. I don't think it's so courageous, but evidently nobody else seems to be doing it. I think I know why, but I can't make any comments on it, because of the attorney-client privilege.

If you'll notice, the best lobbyists the "black hats" hire are in many cases attorneys, because that gives them an extra layer of protection. If I disclose any confidential information, the people I worked for can go to the Bar Association's Grievance Committee. I've never been before the Grievance Committee in 35 years of practice and I'm very proud of that. The attorney-client privilege is not my privilege, it's theirs [the Tobacco Institute]. And you're never going to get them to waive that, that's for sure.

JAMA: Did you have any qualms when you were working for the other side?

Mr Crawford: Not really, because I was a professional. You do it because you have the American impetus to win. Winning is everything. That's why they hire you as a trial lawyer, because you win cases. That's why they hire you as a lobbyist, because you win in front of the legislative bodies.

I'm a trial lawyer. I represent criminal defendants. You've got to learn to compartmentalize, it's the only way you get through life—you're in denial and you compartmentalize. I knew in my heart it [smoking] was wrong, but it [cancer] wasn't going to happen to me. What I didn't know was what suffering it really does cause, and nobody knows that until they go through it.

JAMA: There are a lot of people working for the tobacco industry in various capacities. They're moral people, and they are not totally bamboozled even by what they're saying, but they are similarly compartmentalized. Can you reach them in any way?

Mr Crawford: They know. In their hearts they know. But they don't know how bad it is until it happens to them. The money is good and you can make a similar argument [that the product causes illness] about liquor. But liquor at least has some redeeming values. Tobacco has none. None.

But all I can tell them is they've got to follow their own conscience. They don't realize the suffering that they're causing until it happens to them, and the suffering that they're causing is beyond words.

—by Andrew A. Skolnick

Four Million Children Sickened by Secondhand Smoke Each Year, Combined Studies Show

By Lori Valigra (Reuter), April 9, 1996

Millions of American children fall ill each year from exposure to secondhand tobacco smoke, but there are currently no regulations to protect them, according to a study released today.

"Four million children are sent to a doctor each year because they are affected by secondhand smoke," said Dr. Joseph DiFranza, an author of the study.

"If a soft-drink or breakfast cereal caused 4 million children to get sick it would be taken off the market within minutes," said DiFranza of the University of Massachusetts in Worcester. He co-authored the study, which appeared in the April issue of the journal *Pediatrics*, with researcher Robert Lew of Brigham and Women's Hospital in Boston.

Although many studies have linked secondhand tobacco smoke with bronchitis, asthma, pneumonia, coughs, ear infection and even death in children, DiFranza said the results had not been combined and tallied.

His study, which analyzed results from 119 studies conducted since 1965 that deal with tobacco smoke and pediatric diseases, found that at least 284 children die each year from lung disease and fires initiated by smoking materials, and 300 more are injured by such fires.

An additional 307,000 cases of asthma among children under 15 are attributable to household smoking, the study said. Other smoking-related illnesses include at least 354,000 ear infections and 5,200 operations to insert tubes in ears of children, 14,000 operations to remove tonsils and adenoids and 1.3 million office visits for coughs.

About 45 million Americans smoke, a number that has remained static for the past several years. While many adults have quit smoking cigarettes, cigars and pipes, each year a similar number of teenagers begin smoking.

DiFranza, a family physician, said the parents of one asthmatic patient quit smoking but as soon as their child's

symptoms eased they resumed. The child was subsequently hospitalized after a severe asthma attack.

DiFranza said new laws and policies are needed to protect children from injury and death attributable to tobacco use by others. He recommended a smoking ban wherever children are present, including in day-care centers.

"Some people may choose to assume the risks associated with smoking but this is not the case with children, who are involuntary smokers," DiFranza said.

"Four million children are sent to a doctor each year because they are affected by secondhand smoke. If a soft-drink or breakfast cereal caused 4 million children to get sick it would be taken off the market within minutes,"

Dr. Joseph DiFranza



Secondhand Smoke so Widespread it Can be Measured in Nonsmokers

By Lee Bowman

Scripps Howard News Service, April 23, 1996

Almost nine out of 10 non-smoking Americans are regularly exposed to so much secondhand tobacco smoke that nicotine residue is measurable in their blood, a government study concluded.

Researchers at the Centers for Disease Control and Prevention found measurable levels of cotinine in the blood of 88% of 10,000 people ages 4 and older who took part in a national health survey between 1988 and 1991.

Cotinine, a chemical that the body metabolizes from nicotine, establishes that a person has been exposed to tobacco smoke over the last two or three days.

"This study documents for the first time the widespread exposure of people in the U.S. to environmental tobacco smoke," said Dr. David Satcher, CDC director. "This new information will be critical in estimating and developing effective public health strategies."

Although the study didn't attempt to assess what the risk of exposure was to various groups, the blood serum levels of the drug were in direct proportion to the number of smokers around the person tested, and the amount of time they spent in proximity to smokers.

Based on the blood tests and questionnaires completed as part of the survey, Dr. James Pirkle of the CDC's National Center for Environmental Health estimated that 43% of American children aged 2 months to 11 years are exposed to smoking by people living in the same household.

Tobacco Allies Misrepresent CRS Report

On November 14, 1995, the Congressional Research Service (CRS) released a report that, according to the tobacco industry and its allies, claims that there is no conclusive scientific evidence that exposure to environmental tobacco smoke (ETS) causes lung cancer. The CRS report, "Environmental Tobacco Smoke and Lung Cancer Risk," reviewed the findings of a 1993 Environmental Protection Agency (EPA) report that classified secondhand smoke a Class A (known human) carcinogen, responsible for 3,000 lung cancer deaths among nonsmokers each year.

However, a close examination of the report reveals that the CRS report supports the conclusions in the EPA report. The fact that the report comes from the CRS, a branch of the Library of Congress, seemingly adds to the report's credibility. However, unlike the EPA report, which was a synthesis of all available evidence at the time and which was subject to extensive public comment and external scientific peer review, the CRS report only purports to review the four studies on ETS since the EPA report came out and was not subject to any independent scientific review process. Although the CRS is officially the nonpartisan "research arm" of Congress, it conducts research and policy analysis at the request of specific members of Congress.

If pro-smoking groups use the CRS report to attack existing laws in your community, GASP of Colorado can provide information to expose the tobacco industry's misrepresentations about the CRS report.

Condensed due to space limitations. For more information about

TOBACCO LOBBYIST COMES CLEAN

Victor Crawford used to work for the Tobacco Institute. Because he was dying from cancer caused by smoking, he decided to go public. Before he died in March, Crawford shared some of the secrets of the tobacco lobbying trade in a recent eye-opening interview.

As a public service, GASP of Colorado is providing free copies of the interview.

Taken from GASP's current newsletter.

Just call 444-9799 for your copy.

Paid for by donations to the GASP Educational Fund

*This newspaper ad must have touched a nerve
because 81 people responded.
We heard from people who have diseases caused by
smoking or have relatives they lost due to smoking.*

Having a Garage Sale?

GASP continues to receive donations of items to be sold at garage sales. We have some nice china, software, books, phones, ties, etc. Now we need people who would be willing to sell them at their own garage sales. Sellers may keep a percent of all sales. Here's an opportunity to make some money and also support GASP of Colorado.

Call GASP at 444-9799.

The Trojan Camel Bill (Senate Bill 213) Dies

In the past decade, preemptive legislation has emerged as the tobacco industry's chief legislative goal. Preemptive legislation essentially keeps local communities from enacting stronger policies. The tobacco industry uses this technique to establish weak, statewide legislation, touting the uniformity of such laws as an asset over less uniform, but often stronger, local policies on tobacco. A few years ago Rep. Tom Ratterree and Senator Dave Wattenberg sponsored a bill to weaken laws on smoking in work places. The bill died due to a public outcry.

Senate Bill 213 died in the Senate Appropriation Committee at the end of April due to public outcry. Hundreds of people called to express their opposition. Newspapers criticized the bill, recognized it as a devious tobacco industry tactic, and urged its defeat. It was opposed by many of the same newspapers that bought the tobacco industry's lies during the tobacco tax initiative in 1994.

Senate Bill 213 was disguised to look like it would be beneficial, but it was simply a weak youth access bill with no teeth in it for enforcement. The bill looked good on the surface because it set statewide tobacco standards, and tougher potential penalties for retailers and uniform retail practices. The efforts of communities to pass and maintain laws that really do protect kids from tobacco are effective and are working and exist in numerous Colorado communities. SB 213 allowed for little or no enforcement while prohibiting communities from passing tougher legislation. No wonder the tobacco industry and retailers supported it.

Legislators who sponsored the pro-tobacco industry "Trojan Camel Bill": Senate: Al Meiklejohn (R-Arvida), Ben Alexander (R-Montrose, Ouray), Joan Johnson (D-Adams), Linda Powers (D-Gunnison, Pitkin County), Bill Schroeder (R-Jefferson), Bill Thiebaut (D-Pueblo) and Dave Wattenberg (R-Northwest Colorado). In the House: Bill Martin (R-El Paso), Don Armstrong (D-Adams), Bob Hagedorn (D-Arapahoe County), Lewis Entz (R-Alamosa), Dan Prinster (D-Mesa), Eric Prinzier (R-Adams North) Mike Salaz (R-Baca, Pueblo).

Voting with the tobacco industry (yes) in the Senate State Affairs Committee: Dave Wattenberg, Al Meiklejohn, Bill Schroeder, Ben Alexander, and Lloyd Casey (D-Northglenn), Bob Martinez (D-Adams).

Voting pro-health and pro-kids (no): Stan Matsunaka (D-Loveland), and Tilman Bishop (R-Grand Junction).

Once again the people of Colorado have let their legislators know that any type of preemption of local laws on tobacco is not acceptable!

Quotes

"The bill provides no real disincentives for selling tobacco to kids. A merchant could break the law hundreds of times and still be allowed to sell tobacco because the so called 'sanctions' for selling to minors are discretionary."

Robert Ginsberg, MD, President of the American Heart Association, Denver Division

"The tobacco industry has done a good job of making this bill look as if it is pro-children and an attempt to keep tobacco out of kids hands. However, it would do just the opposite."

Jeff Cain, MD, Spokesman for the Colorado Academy of Family Physicians

"It simply was a wolf in sheep's clothing."

Pete Bialick, President, GASP of Colorado

"And this time it's a Trojan Camel, puffing on an obnoxious cigarette and creating a giant smoke screen that is deceiving legislators and the public."

Editorial, The Greeley Tribune

"If retailers want legislation to make doing business easier for them they should say so candidly rather than disguising the effort as part of the campaign to keep kids away from tobacco."

Editorial, Rocky Mountain News

"The preemption of local option, placing all tobacco regulations at the state or federal level, has always been the primary goal of the tobacco companies and the Tobacco Institute."

Victor Crawford, former tobacco industry lobbyist (April 1995, Washington Times)

GASP of Colorado supports efforts to encourage kids not to use tobacco and joined other pro-health organizations in opposing this bill by sending out hundreds of action alerts.

**Local Preemption "Trojan Camel" Bill
Pro-kids Opponents of SB 213**

American Academy of Pediatrics
(Colorado Division)
American Academy of Family Physicians
American Cancer Society of Colorado
American Heart Association of Colorado
American Lung Association of Colorado
Coalition for a Tobacco-Free Colorado
Colorado Hospital Association
Colorado Medical Society
Colorado Municipal League
Colorado Parent Teacher Association (PTA)
Columbia Health One
City of Denver
Denver Doc (Doctors Ought to Care)
Group to Alleviate Smoking Pollution
(GASP of Colorado)
Larimer County Commissioners
Rocky Mountain Center for Health
Promotion & Education

**Local Preemption "Trojan Camel" Bill
Proponents & Pro-Industry
Supporters of SB 213**

Colorado Restaurant Association
Colorado Retail Association
(department stores, 7-Eleven, grocery stores)
Colorado Petroleum Marketers (gas stations)
Rocky Mountain Food Dealers (grocery stores)
Rocky Mountain Oil & Gas Association (gas stations)
Safeway (grocery stores)

Tobacco Industry Lobbyists (Colorado)

The Tobacco Institute
(Pancho Hays, Matt Flora, and Associates)
R.J. Reynolds Tobacco Company
(Wally Stealey and Associates)
Philip Morris, USA (Ruben Valdez)
Philip Morris (Pam Oldham-Inmann)
Smokeless Tobacco Council (James Christiansen)

*Sources: Amanda O'Neill & Associates, and
Colorado Legislative Services, in Denver.*



Prison Smoking Ban Dies

Senate Bill 80 by Senator Mike Coffman (R-Aurora) died before the full Senate by a 12 to 20 vote. Coffman blamed heavy lobbying by the tobacco industry for the demise of the bill. The bill would have prohibited smoking in all Colorado prisons and protected all staff and inmates. The Corrections Dept. and the American Cancer Society supported it. The tobacco lobby probably was afraid that if the bill passed, the public would begin to question why prisoners have better protections against secondhand smoke than the general public.

GASP of Colorado provided Senator Coffman with documents on prison smoking and a number of letters from inmates and corrections officials. A few Colorado prisons and jails are smoke-free. A number of prisoners have sued for smoke-free prison accommodations by contending that exposure to secondhand smoke is cruel and unusual punishment. The U.S. Supreme Court ruled in 1993 that prisoners have a right to bring such suits.

KEEP YOUR ADDRESS UP-TO-DATE

If you move, please let GASP know at once. The Post Office does not forward bulk mail. Instead, pieces are returned to us for remailing. This means your newsletter or an important action alert has to be remailed and could be delayed two to four weeks. It also increases GASP's mailing and administrative expenses.

BOARD MEMBERS NEEDED

GASP of Colorado is accepting applications for Board Directors. Board members serve in an advisory capacity and play a role in the decision-making process. The Board meets in the evening in Denver every six weeks. Applicants must be dues-paying members of GASP and are encouraged to attend Board meetings before applying. Our Board meetings are open to all GASP members. Call Pete Bialick at 444-9799 for an application or information about Board meetings.

Editorial: Preventing Tobacco Use—The Youth Access Trap

During his tenure, Surgeon General C. Everett Koop transformed the public debate over tobacco use by calling for a smoke-free society by the year 2000. He was the first major public official to articulate clearly the message that smoking need not be a part of American life. The tobacco industry went wild and aggressively attacked Koop, because his message went to the core of the tobacco issue: tobacco use in public was no longer socially acceptable. Today, that message has been eclipsed by a less potent—and probably counterproductive—one: "We don't want kids to smoke."

This issue of the Journal contains three papers that add to the literature demonstrating the importance of preventing the tobacco industry from recruiting new nicotine addicts. Pierce and Gilpin¹ estimate that teenagers who become smokers today will remain addicted for an average of 16 to 20 years. Escobedo and Peddicord² show that efforts to prevent tobacco use have not affected people with less than a high school education. DiFranza et al.³ show that only 28% of vendors consistently obey laws limiting sales of tobacco to children, that the tobacco industry's "It's the Law" program has virtually no effect on the ability of kids to buy cigarettes, and that cigarette vending machine lockout devices have little practical effect.

Everyone seems to agree. The tobacco industry is running advertisements repeating its claim that it wants to stop "underage smoking" because smoking is an "adult custom"; the Food and Drug Administration (FDA)^{4,5} has advanced proposals directed at children; and the health departments in the three states with major voter-mandated tobacco control programs—California, Massachu-

setts, and Arizona—have all been directed to concentrate on kids. There are several good reasons for this strategy from the tobacco industry's point of view.

First, it makes the industry look reasonable. While the industry must recruit kids to replace dying and quitting adults, it can never admit this.

Second, and more important, the message "we don't want kids to smoke" reinforces tobacco advertising. Tobacco marketing documents subpoenaed by the Federal Trade Commission⁶ over a decade ago show how a cigarette company can introduce "starters" to its brand:

For the young smoker, the cigarette is not yet an integral part of life, of day-to-day life, in spite of the fact that they try to project the image of a regular, run-of-the-mill smoker. For them, a cigarette, and the whole smoking process, is part of the illicit pleasure category... [a] declaration of independence and striving for self identity...

Thus, an attempt to reach young smokers, starters, should be based, among others, on the following major parameters:

- Present the cigarette as one of the few initiations into the adult world.
- Present the cigarette as part of the illicit pleasure category of products and activities.
- In your ads create a situation taken from the day-to-day life of the young smoker, but in an elegant manner have this situation touch on the basic symbols of the growing-up, maturity process.

The message "we don't want kids to smoke" reinforces this message. Kids shouldn't smoke, but if you want to look and act like an adult, do it.

Continued on page 15.

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The American Journal of Public Health
February 1996, Volume 86 #2

The current concentration on youth access is not the first time that the health community has inadvertently reinforced a tobacco industry message. One reason that kids start to smoke is the fact that they grossly overestimate smoking prevalence.⁷ Ubiquitous tobacco advertising has contributed to this misimpression, but so has anti-tobacco education that says "resist your peers, don't smoke." The message should be "be like your friends, be a nonsmoker."

Third, the current concentration on keeping kids from buying tobacco products shifts the focus away from the tobacco industry to tens of thousands of convenience stores and gas stations and the same kind of failed law enforcement-based approach that has characterized the war on illegal drugs. If there is one lesson to be learned from the war on drugs, it is that law enforcement and supply controls cannot prevent people from getting addictive drugs that are profitable to sell. The ultimate misplacing of responsibility is when legislators criminalize children for possessing tobacco.⁷⁻⁹ Although intensive youth access efforts can reduce the likelihood that some merchants will sell tobacco to kids,¹⁰⁻¹² there is no consistent evidence of a substantial effect on prevalence or consumption of tobacco among kids.

Fourth, the youth access campaign, with its focus on stings, actually teaches kids that cigarettes and other tobacco products are easy to get. While this fact may outrage public health professionals, it sends the wrong message to kids.

Finally, consider the politicians who are pressing tobacco control activities based on kids. In California, Governor Pete Wilson has been campaigning relentlessly—and successfully—to dismantle the state's effective tobacco control program mandated by the voters in Proposition 99.¹⁴⁻¹⁹ California's anti-tobacco campaign once focused on discrediting the tobacco industry and educating the public about nicotine addiction and secondhand smoke (messages that appeal to both adults and kids); now it focuses on youth access. Last year the state ran "Nicotine Soundbites," an ad that turned Congressional testimony of tobacco company executives that nicotine was not addictive into a devastating ad that combined the three messages of discrediting the industry, nicotine addiction, and secondhand smoke into a potent 30-second television spot. Wilson has forbidden the use of the ad. I doubt that "if you see someone

selling a kid a cigarette, call this number" has the same bite.

Next door, in Arizona, the voters enacted Proposition 200, which increased the tobacco tax and mandated an anti-tobacco education program. Arizona Governor Fife Symington has made his hostility to the program clear by appointing three tobacco lobbyists to the committee charged with advising the program. The tobacco industry's lawyers and the pro-tobacco members on the committee have loudly demanded that the health department strictly limit the program focus to children. Programs with any crossover between kids and adults have been opposed.

In Massachusetts, the tobacco industry raised a huge fuss when the health department mounted an aggressive and effective media campaign and coordinated local programs concentrating on secondhand smoke and denormalization of tobacco use. The department has backed off from the campaign to concentrate on the less controversial issue of youth access.

Does this mean that the FDA proposal¹⁵ to regulate tobacco products using a strategy based on preventing kids from smoking is a mistake? Absolutely not. For the most part, the FDA proposal concentrates on proper labeling of tobacco products as nicotine delivery devices and attempting to curb the tobacco industry's predatory marketing practices. With a few adjustments, such as including the fact that nicotine is addictive in the product labeling and not having the tobacco industry run the anti-tobacco education campaign, these are well-conceived proposals that warrant support. Except for actions directed at manufacturers and distributors, however, the FDA should de-emphasize the law enforcement aspects of its proposal directed at keeping kids from buying tobacco and focus on keeping kids from *wanting* tobacco.

A better way to reduce the marketing of tobacco to kids is to create a real economic incentive for the tobacco industry to stop selling tobacco to kids. For example, rather than advocating taxes on cigarettes—and smokers—public health advocates should advocate taxing tobacco companies based on actual consumption of their products by children.²⁰ Despite what they say, the tobacco companies have a strong incentive to addict children. Not only do they make immediate sales, but, as Pierce and Gilpin¹ show, they also create customers for 16 to 20 years. The companies should be taxed at a level that

keeps them from reaping these long-term benefits. If tobacco companies were taxed at a rate equal to twice the retail value of cigarettes of their brands smoked by kids, they would no longer benefit from addicting kids. (A higher multiplier would create an active economic disincentive.) Such a tax would create a situation in which the industry *really* would want to keep kids from smoking.

Finally, the public health community should realize that the best way to keep kids from smoking is to reduce tobacco consumption among everyone. The message should not be "we don't want kids to smoke"; it should be "we want a smoke-free society." As the tobacco industry knows well, kids want to be like adults, and reducing adult smoking sends a strong message to kids about social norms.

Ironically, in the rush to concentrate on kids, other, more adult-centered approaches to controlling the tobacco epidemic have been displaced by the kids' agenda. Indeed, while the public health community has mobilized aggressively in support of the FDA's proposals, the Occupational Safety and Health Administration's (OSHA) proposal²¹ to make workplaces smoke-free has been ignored. Despite the evidence that creation of a smoke-free workplace is the best predictor of progress in smoking cessation²² and the evidence that creation of a smoke-free workplace reduces smoking prevalence by around 25% and tobacco consumption among continuing smokers by about 20%,²³⁻²⁶ except for the American Medical Association, not one of the major public health organizations is formally participating in the OSHA rule-making process. The tobacco industry is dominating the proceedings by default.

Public health professionals need to step back from the current preoccupation with youth and return to a more balanced and sophisticated tobacco control program. If current trends continue, we will look back on the mid 1990s as a time that the tobacco industry once again outsmarted the public health community. □

Stanton A. Glantz
Department of Medicine
University of California
San Francisco

Acknowledgment

This research was funded by National Cancer Institute grant CA-61021.

American Journal of Public Health 157

February 1996, Vol. 86, No. 2

**What
comes in
this box,**

**Also
comes in
this box.**

**RAT
POISON**



CIGARETTES



**Cyanide is the deadly ingredient in
rat poison, and just one of the many
chemicals in secondhand smoke.**

Tobacco smoke contains more than 4,700 chemicals, of which 43 are cancer-causing or toxic. Tobacco smoke contains: nicotine (an ingredient in some bug sprays), arsenic (a potent ant poison), tars, hydrogen cyanide (used in rat poison), benzopyrene, formaldehyde (used to preserve dead frogs), cadmium (used in batteries), benzene (the toxin that forced the global *Perrier* water recall), butane (a flammable chemical in lighter fluid), acetone (a poisonous solvent and paint stripper), toluene (an industrial solvent), and radioactive elements.

Sources: U.S. Surgeon General Report 1989, Environmental Protection Agency,
U.S. Dept. of Health & Human Services, *Consumer Reports*, Jan. 1995

**Why should nonsmokers have to breathe
these tobacco chemicals?**

**The GASP of Colorado Educational Fund
(303) 444-9799**

The Nonsmokers' Voice

• Published by •



2885 Aurora Avenue • Suite 37
Boulder • CO 80303-2252

(303) 444-9799 • (303) 444-2399 fax

Promoting smoke-free policies since 1977.

Membership/subscription information p. 3.

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Editor: Pete Bialick

Type-Setting Help: Justin Anderson

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Internal Documents Reveal Tobacco Industry Knew Dangers of Secondhand Smoke Since the Mid-1970's

There has been much publicity about the release of thousands of pages of internal documents from the Brown & Williamson Tobacco Corporation (B & W) showing that the tobacco industry knew the addictive nature of cigarettes for more than 30 years. A recently published book titled "The Cigarette Papers" provides an analysis of these internal documents and reveals much more about how the tobacco industry has misled the American public. According to the book, the documents also reveal that the B & W and BAT (British American Tobacco Company):

- Added filters to cigarettes in the 1950's as a public relations tool to "lull the public into a false sense of security regarding the health effects of smoking" in the wake of growing scientific research that smoking causes cancer.
- Tried to develop a safer cigarette when its own studies showed that cigarettes contained toxic components. When that failed they "turned to a more defensive public relations posture of creating a false controversy about the scientific evidence that smoking is dangerous."
- Used lawyers in guiding scientific research to circumvent the dispersal of health-related documents that might create problems with product liability, public relations, and new regulations.

The book also reveals that research by these tobacco companies indicated that environmental tobacco smoke is hazardous. GASP of Colorado is once again taking the leading edge by reprinting the key revelations about environmental tobacco smoke from this important book.

Reading the book is like reading a spy novel that unravels clue after clue leading to the murder suspect. **To obtain the book call toll-free 800-777-4726** (Visa & Mastercard accepted). The Internet version and 8,000 pages of source documents are available through <http://www.library.ucsf.edu/tobacco>.

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Common abbreviations used this article: BAT (British American Tobacco Company), B & W (Brown & Williamson Tobacco Company), CTR (Center for Tobacco research), ETS (Environmental Tobacco Smoke), R & D (Research & Development)

Special story on pages 7-9

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- p.12-14 Tobacco & Kids, The new FDA rules – questions & answers

Circulation this issue: 1,000

Ethical Bedfellows?

Clients of Colorado's Most Influential Tobacco Lobbyists

Two researchers report that half of the 450 tobacco lobbyists in America also lobby for a health-related organizations and businesses, or for medical or physician groups — according to the August issue of *American Journal of Public Health*. These relationships, which are done knowingly or unknowingly, represent some real ethical inconsistencies and conflicts of interest that should be examined, says the *Journal*.

Tobacco lobbyists represent a number of health groups in Colorado according to the Secretary of State's Nov. 96 list of lobbyists. Health activists report that Rose Medical Center recently asked their lobbyist, Ruben Valdez, to choose between working for good health or working for the tobacco industry. Valdez reportedly chose to remain with Philip Morris. GASP of Colorado is publishing a list of these clients (health groups & other odd bedfellows listed in bold). If you wish to bring these conflicts of interest to the attention of any of these groups or businesses you may associate with, some suggestions are provided.

Frank L. Hays Jr.

(also Karen Reinertson & Matthew Flora)
Company: Hays, Hays, & Wilson

Lead tobacco lobbyist in State, works for Tobacco Institute. His firm received more than \$400,000 from the tobacco industry for its work against the 1994 tobacco tax campaign.

Clients include:

American Medical Response of Colorado
Aspen Skiing Company
George K. Baum & Company
Building Owners & Managers Association
Casino Owners Association of Colorado
Cherry Creek High School District
Colorado Association of Realtors
Colorado Health Care Association
Colorado Life Convention
Colorado Psychiatric Society
Colorado Restaurant Association
Colorado Rockies Baseball Club
Colorado Ski Country, USA
Colorado Society of Anesthesiologists
Colorado Trial Judges Council
COPIC Insurance Company
Denver Broncos (Bowling Sports)
Denver Metro Chamber of Commerce
E-470 Authority
Eli Lilly & Company
Envirotest
Flex-O-Lite, Inc.
Forbes Trinchera Ranch
Independent Bankers of Colorado
International Council of Shopping Centers
Metro Taxi, Inc.
Mission Viejo Company
(A subsidiary of Philip Morris)
Motion Picture Association
National Assn. of Independent Office Parks
Newmont Mining Corporation
Shell Oil Company
Tobacco Institute (The)
U. S. West Communication Inc.
Utilicorp United
West Publishing Company
Wine & Spirits Wholesalers of Colorado
Winter Park Recreational Association

Wallace Stealey

(also Michelle Stealey & Chuck Ford)
Company: Stealey & Associates

Lobbies for R.J. Reynolds Tobacco Company. Made about \$200,000 as a tobacco industry consultant opposing the 1994 tobacco tax campaign.

Clients include:

Archer Daniels Midland Company
Aspen Ski Corporation
Association Lessees State Owned IRR Lands
Casino Owners Association of Colorado
C F & I Corporation
City of Trinidad
Cole Vision Corporation
Colorado Automobile Free Trade Association
Colorado Education Association
Colorado Federation of Public Employees
Colorado Licensed Beverage Association
Colorado Motorcycle Dealers Association
Colorado Radiological Society
Colorado Restaurant Association
Colorado Rockies Baseball Club
Community Corrections Services
Denver Broncos (Bowling Sports)
Denver Metro Chamber of Commerce
Denver Nuggets
E-470 Authority
Envirotest Systems Inc.
Ethanol Management Company
Forbes Trinchera Ranch
General Electric Capital
Health Insurance Association of America
Home Buyers Warranty Corporation
House of Seagram (The)
Independent Bankers of Colorado
Klode Towing & Salvage
Merck & Company Inc.
Metro Taxi, Inc.
National Association of Social Workers
Newmont Mining Corporation
RRK Enterprises DBA Independence House
Rakha Mushroom Farm Co.
R J Reynolds Tobacco Company
Rio Grande Water Conservation District
Seagram & Sons Inc.

Stealey (continued)

Shell Oil Company
Taubman Company, Inc. (The)
Towing & Recovery Professionals of Colorado
Trial Judges Association
United Title Companies, Inc.
West Publishing Company

Ruben A. Valdez

Works for Philip Morris USA, and also a paid tobacco industry consultant opposing the 1994 tobacco tax campaign.

Clients include:

Allied Jewish Federation of Colorado
Asarco, Inc.
City of Thornton
Colorado Health Care Association
Conservation Services Inc.
Denver Public Schools
Manor Health Care Co.
Miller Brewing Company
(A subsidiary of Philip Morris)
Piper Jaffray, Inc.
Philip Morris Management Co.
Regional Transportation District (RTD)
Retail Wheeling Coalition
Scientific Games, Inc.
Sycamore/Options/Colorado Health Networks

James E. Christiansen

Works for Smokeless Tobacco Council, and also a paid tobacco industry consultant opposing the 1994 tobacco tax campaign.

Clients include:

Colorado Association of Life Underwriters
Colorado Cattlemen's Association
Colorado Rural Electric Association
Envirotest
Fire & Police Pension Associates
Holnam, Inc.
K N Energy Inc.
Moffat Tunnel Commission
Rocky Mountain Greyhound Park
Smokeless Tobacco Council
Waste Management, Inc.

WHAT YOU CAN DO

- 1) **Contact individual members, stockholders, board directors, and Corporate Officers.** Ask them if they feel it is ethically inconsistent or a conflict of interest for them to employ a lobbyist that helps promote smoking — the number one cause of disease and death in Colorado? Tobacco kills 4,500 people each year in Colorado.
- 2) **Copy this list.** Give it to people who associate with these groups or businesses. Send it to ten friends and other organizations. Post it on bulletin boards. Urge them to contact members, directors, and officers to express their concerns.
- 3) **Move your business to a competitor, or withdraw your support of the organization until the conflict is resolved.** Write a letter to the Corporate officer and send a copy to a few members of the Board directors explaining your decision.
- 4) **Share your experiences** and send a copies of all written correspondence to GASP of Colorado.

GASP ACTIVITIES AND ACTIONS

Educational Advertising Campaign Generates 631 Calls

This year, GASP ran a series of small educational ads in the funnies section of the *Rocky Mountain News*. Some of the same ads also ran in the *Capitol Reporter* newspaper. The ads about secondhand smoke, teenage smoking, restaurant smoking, and the restaurant guide (see last newsletter for samples) generated 631 calls. The most popular ad offered a copy of a candid interview with former tobacco lobbyist Victor Crawford. Since our last newsletter, we ran some new ads about restaurant workers and about secondhand smoke and heart disease. They appear on the back page. GASP spent a total of \$4,500 on this year's campaign. Funds for the campaign come from GASP's Educational Fund account which is supported by special donations and ten percent of all membership dues.

48,000 Smoke-Free Dining Guides Distributed

Since the 1996 *Colorado Guide to Smoke-Free Dining* came out in January, GASP has distributed and mailed 48,633 copies. Less than 2,500 remain to be distributed. Total cost of the program, which is supported by sponsorships and donations to GASP, will run more than \$30,000.

Restaurant Guide Now on a National Internet Site

Since the guide was published, GASP has added more than 200 new listings. The list is updated on the Internet and the Travel Bank BBS (see below). You can view the updates through several Internet and BBS sites: www.smokescreen.org, (new national site), and the travelbank computer bulletin board service (671-7669). The telnet culine.colorado.edu 852 site is no longer functional.

Please call GASP to report additions or corrections. You can now E-mail messages to us at GASPCO@aol.com.

Guide Media Coverage

Media coverage and GASP's 30-second television spot promoting the new restaurant guide and smoke-free dining generated more than 1,000 calls. Public service announcements about the guide on TCI generated more than 500 calls. GASP ran a limited number of paid TV ads on KUSA-TV and KMGH-TV during the noon news. GASP also ran ads for the guide in the *Rocky Mountain News* and the *Rocky Mountain Motorist*, the statewide publication of the American Automobile Assn. The guide was mentioned in several

newspaper and newsletter articles. We received the most response from articles in the *Denver Post* and the *Colorado Springs Gazette*.

Restaurant Education Program

GASP of Colorado continues to work on educating restaurant owners about the advantages of becoming smoke-free and the danger of secondhand smoke to restaurant employees and patrons.

We have recently mailed copies of the recent *Consumer Reports* articles on secondhand smoke and teenage smoking to 2,000 restaurants in Colorado that are not smoke-free. We are seeking funding to send additional mailings to 4,000 other restaurants, bars, and hotel-restaurants that are not smoke-free. The mailing also contains an informational fact sheet (See page 15).

In response to the mailing, GASP has heard from several restaurateurs wanting further information. One small chain will be looking at their smoking policies at an upcoming meeting. Several other restaurants called to let us know they have become smoke-free.

GASP Begins Its Nineteenth Year

GASP of Colorado was formed in November 1977, and so we are starting on our 19th year.

More GASP news on next page

JOIN GASP
and together we will
all breathe easier

- ☐ Yes, I support GASP's efforts to promote smoke-free policies. Here is my contribution of \$100 \$75 \$50 \$25
(GASP's annual membership dues start at \$25)
- ☐ I support your efforts, but I do not want to become a member.

Name
Address
City-State-Zip
Phone

Mail and make checks payable to:

GASP OF COLORADO
2885 Aurora Avenue, Suite 37
Boulder CO 80303-2252

Dining Cards

GASP of Colorado has worked with the Colorado ASSIST Alliance to create a new wallet-sized dining card designed to encourage more restaurants to become smoke-free and to educate restaurant employees about secondhand smoke. With a small grant from ASSIST, GASP will be mailing more than 22,000 cards out to nonmember supporters in the coming months. More than 3,000 cards have already been distributed to GASP members.



GASP E-Mail Address

GASP of Colorado now has an E-Mail address.
It is GASPCO@aol.com.

Board Notes and Activities

Connie Anderson recently joined GASP's Board of Directors. Anderson is a Board member of the Colorado ASSIST Alliance, National Organization for Women, Women's Lobby of Colorado, and BAG (Building a Generation). She is a former retired Aurora teacher who has a strong interest in "getting tobacco out of our lives." She currently serves as the legislative liaison for Colorado NOW.

The Board recently updated GASP's membership brochure. The new version is now available. The Board also discussed concerns about the rising costs of running GASP and the need to bring in more revenue to meet those costs. At our first meeting in January, GASP's Board reviews the previous year's budget and discusses activities and plans for the year.

Meetings of the Board of Directors are open to all GASP members. **The next Board meeting is Thursday, January 23.** The Board meets in the evening in Denver every six to eight weeks.

GASP's Board serves in an advisory capacity and plays a role in the decision-making process. If you are interested in becoming a member of our Board, you must be dues-paying members of GASP. GASP is currently seeking a Board member with experience in fund-raising and grant writing. Call Pete Bialick at 444-9799 for an application or more information about Board meetings.

GASP Offers New Smoke-Free Signs

GASP of Colorado is distributing new jazzy signs to welcome people to smoke-free environments in homes, businesses, restaurants, or any other smoke-free place. The colorful self-adhesive signs come in three styles: "Welcome! Smoke-Free Home" (featuring a cozy home), "Welcome! Smoke-Free Environment" (with a beautiful tree), and "Welcome! Smoke-Free Restaurant" (with a steaming coffee cup).

The 3 1/2 by 3 1/2 signs, which were recently redesigned and modernized by Boulder graphic designer Linda Parks, help convey the smoke-free message in a polite and positive way. The stickers are also popular with kids and promote the message that it is cool to be smoke-free. GASP of Colorado has distributed more than 16,000 "positively worded" signs since 1993, and the approach has been copied by many other anti-smoking groups across the country.

The signs are free, but donations are appreciated to help cover mailing costs. For orders of 5 or more, there is a 25¢ charge per sign. To request the new signs, call GASP at 303-444-9799 or write to:

GASP of Colorado
2885 Aurora Ave #37
Boulder • CO 80303



Signs for the "home" and the "environment" have been very popular. Nearly 2,000 were distributed last month and GASP has orders for another 2,000 signs.

Tobacco Contributions Equal Votes in States' Legislatures

Campaign contributions to Colorado lawmakers represent money well-spent for the tobacco industry, according to researchers reporting a correlation between dollars and votes in the legislature.

"The more money the tobacco industry gives a legislator, the more pro-tobacco his behavior," said Stanton Glantz, professor of medicine at the University of California at San Francisco and a known adversary of the tobacco industry.

Glantz is lead author of a recently released analysis of voting patterns and tobacco-industry spending in California, Colorado, Massachusetts, Pennsylvania, New Jersey, and Ohio. Similar studies have been done before on California; Glantz said his team wanted to see if California was unique.

In each of those states they found that state lawmakers who tend to oppose smoking restrictions are the same legislators who receive the most money in contributions from the tobacco industry.

State lawmakers were given "tobacco policy scores" intended to quantify their voting records on tobacco-control laws. Those scores, along with each legislator's campaign contributions from tobacco makers, were analyzed using mathematical tools typically used in economics.

The results of Glantz's research say as much about American politics as about cigarette makers. Those who defend the tobacco industry assert that it is not buying votes but rather is merely rewarding politicians who would have supported the industry's positions regardless. Glantz's research supports that claim. It also supports the idea that the more money a politician receives the more support the giver can expect in return.

by Kris Newcomer, Rocky Mountain News, August 1996

Tobacco Industry Political Activity in Colorado 1979-1995

Revelations from the University of California Report

- The tobacco industry is a major and increasing political force in Colorado through campaign contributions, lobbying, and initiative campaigns.

- The tobacco industry has become a major source of campaign contributions to legislative and statewide candidates. In the 1979-1980 election cycle, the industry contributed only \$725 to legislative candidates. In the 1993-1994 election cycle, contributions to legislative and statewide candidates increased to \$60,800. In 1995 alone, the tobacco industry has contributed \$37,350 to current legislators and state constitutional officers. This puts the industry at a pace to exceed its 1993-1994 election cycle donations.

- In 1994, the combined contributions of Philip Morris, R J Reynolds and the Tobacco and Candy PAC ranked sixth among top contributors to legislative and statewide candidates in Colorado.

- In the 1993-1994 cycle, 89% of tobacco industry contributions went to incumbent legislators. Although the tobacco industry has provided some support to challengers, most contributions are to support incumbents.

- The tobacco industry contributes higher sums of money to legislative leaders and key committee members. House Speaker Chuck Berry (R-El Paso) has received \$5,150 since 1984. President pro-tem of the Senate, Tilman Bishop (R-Mesa), has received \$3,225 since 1982. Almost 36 percent of the contributions to legislative

candidates in 1995 went to legislators who are currently on the Legislative Council — a joint committee of the state legislature that has the power to regulate smoking in the state Capitol. Members of the powerful Joint Budget Committee have also received significant contributions from the tobacco industry.

- In addition to providing campaign contributions, the tobacco industry is active in lobbying members of the legislature and the administration. In 1993 and 1994, the tobacco industry spent \$263,559 in lobbying expenditures. The trend is that the tobacco industry will exceed that amount during the 1995-96 session. In 1995, the tobacco industry spent \$144,438 in lobbying expenditures, an increase in the rate of lobbying expenditures over the previous election cycle. The tobacco industry became an especially active lobby in 1987 and 1988, after a number of local smoke free ordinances were passed in Colorado municipalities.

- In 1994, Amendment 1, the initiative to increase Colorado's excise tax on a pack of cigarettes by fifty cents, was defeated. The tobacco industry spent over \$5.5 million to defeat the initiative.

- A statistical relationship exists between tobacco industry campaign contributions and state legislative behavior. The more money a legislator receives, the less likely he or she is to support tobacco control efforts. The tobacco industry also tends to contribute more money to legislators that have supported the industry in the past.

Continues on next page

Colorado Tobacco Revelations continued...

- The Colorado General Assembly appears to be antitobacco control in contrast to public opinion and Colorado local governments where most tobacco control efforts have been enacted.
- Despite public opinion in favor of clean indoor air and vigorous local tobacco control efforts, the Colorado General Assembly has not supported tobacco control issues. The General Assembly tends to pass weak legislation regarding tobacco control.
- Increased tobacco industry political spending at the state level appears to coincide with increased tobacco control action in local communities.
- The tobacco industry seeks preemptive legislation to counteract local tobacco control efforts. State preemption bills were introduced in 1993 and 1996, but public health groups stopped them both times.

The entire report is available on the Internet at:
<http://www.library.ucsf.edu/tobacco/co/execsumm.html>

Smoking by adults levels off

The percentage of adults who smoke has leveled off after a 12-year decline, as cigarette manufacturers cut prices and step up their marketing, federal health officials said.

The U.S. Centers for Disease Control and prevention said 25.5% of American adults were cigarette smokers in 1994. The figure was 25% in 1993, but researchers said the apparent slight increase in 1994 is not statistically significant. In 1980, 33.2% of Americans smoked.

"The tobacco companies will really like this report because it shows that smoking among adults has stopped going down and the youngest adults are smoking more," said Dr. Michael Eriksen of the CDC's Office on Smoking and Health.

Continued next column

"It paints a very rosy picture for cigarettes, but a gloomy one for public health," he said.

The CDC estimates there were 48 million Americans who smoked regularly in 1994. Of those, 39.5 million smoked every day.

Not only has the number of smokers leveled off, smokers' average cigarette consumption has also stabilized, after falling every year since 1981.

The CDC said cigarette prices rose an average of 4% per year since 1984, but fell 10.4% between 1992 and 1994, as manufacturers lowered prices, offered more coupons and launched discount brands.

"As price goes up, consumption goes down. If price goes down, consumption will go up," Eriksen said. "It is well established scientifically."

Associated Press, July 1996

Guidebook Helps Provide Tips on Passing Clean Indoor Air Laws

Clearing the Air is a 44-page guidebook distilling 20 years of experience helping local communities pass law regulating smoking. *Clearing the Air* walks the reader step-by-step through the process of organizing for and passing a local clean indoor air ordinance. The book is very useful for individuals and coalitions embarking on clean indoor air campaigns.

To order the guidebook, send \$8.50 to:
Americans For Nonsmokers Rights,
2530 San Pablo Ave, Ste J, Dept. C,
Berkeley, CA 94702

*The group will donate 25% of all sales
to GASP of Colorado.*

Letter to GASP

Dear GASP,

How wonderful to find your article in the Gazette! As an asthma sufferer, severely allergic to smoke, I applaud your efforts in "Smoke-Free Dining"! 90% of the "nonsmoking" areas in a restaurant are a big joke! They don't realize you not only have to get away from the smoke in another part of the restaurant, but you need a good ventilation and filtration system also or the smoke will go right into "nonsmoking" areas, defeating all separation. I came from California to this area in Colorado to get away from smog and heavy air pollutants infamous in L. A. area to find wonderful clean air outside. But very few, to my knowledge, totally nonsmoking dining places. Just two years ago, California passed a law that all restaurants, except bar areas within one, had to be nonsmoking. The smokers fought it, complained, even boycotted restaurants. Not only did the law stick but they did survive and so did the restaurant business. Also, it even brought in more business by ones who previously couldn't dine out because of the smoke. Thank you so much for your work, believe me its not going unappreciated! I want to give you \$5.00 to help a little more (I wish it could be more but my husband is unemployed right now).

Carol Chendale, Colorado Springs

Tobacco Industry Knew About the Dangers of Secondhand Smoke

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The chapter on environmental tobacco smoke (ETS) concludes that privately, B&W and BAT have conducted internal research on environmental tobacco smoke, most of which has supported the conclusion that ETS is dangerous to health. The reports from BAT's annual research conferences show that BAT has identified harmful substances in sidestream smoke, including glycoproteins and tobacco-specific N-nitrosamines. In addition, the reports imply that sidestream smoke was "biologically active," and therefore potentially carcinogenic, in BAT's laboratory tests. BAT researchers were working throughout the 1980's to develop a new cigarette that would emit less sidestream smoke.

In contrast, the documents also show that, in their public pronouncements, B&W, BAT, and the tobacco industry in general have actively sought to mislead the public about the dangers of passive smoking. BAT's conference reports state that BAT and B&W were engaged in research to "refute the evidence" that passive smoking is dangerous. In addition, US tobacco companies jointly funded "special projects" related to ETS. In at least one case, data from a special project were apparently falsified to make passive smoking appear less harmful than it actually is. Also, according to its conference reports, BAT had a policy of "no disclosure" regarding internal research on the health effects of ETS. The tobacco industry has also publicly attacked scientific research on ETS in order to "create a controversy" over the evidence that passive smoking is dangerous. In at least one case, it publicly attacked research that its own consultants had privately acknowledged was valid.

Finally, the tobacco industry has actively sought to block efforts to minimize the exposure of nonsmokers to tobacco smoke. Although the industry states publicly that it is motivated by a dedication to freedom of choice, its true motivation is maintenance of profits. The documents also unravel the tobacco industry's strategy of using every conceivable public relations smokescreen to avoid discussing the secondhand smoke's health hazards when smoking restrictions are being considered.

Taken together, the documents demonstrate that the tobacco industry's strategy regarding passive smoking has been virtually identical to its strategy regarding active smoking. It has privately conducted internal research, which has largely supported the evidence that passive smoking is dangerous to health, while it has publicly denied that the dangers have been proven.

Decades of Deception & The Smoking Guns

1973

A March 15, 1973 document notes that passive smoking is a growing issue of concern to the industry because of the negative impact that increased regulation will have on the social acceptability of smoking. The document discussed the increasing emphasis on smoking habits of employees and occupational exposure; increasing correlations between passive smoking with heart and lung disease that are associated with community air pollution; and that smoking is increasingly being pictured as socially unacceptable.

This document reflects themes that the tobacco industry has used for over two decades when dealing with secondhand smoke: it has argued that cigarette smoke is "taking the rap" for environmental pollution and that people concerned about secondhand smoke are "zealots."

However, the scientific and medical communities are well aware that environmental toxins such as radon and asbestos are hazardous to health. They also are aware of the large body of scientific evidence indicating that exposure to environmental tobacco smoke can cause disease as well.

1974-5

During the early 1970's concern over ETS was focused on its irritating effects. At the BAT research conference held in Merano, Italy, in April 1975, BAT scientists discussed passive smoking at length. Participants agreed that research into the irritating effects of sidestream smoke should be undertaken. The minutes from the meeting said, "It is desirable to be in a position to anticipate the identification of new sidestream constituents which may be considered harmful to nonsmokers." **BAT's scientists made this statement nearly a decade before the general scientific community had recognized ETS as a serious threat to public health.**

1976

By the mid-1970's the scientific community had begun to identify toxic substances such as carbon monoxide and N-nitrosamines in sidestream smoke. In addition, Carl Becker, a researcher at Cornell University, had published a series of studies on glycoproteins in tobacco smoke. Glycoproteins are a class of proteins that often induce allergic reactions

Decades of Deception & The Smoking Guns

Becker's first study showed that glycoprotein isolated from tobacco could produce allergic reactions in some individuals. His report caught the attention of BAT researchers, who discussed his findings at a biological research meeting held on October 14, 1976, in Southampton. The minutes of the meeting note that BAT scientists at Southampton had repeated Becker's experiments and had confirmed that glycoprotein is present in mainstream smoke. The researchers agreed that the studies should be repeated for sidestream smoke.

1977

Becker published a second study on tobacco glycoproteins in 1977. This study showed that glycoproteins from tobacco increase the formation of clots in human blood, and he concluded that tobacco glycoproteins "may be important to the pathogenesis of cardiovascular and pulmonary diseases associated with cigarette smoking". Becker's findings were reported in the New York Times.

This study was funded by CTR and Robert Hockett, the scientific director stated in a memo that he was unhappy with Becker's publication. While CTR was attempting to distance itself from Becker's findings, tobacco industry lawyers and scientists took his findings very seriously, and had lawyers hire a scientist to repeat Becker's experiments. Scientists at BAT also repeated Becker's experiments and replicated his results. They adopted a defensive posture, however, regarding the implications of their research.

The Cigarette papers authors point out that "it is noteworthy that BAT had confirmed the presence of a potentially dangerous substance in sidestream smoke as early as 1977."

1978

In March 1978 BAT's research toward environmental tobacco smoke shifted from glycoproteins to nitrosamines. BAT executives also began to realize that the passive smoking issue represented a potential new commercial opportunity for the company.

Nitrosamines are potent carcinogens. Tobacco contains several types of tobacco-specific N-nitrosamines (TSNA), most of which are by-products of nicotine formed during the curing, fermentation, aging, and burning of tobacco. TSNA cause a variety of cancers - most notably lung cancer - in laboratory animals, and most researchers today believe that they are one of the primary causes of many tobacco-induced cancers in humans.

BAT was actively engaged in measuring levels on nitrosamines in both mainstream and sidestream smoke by late 1970's. While BAT scientists acknowledged that nitrosamines in sidestream smoke could present a problem for the industry, they also began to realize during the late 1970's that the passive smoking issue could be used to their advantage. The report from the 1978 Sydney conference indicates a growing awareness that BAT could capitalize on the growing anti-smoking sentiment by developing a new cigarette with less irritating sidestream smoke.

1979

The tobacco industry was concerned that government agencies would use the nitrosamine issue to impose further regulations on tobacco products. At a R&D policy conference held in the United Kingdom on February 10 to 14, 1979 the industry would attempt to show that nitrosamine levels in all cigarettes were below the "safe level," thus preventing government regulation of cigarettes based on their nitrosamine content. On the other hand, the industry also realized that any mention of a "measured number" could be dangerous because it would be an explicit admission that tobacco smoke contains hazardous substances.

1980

By 1980 BAT's researchers were trying to develop a cigarette with low sidestream smoke emission at a research conference held in Sea Island, Georgia on September 15 to 18, 1980.

While Bat's scientists were quietly conducting research on sidestream smoke, in the 80's the general scientific community was becoming increasingly aware that passive smoking could cause a variety of diseases, including lung cancer. In 1981 a large epidemiological study on the relationship between passive smoking and lung cancer was published by Dr. Takeshi Hirayama. The study showed that nonsmoking women married to smokers were more likely to develop lung cancer than nonsmoking women married to nonsmokers. The Hirayama study received a great deal of publicity and was criticized vehemently by the tobacco industry. Shortly after the publication of Hirayama's paper, BAT began to study the "biological activity" of sidestream smoke. The tobacco industry uses the term "biological activity" as a euphemism for carcinogenicity and other adverse health effects.

1981

A document describing BAT's proposed research program for 1982-84 shows BAT was studying the "specific activity" of sidestream smoke. This indicates that BAT was concerned about studies suggesting that ETS is carcinogenic and that it was attempting to measure the carcinogenicity of ETS in laboratory tests. One of BAT's primary techniques for minimizing sidestream smoke was to use new cigarette papers.

1982

The documents summary of a paper written by Dr. Ian Ayres of BAT GR&DC at a 1982 conference indicates that BAT was attempting to develop a sophisticated understanding of the health effects of passive smoking and the public's attitude toward environmental tobacco smoke. BAT planned to use some of its data to "counter anti-smoking attacks," while data supporting the evidence that ETS is dangerous would be withheld from the public. This is the same strategy that the tobacco industry has employed regarding active smoking.

Decades of Deception & The Smoking Guns

1983

To start 1983, BAT's primary objective in conducting research on environmental tobacco smoke was to develop a new cigarette that produced less sidestream smoke. However, by the end of 1983 BAT had added a second primary objective to its ETS research program: to gather scientific data to refute the evidence that passive smoking is dangerous to health.

A document written by W.D.E. Irwin of BAT GR&DC and titled "Sidestream Research" confirms that BAT's main priorities for ETS research during the mid-1980's were to develop a low-sidestream cigarette and to conduct defensive research.

It is noteworthy that BAT appeared more concerned with the irritative aspect of smoke than with whether passive smoking is dangerous to health. Its interest in health appeared to be limited to refuting any claims made by others about the effects of exposure to ETS.

At BAT's 1983 conference in Rio, a meeting summary suggests that BAT's scientists believed sidestream smoke could be biologically active, that is, carcinogenic. In addition, it implies that they were hoping to create a new product with less carcinogenic sidestream smoke, just as they had initially hoped to create a "safe" cigarette for active smokers.

The summary of this conference also refers to several contracts being negotiated to develop special cigarette papers that would reduce sidestream smoke emissions. The use of slow-burning cigarette paper could serve a dual purpose: reducing sidestream emissions and creating a self-extinguishing cigarette, which would be less likely to set accidental fires. In addition, the participants agreed that defensive research should continue.

1984

In 1984 BAT was also monitoring levels of smoke in public places such as bars. Tests of human uptake of various smoke components as well as tests for odor and irritation were also being performed. Among the projects undertaken in 1984 was a study of whether nonsmokers' reactions to environmental tobacco smoke might be affected more by the actions of smokers than by the smoke itself. This and similar work may have contributed to current tobacco industry activities to create a "smokers' rights" movement and to provide social support for smokers.

A Southampton conference discussed a "low sidestream/ameliorated aroma product" to preempt potential volume decline from smokers under pressure in social and work environments.

This statement indicates that the motivation behind BAT's effort to develop a low-sidestream cigarette was profit rather than public health. The goal was to keep smokers smoking even though acceptance of smoking in public places was declining. The conference attendees rated this project as having "large market potential, high behavioral validation (evidence of need) but potentially high associated risks to the business."

The reports from BAT's annual research conferences

demonstrate that BAT's internal research efforts supported the conclusion that environmental tobacco smoke is dangerous to health. BAT had shown in its own laboratories that sidestream smoke contains toxic substances, such as nitrosamines, and that sidestream smoke was "biologically active," and therefore potentially carcinogenic. Publicly, however, BAT and the other tobacco companies have denied that ETS is dangerous.

Public Attacks and Private Acceptance of ETS Research

One of the techniques used by the tobacco industry to counter the evidence that passive smoking is dangerous is to fund scientific research specifically designed to "refute claims about the health effects of passive smoking". The industry also has funded special projects related to ETS through CTR. CTR special projects were funded at the request of tobacco industry lawyers, and their purpose was to generate data that could be used on the tobacco industry's behalf.

The Hirayama Affair

Another technique that the tobacco industry has used to create a controversy surrounding the passive smoking issue is to attack published research on ETS. The documents show that, in at least one case, the industry has even criticized research that some of its own consultants acknowledged was valid.

In 1981 Takeshi Hirayama published a major study indicating that lung cancer could be caused by passive smoking as well as active smoking. The study, which was published in the British Medical Journal, received international attention. The tobacco industry responded by launching a public relations campaign to discredit Hirayama's work. The Tobacco Institute hired Nathan Mantel, a well-known epidemiologist, to critique the study, and it then cited Mantel's criticisms in a press release that was widely reported. The institute also published several critical news articles as full-page ads in newspapers and magazines.

The documents show that, although the tobacco industry was publicly attacking Hirayama's paper, several of its own experts were privately admitting that his conclusions were valid. In addition, the scientific community, widely regards Hirayama's work as a landmark study on the health effects of ETS, and his findings have been confirmed by several other studies showing a link between passive smoking and lung cancer.

This episode indicates that the tobacco industry is not committed to learning and disseminating the truth about the health effects of its products. Rather, it has consistently attempted to discredit research even when its own scientists have admitted that the research results are valid. Just as the industry has continued to deny that active smoking has been proven dangerous to health, it continues to deny that the case is proven against passive smoking.

Local and State News

Boulder

The new smoking law passed by the voters a year ago is working fine. Inquiries and complaints about the law to the enforcement division are now minimal compared to when the law first passed. Enforcement officer Terry Steinborn reports that people have accepted the smoking limitations as a way of life, according to a recent article in the Rocky Mountain News. About a dozen bars and restaurants have opted to build fully-enclosed separately ventilated rooms to permit smoking. Financial reports from the Boulder's sales tax department indicate continued increases in sales tax revenues in food service establishments and bars since the ordinance passed.

The City Council amended the law to exempt smoking when it is used as part of a theatrical production. Under the compromise, theatre owners must warn patrons that smoking is allowed as part of the production by posting signs and using other efforts to warn patrons in advance. GASP of Colorado participated in the compromise discussions, supporting the City's decision.

In Colorado, Vail is the only other town to exempt theatre productions from smoking regulations. However, GASP learned during the debate on the issue that numerous other cities make this exemption as well as a model no-smoking ordinance of Americans For Nonsmokers Rights—the foremost national nonsmokers' rights group.

Denver

Mayor Wellington Webb has taken on the tobacco industry. In August he announced that the City would provide \$100,000 in grant funds to efforts designed to reduce smoking by kids.

In September, smoking was banned inside McNichols Arena. Smoking had been allowed in the concourse areas, but it drifted throughout the building and into seating areas generating complaints from nonsmokers.

In November, the Mayor announced that the city had reached agreement with Philip Morris to dismantle the Marlboro ad in Mile High Stadium when the contract ends in August 97. The Mayor also announced that the Denver Employee Retirement Program will divest itself of nearly \$10.6 million in tobacco-related investments. Nearly a week after the announcement Webb broke down and cried when a close aide, Deborah Tucker, died of a smoking-related lung cancer at the young age of 43.

GASP members and supporters may express their appreciation for these initiatives by writing:

Mayor Wellington Webb
City of Denver, 1437 Bannock
Denver CO 80202

Campaign to Reduce Smoking at the Denver Zoo

GASP of Colorado is continuing to ask supporters to write letters to support further restrictions on smoking at the Denver zoo. Smoking has been banned in the indoor areas of the Denver Zoo, but smoking continues to be allowed anywhere outside. When the zoo is crowded, this can create problems of secondhand smoke exposure when people congregate in lines at animal exhibits. Children may be burned when an adult holds a cigarette and flicks the ashes. Smoking should be prohibited in these areas. In addition, smoking in front of all children who go to the zoo sends a bad message to kids? To express your concerns write:

Clayton Freheit, Denver Zoo, City Park
Denver CO 80205
Phone: 331-5804

Mayor Wellington Webb, City of Denver
1437 Bannock, Denver CO 80202
Phone: 640-2721

(If you are a Denver resident, you may want to send a copy to your City Council representatives)

Colorado Springs Dumps Plan for Smoking at Airport

The terminal at the Colorado Springs airport will remain a no-smoking facility, City Manager Dave Nickerson said.

Nickerson earlier had recommended that smoking areas be designated in the Eagles Nest and Pikes Peak Cafe. The issue was on the Council's agenda for May 14.

But Nickerson pulled the item from the agenda, saying his recommendation had been "based on the assumptions that this would be in isolated areas in those facilities smoke-eating devices would be installed to filter the air and the nonsmoking public would not be impacted by smoke."

He said further research indicated that the smoke eating devices do not remove the chemicals released by a burning cigarette.

"The only effective way to avoid the health impact of secondhand smoke is to establish a separate smoking facility with separate ventilation to outside air," he said in a memo to the council.

"Given this latest information, I realize that my basic assumptions were wrong and we cannot protect the nonsmoking public as I had assumed. Therefore, the purpose of this memorandum is to notify you that I intend to reverse my previous decision and maintain the airport as a totally smoke-free facility," he said.

Associated Press, May 1996

Theatres Take Positive Steps in Dealing With Smoking

More theatres are dealing with the problem of smoking as part of a theatrical production since the controversy over at the Boulder Dinner Theatre. The Loveland Dinner Theatre and the County Dinner Theatre in Littleton have opted to use fake cigarettes. The Smokebrush Theatre in Colorado Springs used herbal cigarettes as a substitute.

Loveland Dinner Theatre

The Loveland Dinner Theatre newsletter recently stated:

"You won't see anyone on our stage smoking a real cigarette, cigar or pipe. We do our best to choose plays that do not call for smoking within the plot. For those times; when we do choose such a play, we try, whenever possible, to change the action and do something less offensive and more creative. If smoking on stage is an important part of the play and is something which absolutely cannot be done away with, our actors use fake cigarettes and we place water-filled ashtrays in strategic locations."

"We at LCT are concerned about the welfare and comfort of our audiences, and do not wish to contribute to any possible fire hazard in our building. If an audience member or actor wishes to smoke, he/she is most welcome to step outside the doors of the building, but smoking inside the building is strictly verboten."

Country Dinner Playhouse, Littleton

This theatre has adopted a policy that no real alcohol or no real cigarettes are ever used on stage. During a recent production of "Damn Yankees," they emulated the act of smoking by using charcoal to create the smoke.

Smokebrush Theatre, Colorado Springs

During a recent production of "A Streetcar Named Desire" the playbill of the theatre noted that herbal cigarettes supplied by a local health food store were used in place of tobacco in all smoking scenes.

Seeping Smoke Creates Problem in Apartment for Couple

GASP of Colorado has been receiving an increasing number of complaints about problems dealing with secondhand smoke seeping into condos, apartments, and businesses. GASP provides a paper with suggestions on how to deal with seeping smoke problems. A couple in Colorado Springs filed suit after experiencing the problem.

Bob and Victoria lived in Park Place Apartments in Colorado Springs for several years. Everything was going fairly smoothly for them until a new chain-smoking apartment manager took over last summer. When the cold weather came, Bob and Victoria found that each time the furnace was turned on, tobacco smoke seeped through from the apartment below. It exasperated Victoria's sinus condition, gave her headaches, itchy eyes, and a bad cough. It made their apartment "smell like a smoky bar just after everyone left," according to Bob.

The couple asked the apartment and property managers to help. The property manager tried to seal both apartments so that the smoke could not seep through from below, put filters on the furnace, and gave the couple an air purifier. However, this did not resolve the problem. Before they finally left the Park Place Apartments they received four eviction notices. Were Bob and Victoria evicted because of their complaints about secondhand smoke?

Bob and Victoria filed a lawsuit in El Paso County District Court against the apartment managers and owner. The lawsuit sought claims of relief for breach of covenant of quiet enjoyment, nuisance, trespass, negligence, retaliatory eviction, intentional infliction of emotional distress, outrageous conduct, exemplary damages, federal fair housing act (eviction), federal fair housing act (refusal to accommodate and intimidation). The couple obtained Attorney James Merrill of Colorado Springs and technical support from The Tobacco Products Liability Project in Massachusetts.

The case was settled out of court in October, and the costs on the plaintiff's side exceeded \$20,000. The GASP Legal Fund was able to provide assistance in the case due to generous donations from GASP Secretary Richard Breidenbach.

The GASP Legal Fund

The GASP Legal Fund is a special GASP fund created to help assist individuals with secondhand smoke problems. Donations to the fund, which qualify as a tax-deduction, can be made to:

The GASP Legal Fund
2885 Aurora Avenue, Suite 37
Boulder CO 80303

TOBACCO AND KIDS

Smoking Up Among Colorado Youths

A new study shows that 40 Colorado schoolchildren begin smoking every day, and at last count more than 70 percent of the state's high school graduates say they smoked before they left high school, up from 65 percent two years ago.

The statistics are from the second annual youth smoking report card that was prepared by the America Stop Smoking Intervention Study, a project of the American Cancer Society and the National Cancer Institute.

The message of the danger of smoking, recently echoed by President Clinton in his decision to urge regulation of nicotine as an addictive drug, isn't getting through, officials said.

State Education Commissioner William Randall held a news conference in Denver to talk about the study, and he was joined by several youngsters to denounce smoking. Officials report that 23 million Americans under 18 smoke 947 million packs of cigarettes a year.

Among revelations in the report:

- Although tobacco use is declining among adults, it's on the rise among people under age 19.
- 71 percent of Colorado school districts are tobacco-free, but 54 districts allow adults to smoke at athletic events.
- Even though it's been illegal in Colorado since 1987 to sell tobacco to anyone under 18, a study last year showed that teens could buy cigarettes about 40 percent of the time from retail outlets, Randall said.
- Of 2,246 Colorado students in grades nine through 12 who participated in the survey, 71 percent reported they have tried cigarette smoking at some time in their lives; 27 percent of the youths said they had tried them by the time they were 13.

Associated Press, August 30

Study: Smoking a Big Factor in Crib Death

Exposure to tobacco smoke is a much bigger risk factor for sudden infant death syndrome than was previously suspected, and keeping newborns away from tobacco smoke could reduce the death rate from SIDS by nearly two-thirds, British researchers reported today.

In the largest study of its kind, encompassing more than 350,000 births over a two-year period.

For every hour spent each day in a room where people smoke, the risk factor increases 100 percent, Fleming said. If an infant spends four hours per day in such a room, he or she is four times as likely to die of SIDS as a child not exposed to tobacco smoke.

Los Angeles Times, July 1996

The Nonsmokers' Voice Vol. 18 #2 p. 12

Colorado Tobacco Profile 1996

ADULT SMOKERS: 24 PERCENT

(Approximately 650,000 smokers and a 2% increase since 1994)

Men: 25.6 percent

Women: 22.6 percent

ADOLESCENT TOBACCO USE:

Ever tried tobacco: 71 percent

Smoked in the last month: 34 percent

Regular smokers: 16 percent

(20+ days in the last month):

Male spit-tobacco users: 25 percent

TOBACCO SALES:

Packs sold in a year: 210,627,960

Annual sales per adult

1995: 76.4 packs (1,528 cigarettes)

1965: 131.4 packs (2,630 cigarettes)

30-year annual trend: 1.8% fewer sales per adult

Recent annual trend (1990-95) 1% fewer sales per adult

State tobacco taxes, 1995: 64.8 million
(20 cents per pack, 20% wholesale price of other tobacco products)

HEALTH AND ECONOMIC COSTS:

Deaths from smoking & secondhand smoke

Estimated at: 4,500 a year

Yearly direct medical costs from smoking

\$434 million

Federal and state tax dollars: \$187 million

Colorado Medicaid dollars: \$68 million

Based on data from the Colorado ASSIST Alliance

**LAST YEAR SECONDHAND SMOKE
CAUSED A QUARTER MILLION LUNG
INFECTIONS IN CHILDREN.**



AND YOU WERE WORRIED ABOUT THE SNIFFLES.

KEEP YOUR CHILDREN AWAY FROM CIGARETTE SMOKE. CALL 1-800-CDC-3333 FOR A

GUIDE THAT TELLS YOU WHAT ELSE YOU CAN DO ABOUT SECONDHAND TOBACCO SMOKE.



CDC

Parents' Smoke Raises Kids' Risk of Disorder

Parents who smoke at home put their children at risk of contracting a disorder that affects physical development, according to a recent medical study released at the annual meeting of the American Academy of Orthopedic Surgeons.

The study, conducted at Shriners Hospital for Crippled Children in St. Louis, found that 86% of 172 children with Legg-Perthes disease lived with parents who smoke. Among a control group of children without the disease, 41% had parents who smoked.

Doctors also said while the disorder occurs in one out of 1,200 people at large, the frequency climbs to one in 100 among youngsters subjected to passive smoke.

Legg-Perthes disease, which can occur anytime between ages 3 and 12, cuts off the supply of blood to the hip joint and can lead to delayed growth and skeletal maturation. Among the early symptoms are pain in the knee, groin or thigh, or a limp.

Mental Retardation, Moms' Smoking Linked

Pregnant women who smoke 50% more likely to have retarded kids, according to a new study

By Brian Bergstein, *Associated Press*

Pregnant women who smoke are 50% more likely to have mentally retarded children, according to an April study Carolyn Drews, associate professor of epidemiology at Emory University.

Smoking during pregnancy previously was linked to low birth weight, infant mortality and lower intelligence in children. This study was the first to connect smoking with retardation, said Drews.

"If these data represent a true finding, it's one more reason for women to stop smoking during pregnancy," Drews said.

The study — published in the April issue of *Pediatrics*, the journal of the American Academy of Pediatrics — found:

- Women who smoked while pregnant were 50% more likely to have mentally retarded children.
- About 35% of women who gave birth to retarded children reported smoking as few as five cigarettes a week during pregnancy.
- Women who smoked during the last six months of pregnancy were 60% more likely to have retarded children than women who did not smoke in that period.
- Pregnant women who smoked at least a pack of cigarettes a day were 85% more likely to give birth to a retarded child.

The researchers considered children retarded if their IQ was lower than 70 when they were 10 years old.



SHOUT (Stay Healthy Oppose Using Tobacco) is a unique child tobacco prevention program launched in May 1996.

SHOUT uses positive incentives and immediate rewards to encourage tobacco-free behavior. SHOUT provides youth between the ages of 10 and 18 the opportunity to sign a pledge saying they will not use tobacco. Kids then get a plastic card that gives them discounts at area stores. This includes discounts at movie theaters, fast food restaurants and music, and sporting goods and clothing stores. More than 8,000 Denver area teens and children have signed up for the program.

In addition to discounts, SHOUT cardholders have received free passes to several special events, including free nights with the Denver DareDevils and Water World, and half price tickets to see the Colorado Rapids. Periodic newsletters mailed to participants tell them about upcoming events, changes in discounts and tobacco-related news.

SHOUT aims to change the perceptions about tobacco use and is on the cutting edge of national prevention techniques. Designed with close guidance from many local youth, SHOUT has been a model program for tobacco prevention initiatives in communities around the country.

SHOUT was developed as a community-based prevention project and involves public, private and nonprofit partners. The involvement of area civic and business leaders, and many youth organizations, has been instrumental in SHOUT's design and implementation. Plans are in the works to expand the program to Boulder, Greeley, and Pueblo as well as other communities.

The Coalition for a Tobacco-Free Colorado, Robert Wood Johnson Foundation, Rose Foundation, HealthONE, Columbia Rose Medical Center and Columbia Hospitals are proud partners in the development of this new tobacco use prevention initiative for young people.

For further information about the program and where kids can sign up, call 592-4242.

Questions and Answers About the FDA Tobacco Rules

The Food and Drug Administration (FDA) rule, approved on August 23rd by President Clinton, is a comprehensive initiative to reduce youth tobacco consumption by 50 percent over seven years.

Why is the FDA rule so important?

The FDA rule is an historic initiative in that it marks the first time that a President has even taken on the tobacco industry. The rule is the first meaningful national policy in history to limit kids' access to tobacco and prevent the tobacco industry from marketing its deadly products to our children.

What are the highlights of the FDA rule?

There are several important provisions in the FDA rule. First, the rule addresses youth access to tobacco by banning most cigarette vending machines, and free samples, and requiring retailers to verify age for all over-the-counter sales. Second, it addresses the appeal of tobacco to youth by prohibiting tobacco advertising within 1000 feet of schools and playgrounds, restricting ads only to a black and white text in publications with a large teen readership, prohibiting tobacco brand names and images from appearing on baseball caps, T-shirts, gym bags and other products that appeal to kids and prohibiting tobacco brand sponsorship of sporting and entertainment events. Finally, in a separate rule, it requires the tobacco industry to fund a public education campaign to prevent kids from smoking.

What is the timetable for implementation of the rule?

Barring court injunctions or Congressional action, most major provisions of the FDA rule take effect one year after its August 28th publication in the Federal Register. There are two major exceptions: (1) six months after publication merchants will have to begin enforcing the 18-year-old minimum age of purchase provision by checking IDs and (2) companies will have two years to meet the requirements to end brand name sponsorship of events. The two-year exemption for event sponsorship alleviates problems associated with breaking long-term contracts.

How does the final FDA rule differ from the original proposal?

The final rule has a few significant differences from the proposed rule. First, the advertising and marketing provisions of the final rule are strengthened by eliminating brand-name sponsorship of individual teams. Second, there are two changes with respect to the sale of tobacco, each of which was made because it restricted sales to adults without evidence that it would decrease youth consumption. These changes are (1) the final rule replaces the total ban on vending machines with an

exception for vending machines in places that minors are not allowed by law to enter and (2) the final rule will permit mail order sales. Lastly, the original proposal contained a \$150-million-dollar education program funded by tobacco companies. The final education program is contained in a separate rule in which the FDA will negotiate with individual companies to determine the amount each is to contribute to the overall education program.

Why do we need the FDA rule?

A Centers for Disease Control report released in May found smoking levels among high school students to be at a 16-year high. A study issued at the beginning of 1996 revealed that kids are twice as likely to be influenced by cigarette advertising as they are by peer pressure. In addition, almost 90 percent of children who smoke prefer the most heavily advertised brands-Marlboro, Camel, and Newport. After the Joe Camel cartoon was introduced, Camel's market share among teen smokers went up significantly. These research findings demonstrate why we need the FDA rule. It represents our best hope in protecting the next generation of kids.

Why should the FDA have jurisdiction over tobacco?

The FDA is the only government agency which can provide comprehensive oversight of all aspects of tobacco products, including regulating the dangerous ingredients included in cigarettes, nicotine manipulation, advertising and promotion.

Doesn't the FDA rule violate the First Amendment?

No, the First Amendment allows the government to restrict advertising if there is a compelling public interest. Keeping children away from an addictive, deadly product is clearly a compelling interest. Secondly, commercial speech is not afforded the same level of First Amendment protection as political speech. Only in the last twenty years has the Supreme Court ruled that commercial speech enjoys even limited First Amendment protection. The restrictions applied by the rule, known as "tombstone" advertising, are currently applied to ads for prescription drugs as well as stocks and bonds in the interest of consumer protection. These restrictions have never been successfully challenged as unreasonable or unconstitutional.

*Supplied by the Campaign For Tobacco-Free Kids,
Washington, DC*

Eatery workers at risk

Secondhand-smoke study targets waiters, bartenders

By The Associated Press

CHICAGO—Waiters and bartenders breathe up to six times more secondhand tobacco smoke than office employees and are 1 1/2 times more likely to develop lung cancer than the public, a researcher says.

"Everyone talks about the risks of secondhand smoke for restaurant customers," but not about the effects on restaurant workers, Dr. Michael Siegel says.

Restaurant workers breathe lingering tobacco smoke for long periods, and for them, "it's really a life and death issue," Siegel said by telephone from Atlanta, where he has been working with the U.S. Centers for Disease Control and the Office on Smoking and Health.

His report, conducted while he was a resident at the University of California, Berkeley, appears in today's Journal of the American Medical Association.

Siegel analyzed about 40 studies on indoor air quality published from 1990 through 1992. He said they showed that levels of secondhand smoke in restaurants were 1.6 times to two times higher than in offices, and 1.5 times higher than in homes with at least one smoker.

Smoke levels in bars were 3.9 to 6.1 times higher than in offices and about 4.5 times higher than in residences, he reported.

The studies he reviewed sampled air from more than 1,000 offices, 400 restaurants and 600 homes.

Food-service workers had about 1 1/2 times greater likelihood of lung cancer than the general public, he said.

He said the studies typically involved several hundred to several thousand subjects but didn't measure the number of years of exposure.

Someone working in a smoky restaurant for only a summer probably would be less at risk than someone working there for 20 years, he said.

After several years of study, the Environmental Protection Agency this year classified secondhand tobacco smoke among the most serious threats, more dangerous than arsenic or radon.

The Denver Post, July 1993

The complete report, "Involuntary Smoking in the Restaurant Workplace: A Review of Employee Exposure and Health Effects" appeared in JAMA, July 28, 1993, Vol. 270-4.

DID YOU KNOW?

More than 2,000 restaurants, eateries, and bars in Colorado are smoke-free.

76% of the adult population in Colorado does not smoke.

42% of nonsmokers would eat out more often if they could be assured of having a smoke-free meal.
(American Cancer Society)

"A New York research team reported in 1993 that it had measured the metabolic products of a tobacco carcinogen, NNK, in the urine of nonsmokers exposed to the conditions of a very smoky bar. The measurements were ten times as high as those taken before the volunteers were exposed to smoke."
(Consumer Reports, 1995)

A recent study by the Cornell University School of Hotel and Restaurant Administration on the impact of smoke-free policies in New York City restaurants found that nonsmokers account for almost 2.5 times more overall restaurant revenues than smokers, and so compensate for any loss of business by smokers who may eat out less frequently due to such policies. Studies based on scientifically sound methods and sales tax data confirm that smoke-free policies do not hurt restaurant businesses. Pro-tobacco groups surveys are anecdotal and based on fears and opinions rather than sales tax revenues and other scientifically sound facts.

Colorado's top tobacco lobbyists (Frank Hays Jr, Tobacco Institute) and Wally Stealey (R J Reynolds) also lobby for the Colorado Restaurant Association (1996 Secretary of State reports).

GASP of Colorado (Group to Alleviate Smoking Pollution) released the 1996 *Colorado Guide to Smoke-Free Dining* in January. It is being distributed to 51,000 people. A public service television spot has been aired more than 300 times. The smoke-free dining list is now on a [national Internet site](#) and the Travel Bank computer BBS.

For additional information or to be added to our smoke-free list contact:

GASP of Colorado (Group to Alleviate Smoking Pollution)
2885 Aurora Avenue • Suite 37 • Boulder • CO 80303 • (303) 444-9799 phone • (303) 444-2399 fax

Dear Contributor,

Many companies match employee, retiree, and board member contributions to charitable organizations. Please check with your company to see if they will match your contribution to GASP of Colorado. Thank you.

Ways to Clear the Air

There are many creative ways to make donations to GASP to support GASP's programs and its future. You can include charitable gifts to GASP of Colorado in the form of:

- Specific property or securities — works of art, stamp or coin collections, real estate, or a portion of a business;
- A bequest in your will;
- A future percentage of your assets;
- The "residue" of your estate — property remaining after other bequests have been fulfilled;
- The remainder of your IRA, pension, or life insurance after you are gone;
- In-kind donations of office equipment, frequent flyer travel awards, items to place in a garage sale, etc.

Need Help and Advice?

Dick Duff can advise GASP supporters on how they may arrange charitable gifts and transfers to the maximum advantage of the donor and GASP. He is a member of GASP's Advisory Board, and a member of the Colorado Bar Association. He may be reached at 756-3599.

Smoke-Free New York City Restaurants Increase Sales in 1995

New York City's smoke-free restaurant law went into effect at the beginning of 1995 and business boomed.

For the first time since 1987, per meal spending increased in New York City restaurants. In addition, a record number of restaurants opened for business. A few well-known restaurants expanded existing locations and added new ones.

Tourism and hotel occupancy rates soared as did travel to New York City's airports.

A recent study on the impact of smoke-free policies in New York City by the Cornell University School of Hotel and Restaurant Administration found that nonsmokers accounted for almost 2.5 times more overall restaurant revenues than smokers, and thus compensated for any loss of business by smokers who may eat out less due to such policies.

Smoke-Free Educational Services & Advocacy Institute

Two new newspaper ads that appeared in the Rocky Mountain News

SECONDHAND SMOKE & RESTAURANT WORKERS

Waiters and waitresses in restaurants and bars have almost twice the risk of getting lung cancer from breathing secondhand tobacco smoke at work as other workers.

**FOR A FREE FACT SHEET
CALL 444-9799**

The Group to Alleviate Smoking Pollution
GASP of Colorado

*Working to reduce exposure to secondhand smoke
in public places & workplaces since 1977.*

SECONDHAND SMOKE... IT IS WORSE THAN WE THOUGHT

Secondhand tobacco smoke is the third leading cause of preventable disease and death in the U.S. (causing about 53,000 deaths annually). A recent scientific report reveals new facts on how secondhand smoke endangers your heart.

**FOR A FREE FACT SHEET ON
"SECONDHAND SMOKE
& HEART DISEASE"
CALL 444-9799**

Information based on peer-reviewed scientific reports.

The Group to Alleviate Smoking Pollution
GASP of Colorado

The Nonsmokers' Voice

Published by:



2885 Aurora Avenue, Suite 37
Boulder, CO 80303-2252

(303) 444-9799 (303) 444-2399 FAX

Promoting smoke-free policies since 1977.

Membership and subscription information on page 5.
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Internal Documents Show Big Tobacco's Smokescreen Tactics

The tobacco industry uses three basic tactics to divert the public's attention from the fact that smoking kills 450,000 smokers and 50,000 nonsmokers each year.

Denial

The tobacco industry continues to deny the scientific evidence about the dangers of smoking. There are more than 50,000 scientific studies on smoking, and more than 600 on the dangers of secondhand smoke.

Deception

The tobacco industry deceives the public by using half-truths, by eliminating vital information, and by quoting people out of context. The industry quotes meaningless papers that are not peer-reviewed by other scientists. It uses questionable or outdated studies and statistics. The tobacco industry quotes consultants who have ties to the industry and who attend industry-sponsored conferences. The tobacco industry also uses front groups to spread their pro-tobacco agenda.

Distraction

The tobacco industry tries to distract public attention from the health issue by bringing up other issues. The industry wraps itself in the American flag to try to convince the public that smoking is as American as apple pie. Yet smoking is the single greatest cause of preventable disease and death in Colorado and the United States.

Internal documents obtained from Brown and Williamson and summarized in the book *The Cigarette Papers* reveals how the tobacco industry uses every conceivable smokescreen (or distraction technique) to reframe the issue away from the health issue. These devious tactics were used during the 1994 tobacco tax, the Boulder no-smoking vote, and often when smoking restrictions are debated locally or on a state level.

The Cigarette Papers, Part II The Art of Deception

Reprinted by permission: *The Cigarette Papers*. Copyright (c) 1996 The Regents of the University of California, by Stanton Glantz, John Slade, Lisa Bero, Peter Hanauer, and Deborah Barnes. To obtain the book call toll-free 800-777-4726 (Visa and Mastercard accepted). The Internet version and 8,000 pages of source documents are available through <http://www.library.ucsf.edu/tobacco>.

The documents describe in detail how the tobacco industry worked behind the scenes to defeat two California clean indoor air initiatives which were placed on the ballot in 1978 and 1980. The initiatives initially enjoyed wide public support, but the industry turned it around with a campaign of deceit and distraction. The industry's successful strategy provides important insights—still relevant today—into how these campaigns are waged.

Continued on page 6

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The Cigarette Papers co-author Dr. Stan Glantz will speak in Denver on Nov. 17 to celebrate GASP's 20th anniversary. Reserve space soon, seating is limited.
RESERVATION FORM ON PAGE 3.

"Congress should not grant immunity to the cigarette industry, which has deceived and lied to the public for more than three decades."

C. Everett Koop, M.D.

Former U.S. Surgeon General, April 18, 1997.

SHOULD BIG TOBACCO BE ALLOWED TO BUY IMMUNITY?

Over 10 million Americans have died from tobacco use since the U.S. Surgeon General's report of 1964. It is the grisliest death toll of any product in American history. But Big Tobacco, which has evaded accountability throughout the 20th Century, is poised to slip into the 21st immune from damages and largely unregulated—courtesy of the United States Congress. Knowing all we know, how can we let this happen?

SAY NO TO THIS "GLOBAL SETTLEMENT"

Big Tobacco is angling for a "Global Settlement"—a legislative deal to immunize the tobacco industry from lawsuits and restrict FDA regulations. They fear state Attorneys General will have success in suing to recover the medical cost of tobacco harm.

Published reports of the proposed settlement indicate that the tobacco industry would be given the chance to buy immunity from lawsuits in exchange for some money and some limits on advertising.

This strategy is the same adopted by the tobacco industry in 1965, the last time the risks of tobacco use were high on the public agenda. At that time, the industry accepted ineffective warnings on the sides of tobacco packs to forestall the real regulation.

FOUR ARGUMENTS AGAINST THE SETTLEMENT

1. The deal would override state initiatives that guard the public interest and public health better than Congress has ever done in regard to tobacco. For Congress to preempt the states' lawsuits appears odd at a

time when Congress is encouraging states to take on larger responsibility and greater discretion in welfare and public health. A "Global Settlement" would not benefit the states.

2. The proposed settlement reportedly involves payments of \$12 billion a year. This represents a small fraction of the \$50 billion in direct medical costs and \$100 billion in total costs smoking imposes on society every year. The increase in stock value attributable to the settlement has been estimated to be at least \$60 billion for Philip Morris alone, and the total "litigation discount" for the entire industry could be \$100-200 billion.

3. Under the "Global Settlement" future lawsuits and discovery proceedings would be blocked. The discovery process in the state lawsuit has yielded vital information. Without

it, we may never know the full extent of the tobacco industry's wrongdoing or liability.

4. A global resolution of tobacco litigation would represent one of the most significant public policy decisions bearing on the public health in the last half-century. There has been no significant public discussion to date of the costs and benefits, lost opportunities, and ethical issues involved in placing an industry with a lethal history above the law.

EQUITY, NOT EXPEDIENCE

Should Big Tobacco be allowed to buy immunity through Congress? **NO.** Congress should stay out and let the states and injured consumers finish the job they started.



U.S. Congress asks the tobacco industry if nicotine is addictive

On April 14, 1994, Big Tobacco executives testified under oath before Congress that nicotine was not addictive. Discovered documents since show they lied. Big Tobacco spent nearly \$6 million in the last election to promote its agenda in Congress. Perjury charges have yet to be brought. Now, a secret deal is in the works to block future lawsuits (and discovery) under Congressionally conferred immunity.

American Lung Association, The American For Nonsmokers' Rights Foundation, Public Citizen, U.S. Public Interest Research Group. Also endorsed by: The Foundation For A Smokefree America, GASP of Colorado, Smokefree Pennsylvania, New Jersey GASP, Minnesota ANSR, Virginia GASP, Georgia GASP, Arizonans Concerned About Smoking, Missouri GASP, and ASH (Action on Smoking & Health)

Dr. Stanton Glantz Returns to Denver

World-Famous Anti-Smoking Activist, Author, and Researcher Speaks at GASP of Colorado's 20th Anniversary Meeting

Stanton A. Glantz, PhD, Co-Author of "The Cigarette Papers"
Professor of Medicine, University of California, San Francisco

Monday, November 17

Cherry Creek Inn

600 South Colorado Blvd in Denver

6:30 pm Dinner Meeting

\$25 for GASP members, \$30 for all others

Professor Stanton A. Glantz has been a leading activist in the nonsmokers' rights movement since 1978, when he helped lead a state initiative campaign to enact a nonsmokers' rights law by popular vote (defeated by the tobacco industry). In 1983, he helped the successful defense of the San Francisco Workplace Smoking Ordinance against a tobacco industry attempt to repeal it by referendum. This victory represented the first electoral defeat of the tobacco industry and is now viewed as a major turning point in the battle for nonsmokers' rights. He helped found Americans for Nonsmokers' Rights. He resurrected "Death in the West," a film suppressed by Philip Morris, and developed a curriculum that has been used by an estimated 1,000,000 students. He helped write and produce the films "Secondhand Smoke," which concerns the health effects of involuntary smoking, and "On the Air," which describes how to create a smoke-free workplace. He authored, with Peter Hanauer and Glenn Barr, "Legislative Approaches to a Smokefree Society" - which describes how to enact nonsmoker protection legislation. He has written numerous publications related to nonsmokers' rights and tobacco control, as well as several scientific texts and papers. He speaks and helps organize on behalf of nonsmokers' rights all over the world. He is a member of the California State Scientific Review Panel on Toxic Air Contaminants and a Professor of Medicine at the University of California, San Francisco, where he conducts research in cardiovascular function. He has written 8 books and over 90 scientific papers, including the first major review which identified involuntary smoking as a cause of heart disease. His July 19, 1995 article in JAMA on the Brown and Williamson documents showed that the tobacco industry knew 30 years ago that nicotine was addictive and that smoking caused cancer. This publication was followed up with his book, The Cigarette Papers, which has played a key role in the ongoing litigation surrounding the tobacco industry. Today, he is actively working with the American Lung Association and others to oppose a "global settlement" of tobacco litigation that would allow the tobacco industry to continue killing people worldwide.

**DON'T MISS THIS TALK BY ONE OF THE WORLD'S
MOST PROMINENT NONSMOKERS' RIGHTS ACTIVISTS**

GASP'S ANNIVERSARY MEETING

MONDAY, NOVEMBER

Special Guest Speaker Professor Stanton Glantz

**6:30 p.m. Dinner Meeting at the Cherry Creek Inn, Denver
600 South Colorado Blvd in Denver**

**Reservation
Form**

☐ \$25 for members of GASP ☐ \$30 for nonmembers
Please reserve _____ (number of seats)

Name _____
Address _____
Phone _____

**SEATING IS LIMITED
RESERVE TODAY**

Return this coupon and
make checks payable to:

GASP OF COLORADO
2885 Aurora Suite 37
Boulder CO 80303.

GASP ACTIVITIES AND ACTIONS

1997 EDUCATIONAL ADVERTISING CAMPAIGN

GASP continued its educational advertising campaign with another series of ten small educational ads in the funnies section of the *Rocky Mountain News*. This campaign generated 247 requests for materials. The ads dealt with secondhand smoke's damage to the heart and eatery workers, teenage smoking, secondhand cigar smoke, and the chemicals in tobacco smoke. One ad led to a story in the *Rocky Mountain News* by columnist Kim Foldstad-Franke.

GASP also ran an ad on teenage smoking in the *Colorado Parent*, and a series of small ads in the *Denver Post*. A "Cancer Country" bumper sticker (see below) was recently created. GASP has spent about of \$3,700 on this year's campaign. GASP's Educational Fund is supported by special donations and ten percent of all membership dues.

RESTAURANT EDUCATION PROGRAM

GASP of Colorado continues to work on educating restaurant owners about the advantages of becoming smoke-free and how secondhand smoke affects restaurant employees and patrons.

GASP recently mailed copies of the recent *Consumer Reports* articles on secondhand smoke and teenage smoking to 5,000 restaurants and hotels in Colorado that are not smoke-free. Numerous restaurants and hotels responded and now have become smoke-free including a Red Lobster in Lakewood, two restaurants at the Inverness Hotel in Englewood, the upper-scale Chart House in Golden, and a truck stop in Poncha Springs. The latest listing of restaurants is currently posted at our new Internet site:

www.somedec.com/gasp

Smoke-Free Dining Guide

The 1996 *Colorado Guide to Smoke-Free Dining* has been distributed to more than 50,000 people. Only a few hundred copies remain in stock. The total cost of the restaurant guide program, which is supported by sponsorships (60%), donations (27%), and GASP's own funds (13%), ran more than \$31,000.

The next print guide is due out in 1998. Due to the increasing costs, labor involved, increasing number of listings, and other factors, GASP may print less copies or pursue other alternatives.

25 Reasons to Become a Smokefree Restaurant

GASP is updating our brochure detailing reasons why a restaurant should become smoke-free. A new version will be out soon and we will mail a copy to GASP members. The brochure has been copied by more than two dozen groups in the United States and has been showcased nationally.

Dining Cards

GASP of Colorado has distributed more than 25,000 wallet-sized cards encouraging restaurants to become smoke-free. The cards also contain information on secondhand smoke. The program is cosponsored by the Colorado ASSIST Alliance.

National Publicity

GASP of Colorado's positive no-smoking signs for restaurants was mentioned in *Restaurants and Institutions*, a national publication. It generated more than 250 requests for signs and information from all over the U.S. We shared these contacts with other kindred groups in other states.

NEW BUMPER STICKER AVAILABLE FROM GASP

Member price: \$1 each, 50¢ each for 10 or more (includes postage)

All proceeds go to the GASP educational fund



This bumper sticker is 3 1/2 x 9 inches and red, white, and black.

Cancer Country Order Form	Number	Cost Per	Total
Cancer Country Bumper Sticker	_____	_____	_____
Name	_____		
Address	_____		
City/St/Zip	_____		
\$1 per bumper sticker, 50¢ each for 10 or more (includes postage). Allow 2-3 weeks for delivery.			

Mail & make check to:
GASP of Colorado
2885 Aurora #37
Boulder CO 80303

GASP'S WEB SITE

GASP of Colorado now has a web site. It includes an updated smoke-free dining guide for Colorado. The search database allows you to find restaurants by city, name, zip code, or food type.

Check it out at www.somedec.com/gasp

If your group has a web site, please add us on as a link. We will be adding more features over the summer. Here's the site description.

GASP of Colorado (Group to Alleviate Smoking Pollution) has been promoting smoke-free policies and educating the public about secondhand smoke since 1977. This web site includes the Colorado Guide to Smoke-Free Dining database (2,000+ listings), educational articles, and news alerts. Smoke-free restaurants are listed by city, address, phone number, and food type.

"The Web Page looks great...slick & high tech!
I'm really glad to see you where GASP
can be even more accessible to all!"

April L. Vawter

GASP of Colorado would like to thank Chet McNeil at Something Decent for volunteering to create our web site.

GET ON OUR E-MAIL OR FAX ACTION ALERT NETWORK

If you have e-mail access, GASP has begun sending special alerts and important news items via e-mail. An alert about the Global Settlement talks was sent to this list recently. Since it is much easier, faster, and cheaper to send e-mail than faxes, please notify us if you have an e-mail address.

Send us your e-mail address to
GASPCO@aol.com.

FAX NETWORK

If you don't have e-mail, but have a fax number, please let us know. Call us at (303) 444-9799, or fax a note at (303) 444-2399. Our fax and voice line are linked together, so if you can't get through, keep trying.

New Voicemail Recording

If you called our office recently, you probably got our new recording featuring the wonderful voice of Keith Jackson of Talent Associates. Thank you, Keith, for providing this wonderful service.

GASP 1996 Financial Report

In 1996 GASP spent \$69,926, while our revenue was \$49,725. GASP used \$15,000 in carryover grants for the restaurant guide and other educational programs.

GASP's main source of income came from program donations (\$10,452), membership dues (\$23,000), grants (\$5,000) and general public contributions (\$14,688). The primary expenses were for program services such as the restaurant guide (\$18,731), staff and contract services (\$16,523), and the educational ad program (\$7,501). For management and fundraising GASP spent \$4,990 — representing 9.9% of our expense budget.

GASP of Colorado currently has about 1,200 dues-paying membership donors. Our list of former members, supporters, and other Coloradans — who are not current donor members but who have contacted GASP for information, publications, etc. — grew to more than 10,500.

A full detailed financial report is available upon request. Call GASP at 444-9799.

BOARD MEMBERS NEEDED

GASP of Colorado is accepting applications for Board Directors. Board members serve in an advisory capacity and play a role in the decision-making process. The Board meets in the evening in Denver every six weeks. Applicants must be dues-paying members of GASP and are encouraged to attend Board meetings before applying. Our Board meetings are open to all GASP members. Call Pete Bialick at 444-9799 for an application or information about Board meetings.

KEEP YOUR ADDRESS UP TO DATE

If you move, please let GASP know at once. The Post Office does not forward bulk mail. Instead, pieces are returned to us for remailing. This means your newsletter or an important action alert has to be remailed and could be delayed two to four weeks. It also increases GASP's mailing and administrative expenses, plus we have to pay full rate for returned pieces.

JOIN GASP and breathe easier

- ☐ Yes, I support GASP's efforts to promote smoke-free air.
Here is my contribution of \$100 \$75 \$50 \$25
(GASP's annual membership dues start at \$25)
- ☐ I support your efforts, but I do not want to become a member.

Name _____
Address _____
City-State-Zip _____ Phone _____
Fax _____ E-Mail _____

Mail and make checks payable to:

GASP OF COLORADO
2885 Aurora Avenue, Suite 37
Boulder CO 80303-2252

Big Tobacco's Smokescreen Tactics

California's Proposition 5 (1978)

Since (as shown by its own polling) the industry knew that it had virtually no public credibility, it decided to act through a nominally independent campaign committee known as Californians for Common Sense (CCS). Even though CCS was created and controlled by the tobacco companies through a closely coordinated effort, it attempted to minimize and, in some respects, even hide its industry connections. The industry wanted the public to believe that CCS was a group of concerned California citizens.

Pepples' report summarizes the campaign from the industry's point of view and provides important insights into the organization and structure of the industry's campaign as well as the strategies employed. Two decisions made in 1977 account for the victory that was achieved over Proposition 5:

1. The commitment by five major cigarette manufacturers to participate in a program of early planning and research.
2. The commitment by these companies to provide early and adequate financing for the project.

The tobacco companies' sponsorship of the CCS campaign is indicated by a memo dated February 15, 1978, from Pepples to the managers of B&W's major cigarette brands. Pepples stated that the industry had formed a campaign committee called Californians for Common Sense, Inc., to run the campaign against Proposition 5, and asked the brand managers to give him the names of any people they knew in California who could be recruited to participate in the campaign. This active role of the tobacco companies contrasts sharply with the industry's public position during the campaign: that Proposition 5 was a local California matter and that Californians for Common Sense was a campaign organization established by local citizens as a free-standing, autonomous organization. The tobacco industry's approach contrasted sharply with that of national voluntary health organizations, which did, in fact, stand back and treat Proposition 5 as a local California matter.

Although the tobacco industry sought local people to appear on behalf of the campaign, control rested firmly with the tobacco companies. In addition, in contrast to most initiative campaigns, the nominal local leaders were not required to contribute their own money or raise money. Like all campaigns involving the tobacco industry since then, more than 99 percent of the money came from the industry itself.

The industry conducted benchmark surveys in December 1977 and January 1978 which showed that the "vote no" side was a staggering underdog: California voters favored smoking restrictions by 68 percent to 24 percent. Overcoming this significant voter deficit was the essence of the industry's (ultimately) successful plan. Indeed, the tobacco industry started its research well before the initiative had even qualified for the ballot; Pepples' first "Campaign Report" Tarrance data (from the tobacco industry's pollster V. Lance Tarrance and Associates of Houston, Texas) came in June 1977. It showed that more

than 82% of the electorate approved of the idea of a new state law requiring smoking and nonsmoking sections in public places. The same survey showed that the California voters' perception of the tobacco industry's credibility was very low.

The campaign started out focusing on getting union support. Having the union leadership on their side proved to be of tremendous benefit to the tobacco industry, not only because it gave the campaign an air of legitimacy but also because the union's connections in Democratic party politics were useful in neutralizing efforts to get prominent politicians to support the initiative.

Hiding Industry Involvement

The tobacco industry knew that, since it had very low public credibility, identification of the industry with the No-on-5 campaign would hurt it. Thus, it established several important guiding principles to keep its profile as low as possible. In his description of how the tobacco industry defeated Proposition 5, Pepples lists these guiding principles:

All campaign functions would be operated through the citizens' committee, Californians for Common Sense.

Tobacco company visibility would be confined to financial contributions to CCS. There would be no attempt to disclaim or discount the amount of tobacco contributions.

Tobacco company personnel would not make campaign appearances, occupy campaign positions or make public statements relative to the campaign.

No campaign events, programs or advertising would be directed to college campuses, specifically, or to youth in general.

Company legal counsel approved all releases prior to dispatch.

The Industry's Distraction Plan

The campaign that the tobacco industry ran against Proposition 5 was to become the industry's classic three-phase approach to tobacco control measures, whether at the local or state level, which is still in use today. Pepples continues:

First phase program was to redefine the enemy. The enemy CCS selected is the foe of every voter. He passes stupid laws, wastes billions of taxpayer dollars, contributes nothing useful, dreams up useless initiatives. He is ubiquitous and obnoxious. Who is he? To take a small liberty with the imperishable wisdom of Pogo, "We has met the enemy, and they is They" Phase one: "They're at it again!"

Phase two sharpened the picture of the enemy, defined him more narrowly, crowded him into a small territory. It introduced the thought that this kind of regulation is dangerously precedent setting. Voters were reminded that freedom dies a bit at a time. If they regulate smoking



"WARNING: THE GREEN GENERAL HAS RISE."

Big Tobacco's Smokescreen Tactics

now, what will they regulate next? Freedom of assembly? Freedom of speech? Phase two: "What will they regulate next?"

Third phase asked for the order. Voters had moved to our side in gratifying numbers but there were still many who hadn't taken the last step. They were no longer sure that Proposition 5 was right; but still hadn't decided to vote against it. Question, yes; conviction, no. Objective was to convert the doubt to a No vote. It is, of course, better to show than tell — better to demonstrate than argue, CCS showed its conviction and coincidence by offering to send voters a copy of the initiative. CCS made the voter a part of the process, suggested they read it for themselves — read the fine print — then decide. This not only made our point, it suggested inferentially that the other side had something to hide and CCS didn't. Phase three: "Read the fine print."

The tobacco industry made the cost of implementing the initiative—primarily the posting of signs and the expenses of enforcement—a pivotal issue in the campaign. Although the proponents attempted to publicize the error to undercut the industry's cost claims, as Pepples noted, the industry successfully shifted the debate into terms favorable to itself.

The tobacco industry's polling showed that the issues of health in general and secondhand smoke in particular were dangerous ones for the industry. It therefore worked very hard to steer the campaign away from these questions and was largely successful at doing so. Only 25% of those favoring the Yes position cited Health as their reason for voting yes. The best issue for the Yes side was Smoke Bothers (50%).

Nevertheless, the industry did make use of a number of physicians to contest the evidence that passive smoking is a cause of disease. But most importantly the proponents abandoned their own battleground and came to fight on the battleground staked out by CCS.

Pepples wrote, "As troublesome as these battles were, it meant that the proponents of Proposition 5 were now on CCS's turf arguing about the amount of costs, the degree of infringement, the technicalities of arrests and fines and trying to explain away such ridiculous inconsistencies as the Proposition's exemption of rock concerts and the smoking prohibition it would impose on jazz concerts in the same auditorium."

Taking on Government

At one point, the tobacco industry considered taking on the state legislature in its anti-Prop 5 campaign.

"The opinion surveys indicated that the voters currently hold the legislature in very low esteem. The proponents had begun to respond to our original message that this was a bad law, poorly drafted. Woodward & McDowell, therefore, urged a direct attack on the legislature to take advantage of the negative voter attitudes toward the legislature and to crowd the proponents into a corner. The companies differed in their reaction but after the internal discussion, it

was agreed that the tobacco industry must live with the California legislature for years to come and should not damage its relations by supporting advertising which made fun of the legislature."

Concerns About Secondhand Smoke

After the election, concern about secondhand smoke exposure had not faded. Pepples' felt at the time that the industry should consider a program of public education in hope of shifting this ratio of misconception.

"Any program, however, must be cautiously designed and should be tested in selected markets before being applied nationally. The lesson of California is that such a program must never be a part of—or coincide with—an election campaign in which smoking regulation is an issue. Credibility will be diminished or destroyed in a competitive atmosphere of a political campaign."

The fact that the tobacco industry viewed Proposition 5 as a potentially serious economic threat is underscored in a letter sent from Pepples to Jack S. Swaab of BAT on January 23, 1979. Pepples clearly recognized that the financial stakes for the tobacco industry were very high in the Proposition 5 campaign. In the letter he attempts to quantify the effects of the initiative and to justify the expenses the industry paid to defeat it:

"If it is assumed that the passage of Proposition 5 would have caused a decline in volume of just one cigarette per California smoker per day, the chart attached to this letter shows the industry would have suffered an after-tax loss equal to \$5.9 million in the first year. On that basis, it can be said that the industry [which spent \$6.6 million to defeat the proposition] will recover its 'investment' over a period of one year."

While the health community may have been slow to recognize the economic impact of smoking restrictions, the tobacco industry was acutely aware of how much even a small decline in smoking would affect its profits.

"At the beginning of the campaign, before the tobacco industry's massive advertising campaign, most smokers supported the initiative. As the campaign progressed and as these smokers heard the messages which Californians for Common Sense put on radio and television, the attitudes of the smokers toward the right to smoke in public



Big Tobacco's Smokescreen Tactics

underwent a favorable change. The health issue was never addressed in the "Vote NO" messages; they raised instead the basic economic and freedom issues. It is possible to theorize, therefore, that in addition to avoiding a negative sales impact from the legislative restrictions which Proposition 5 would have represented, the industry may have achieved a positive effect among smokers in support of their custom of smoking."

Since that time, the tobacco industry has continued to use this strategy, not only to oppose local and state clean air laws but also in its attacks on the efforts of the federal Occupational Safety and Health Administration to regulate passive smoking in the workplace and the Food and Drug Administration to regulate cigarettes and smokeless tobacco products as drug delivery devices.

More of the Same In 1980

Two years later, the tobacco industry also defeated California's second clean indoor air initiative, Proposition 10. Nevertheless, the tobacco industry realized that the issue of secondhand smoke was here to stay. One interesting document illustrates how the industry approached scientific research implicating secondhand smoke as a cause of disease in nonsmokers.

Five years later, in 1985, the "B&M Public Issues Environment" memorandum views the growth of smoking restrictions as a threat to the industry and predicts that

smokers will probably support these restrictions.

"Large numbers of local governments will adopt smoking restrictions which require segregation of smokers in indoor areas with public access and government office buildings. A substantial number of restrictions will apply to office areas and a growing number will apply to factories. A minority of the restrictions will virtually prohibit smoking, with the severity and incidence of restrictions varying by geographical region. The trend of private businesses to adopt smoking restrictions and cessation programs for employees will accelerate. The Federal government will adopt tight smoking restrictions for its offices. The insurance industry will broaden the application of nonsmoker discounts, which will appear as a feature of health care plans. Few smokers will complain about these events, and the process will continue to publish assessments that smoking restrictions are seen by all parties concerned as working well."

Pepples had good reason to predict that local governments would adopt local regulations on smoking, and a growing number began to do so after 1982. Nevertheless, the tobacco industry has continued to oppose regulations of smoking in the workplace and public places with increasing intensity.

Fourteen years later the tobacco industry continued to use its smokescreen tactics. Its favorite smokescreen target in the 1990's has become attacking "big government."

How Attacking "Big Government" Worked in Colorado

Robert Dreyfuss, from *Mother Jones* May/June 1996

In 1994, Colorado earned the dubious distinction of becoming the first state in which Big Tobacco successfully used subterfuge to win a statewide popular vote. Until then, the industry had relied on friendly legislators to derail anti-tobacco proposals.

Tobacco's success came in a battle with a coalition of state health groups that had introduced a referendum for a 50-cent cigarette tax. But the tobacco industry had a bold new strategy: It funded a fringe group to capitalize on the anti-tax, anti-government sentiment buoying right-wing politics and turned a tobacco-tax battle into a referendum on "big government."

During the campaign, tobacco's front group, Citizens Against Tax Abuse and Government Waste, portrayed the ballot issue as a power grab by Colorado Department of Health "bureaucrats" who wanted to pad their salaries with the \$132 million the new tax would generate. (Actually, the proposal designated half of the funds to health care for the poor and half to educational activities and medical research.) The ploy worked nonetheless. An onslaught of negative advertising turned public opinion around, and the proposal lost 62 to 38 percent.

While the tobacco industry avoided any obvious involvement in the battle, it was tobacco money that funded opposition to the measure. For example, on August 30, 1994, The Tobacco Institute deposited \$2 million into the Denver Tri-State Bank account of the Colorado Executive Committee, headed by Colorado lobbyist Frank "Pancho" Hays (of Hays, Hays, and Wilson). The cash was then funneled into the coffers of Citizens Against Tax Abuse and Government Waste, also headed by Hays. From there, the tobacco money flowed to campaign experts, pollsters, advertising executives, direct mail company owners, lawyers, and public-relations specialists. In all, the tobacco industry contributed \$5 million to defeat the proposal.

The coalition of health groups that launched the initiative, by contrast, raised only \$300,000. "The bottom line is that it was money, money, money," says Arnold Levinson, the coalition's campaign coordinator. Citizens Against Tax Abuse and Government Waste, he says, was pure camouflage: "There was not a single citizen in it. Every dime they had was tobacco money."

Hays says he never tried to hide his tobacco funding, but did choose the group's populist-sounding name because it "conveys the message we were trying to get across." Real anti-tax organizations, however, refused to have anything to do with Hays's efforts. "They are political prostitutes," says Douglas Bruce of the Taxpayer's Bill of Rights Committee.

Ironically, Hays' founding partner, James Wilson, died in 1993 from lung cancer. Hays, ever the professional, refuses to acknowledge the 67-year-old Wilson's smoking might have contributed to his death.

GASP of Colorado Group to Alleviate Smoking Pollution

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The Settlement Talks: Should Immunity be Granted to the Tobacco Industry?

GASP of Colorado and many other health groups have joined forces to express our concerns about granting immunity to the tobacco industry in the settlement talks (see ad, page 2). After all, shouldn't tobacco companies face the same legal consequences as any other company? Attorney Generals have prosecuted thousands of businesses for violating consumer and antitrust laws over the last four decades without granting immunity.

GASP of Colorado and many other health groups support Gale Norton and the 37 other state Attorney Generals in their individual suits to recover Medicaid expenditures for tobacco-related diseases, and to curtail local tobacco practices.

Professor Stan Glantz writes, "We support appropriate discussions about settlements of individual cases (as the litigation process requires) and believe that public health considerations should be part of the discussions. However, we oppose any negotiations that go beyond issues not involved in the litigation or beyond the authority of the direct participants to enter into and enforce... In other words, we want to end the privileged position of the tobacco industry and make them play by the same rules as any other business."

GASP members who are concerned about the issue may write Attorney General Gale Norton's office at 1525 Sherman, Denver CO 80202. Various positions expressed at a Chicago conference and in editorials appear on pages 10-13. As we go to press, a tentative settlement has been reached. On June 19 GASP of Colorado and other health groups sent Gale Norton this position:

The Coalition for a Tobacco Free Colorado

The members of the Coalition for a Tobacco-Free Colorado would like to extend our thanks and support for your action to sue the tobacco industry on behalf of the citizens of Colorado. We applaud your leadership to protect the children of Colorado and are impressed that you are undertaking the suit from your office.

We believe that the tobacco industry should be held accountable for its actions. Moreover, we believe regarding any settlement discussions that:

1. No settlement should be accepted without adequate and reasonable time to review the proposal by the public and tobacco prevention groups;
2. No immunity should be provided the tobacco industry or tobacco industry executives. This includes no criminal immunity, no preemption of class actions or an individual's right to sue in state/federal court and no caps on award settlements; and
3. The authority of the Food and Drug Administration to regulate tobacco products shall not be compromised.

The Coalition for a Tobacco-Free Colorado is wary of any settlement with the tobacco industry that does not have as its primary focus the immediate and long-term public health of the citizens of Colorado. We welcome the opportunity to discuss any of our positions regarding your suit and again commend you on your actions to protect the residents, especially the children, of Colorado.

The Board of the Americans for Nonsmokers' Rights

"History shows that legislative settlements with the Tobacco Industry are harmful to public health, and that it is impossible to predict the future consequences of tying the hands of public agencies to regulate a major public health hazard. Therefore, the Board of Directors of Americans for Nonsmokers' Rights opposes any legal or legislative settlement which protects the Tobacco Industry from legal, legislative, or regulatory responsibility for its past and future impact on public health."

(More on pages 10-13)

GASP ATTENDS "SETTLEMENT" CONFERENCE

Report by Pete Bialick, President

I was invited to attend a national conference on the Settlement talks in Chicago on May 27, 1997 sponsored by the AMA and various other groups. More than 70 health groups and activists attended the meeting which featured presentations by Mike Moore, the Attorney General from Mississippi; Matt Myers, an attorney for the Center for Tobaccofree Kids; three attorneys from the Minnesota Attorney General's office; Lonnie Bristow, President of the American Medical Association; John Garrison of the American Lung Association, and others.

I invited Representative Ken Gordon, the State legislator who introduced a resolution asking Colorado's Attorney General Gale Norton to join other states in suing the tobacco industry. The bill died in committee, but Norton filed her suit about two months later. Gordon is a practicing attorney specializing in medical malpractice. Tom Kean, a health and tobacco consultant from Colorado, helped moderate the session. I asked Representative Ken Gordon to comment on the meeting and his views on the settlement talks. His comments appear on page 11.

The settlement issue has drawn criticism and concern from various health groups and activists, and from some of the media. One side feels that giving the industry immunity is dangerous considering the past history of the tobacco industry, the way the industry controls Congress, and the need to know the truth from internal documents not yet publicized. The other side feels that a settlement will help achieve the goals for regulating tobacco on a national level at a faster pace than has taken place previously.

GASP of Colorado, various health groups, and medical experts met with Attorney General Gale Norton in June for an update on Norton's suit and the settlement talks. Norton appears to be open to the input and concerns of the public about the settlement. She appears committed to pursuing the lawsuit.

COMMENTS FROM THE CHICAGO CONFERENCE

These edited notes are designed to give our members a glimpse of some of the arguments and concerns about the settlement talks. Due to space restrictions, I am unable to print them all.

A fourteen-page edited summary of the entire full-day conference, taken by Martha Ross of the Advocacy Institute, is available to GASP members upon request. Call us at 444-9799.

Mike Moore, Attorney General Mississippi

If I win my lawsuit, do you know what I get? A big chunk of money. But if I say to the judge, I'd really like to change how this industry does business in America. Well, we can't do that in this court. Maybe some states can, but we can't. So we thought about and agreed on minimal goals and objectives. These included protecting our children by reducing marketing to kids and reducing youth access to tobacco, providing full disclosure about the health effects of tobacco products, and providing relief to the states and individuals for tobacco-related health care costs. We gave these to the tobacco companies and have not veered from these goals and objectives one time.

The Tobacco Talks, In Pursuit Of A Principled Solution

Minnesota Attorney General Hubert Humphrey III

Many of the recent major decisions on tobacco have come due to the release of internal tobacco industry documents, said Humphrey's aides at the Chicago conference. Internal documents lead the FTC to pursue claims against R J Reynolds for enticing children to smoke through use of the Joe Camel ads, to the Liggett settlement, and recent court victories.

The tobacco industry is clearly on the ropes in court. If there is to be a settlement, tobacco control advocates now have the leverage to make any settlement a strong, principled blueprint for saving lives.

The American people are demanding that we seize that opportunity.

Core Deal Makers

While there are numerous important tobacco control issues that might be part of these talks, tobacco control advocates would be wise to focus their most intensive efforts on four deal makers:



- **Nicotine.** Nicotine must be treated like every other addictive drug in America.

- **Compensation.** Compensation must be significant enough to deter future wrongdoing, serve justice and relieve the damage caused.

- **Kids.** A system for preventing the next generation of kids from suffering tobacco disease and death must be established.

- **Immunity.** Tobacco companies should face the same legal consequences as any other company.

While there are many other important issues, the consensus of the public health community dictates that these are the issues that must be addressed by any negotiated settlement.

Tom Pursell, Senior Counsel, State of MN

What's the rush? Three years ago, how could we imagine that we'd be where we are now? That Moore would courageously file the first Medicaid lawsuit, that Bennett Lebow would confess that cigarettes cause disease and that nicotine is addictive? That the first private cases would have gone to trial and resulted in verdicts, of tremendous pressure from private lawsuits and state lawsuits. The tide is still rising, what's the rush? It is too early to settle. We don't have all the evidence yet. We don't know what their lawyers knew, what their involvement in Congress was. You don't settle a case until you know all the facts.

Mike Ciresi, Lead Attorney MN Medicaid case

Mike was also a lead attorney in the famous Dalkon Shield (IUD) case and lead attorney for the U.S. when it took action against Union Carbide for the Bhopal disaster in India.

I'm not unalterably opposed to global settlement. The issue is, what should it include? The industry needs to know that there'll be a time again when they will be subject to full recourse of the law. Bankruptcy should not be a fear. The Dalkon Shield issue went on for 20 years. They stopped selling them in 1970s. Women continued to die. Let's find out what the highest level corporate official knew, when they knew it, and what did they do about it. Let's put the full heat of the law on people who don't want to go to jail or risk their personal fortunes.

I do not fear the specter of bankruptcy. Why should I? They should fear the specter of bankruptcy. Unalterably opposed to granting future immunity to tobacco companies. I don't want to grant future immunity. They need a period of time, fine. I want them to pay substantial sums of money for their past harm.

Matt Myers, National Ctr for Tobacco-Free Kids

We shouldn't make decisions on easy slogans or rhetoric. I think is important is that we recognize we are at a historic time in this movement, with the opportunity for fundamental change never greater. There will be divergent views at the end of the day, but I suspect there are more common sets of goals and agendas at the end of the day.

I believe Mike Moore and the other AGs when they say they're not in the room to strike a deal, but to see if fundamental public health change can be achieved through a deal.

John Garrison, American Lung Association

This is a watershed year. That's because, for the first time, we have got Big Tobacco on the defensive. And so we should take pride in that.

However, we believe this is the wrong settlement at the wrong time. Recently the boards of directors of the American Lung Association and American Thoracic Society passed resolutions opposing a settlement: no immunity for tobacco companies and no diminution of the FDA's authority; AGs are certainly welcome to settle their own cases.

Why should ALA and ATS take this stand? Repeats of what happened in 1964 with warnings, in 1970's when advertising was banned, concerned that tobacco industry able to get away and keep selling cigarettes. Basic issue: ALA doesn't trust the tobacco industry. No one trusts the tobacco industry.

We don't think future, current or past victims should be denied their day in court. No immunity for tobacco industry. FDA should be allowed to do what it needs to do and no restrictions put on it.

We have seen what Congress does and how Big Tobacco operates in Congress. We saw what happened to the Kennedy-Hatch bill. So I think right now maybe we're much better off litigating than going to Congress. Really need to keep this out of Congress. Big Tobacco is on the defensive. We do need more time. There should not be a rush to settlement. What's going to happen with the Justice Department investigations? We need to see the tobacco industry start doing business a little bit differently, for example how they continue to oppose youth access bills.

Miles Cunningham, American Cancer Society:

We have heard that Congressional ratification would be necessary. Today we've heard that we would be better off with consent decrees and contracts with the industry. What are the issues for Congress? Why isn't Congress at the table. Who is briefing Congress?

Moore responds:

There would need to be a Congressional piece for a majority of the pieces discussed, such as FDA regulation. The AGs feel we need to get consent decrees and contracts as a better way deal with advertising restrictions. Should legislation be passed, it probably will be challenged by the advertising industry on First Amendment grounds, and could be stricken down. The AGs will insist that there are consent decrees in each of their states regarding the terms of the agreement so they don't have to retry their cases. We can hold them in contempt of court for violating any terms. With Congress, we have no assurances.

Comment from a Canadian participant

From a perspective of working on tobacco control in Canada and in dozens of other countries, I don't buy into calling this "global" settlement. People worldwide are being harmed by cigarettes made in this country, or subsidiaries of sister companies. Worried about other countries getting sideswiped by what happens in the US. Don't expect AGs to solve the problems in other countries.

Pete Blalick, GASP of Colorado

I am concerned about secondhand smoke, and the restrictions that are being reported on limiting nonsmoker lawsuits for damage from secondhand smoke. The *Wall Street Journal* reported that people would have to be nonsmokers for 10 years. How could anybody define that because in many instances there is no such thing as a nonsmoker. Many of us continue to be secondhand smokers. On the proposed workplace smoking ban, why should people who work in restaurants be excluded from workplace protections? Don't they deserve to work in a safe environment too? Perhaps a seventh core principle should be added: protecting people from secondhand smoke.

Michelle Bloch

There is a real possibility that a deal proposal may be put forth, and the question is how we as a public health community decide to accept or not to accept. It's crucial that we work together to make that decision together, because we are not the strong player in this crowd. The industry, the Congress, the President, the AGs are all the power players. And I would urge those in the major organizations especially not to go forward with support for a deal unless there is broad support for it from the public health community at large. That means paying attention to and respecting grassroots groups. We cannot move forward without them.

What should we be looking at? Justice: If instead of discussing settlement talks, we discussed something like the Nuremberg trials. I don't say that to be flip or radical, but I think these people have committed crimes against humanity.

We've spent a lot of time focusing on kids, but let's remember that kids and adults are intertwined. We have over 10 million adult Americans who will die in middle age and leave their families because they smoke; and while they bear responsibility, so does the industry.

The American role on the international scene is one we simply cannot ignore. We are one of the key players for having spread tobacco use around the world. Since we've helped spread it around the world and are the wealthiest, most powerful nation in the world, it is incumbent upon us to help decrease tobacco use.

Just Say "NO" to Global Settlement By State Representative Ken Gordon

On May 28th members of the group negotiating with the tobacco companies met in Chicago with health care organizations and anti-smoking activists to discuss a settlement. Even before the meeting began, people at the conference were wearing buttons that said "No Global Settlement" and "No Moore Sell-Out," referring to Mike Moore, the Mississippi Attorney General who was the first Attorney General to sue the tobacco companies and a speaker at the meeting. Most participants at the meeting objected to the secrecy of the negotiations and the concept of giving any immunity to the tobacco companies. One comment was that the tobacco companies have always done well in smoke-filled rooms.

Moore, who has a trial date of July 7, defended the potential of a settlement. He pointed out that in a settlement we can get a commitment from the companies to ban underage marketing and money to do anti-smoking education. If he were to win his trial all he would get would be money to reimburse the state for medicaid costs.

Representatives from the Minnesota Attorney General's office opposed the idea of a settlement. Their concern is that tobacco companies will not settle unless they receive some form of immunity or a cap on damages. These concessions may be what the tobacco companies need to survive. Unlimited liability could allow the court cases they are facing to drive them out of business, even if they win half or more of their cases. They pointed out that the key issue is nicotine. "Whoever controls the nicotine wins," they said. No nicotine limits has yet been agreed upon in the negotiations.

Another issue is whether a global settlement will truly be global. American tobacco companies are earning an increasing amount overseas. Would any nicotine limits apply to exported tobacco? Another concern was that the settlement might reverse the recent ruling by a Federal Court allowing the FDA to regulate nicotine as a drug. No one wanted to go backward by way of a settlement.

I side with those who are wary of settling. I oppose any kind of settlement that would give the tobacco companies immunity or a cap on damages. This is what they want. I also feel that we have some responsibility to the citizens of other countries. The tobacco companies are only interested in settling because they are frightened of the results and the effects of negative publicity (which will cause their stock to go down). They know they must sell to teenagers to survive economically. Most people who begin smoking as adults do not become lifelong smokers. The tobacco companies know this; therefore, I am afraid that anything that they agree to with regard to underage smoking, they will try to circumvent in the future.

**CHECK OUT GASP OF COLORADO'S
WEB SITE:**

WWW.SOMEDEC.COM/GASP

The Nonsmokers' Voice Vol. 19 #1 p. 12

A Worrisome Tobacco Deal The New York Times, June 21, 1997

The tobacco deal announced yesterday is a remarkable development in the decades-long fight to curb smoking. Few would have guessed even a few months ago that the industry would pay out such substantial reparations, totaling \$368 billion over 25 years, or accept restrictions on advertising and youth access that in many respects are stronger than the Food and Drug Administration previously proposed. Even so, this is a troubling deal that looks as if it does more to protect the tobacco industry than to protect the public health. It should not be approved by the White House or Congress until it has undergone searching scrutiny and been made significantly stronger.

It is important to remember that this agreement was hammered out in secret by parties whose interests are not necessarily aligned with public health goals. The driving force was a group of state attorneys general who have sued the industry to recoup Medicaid costs for smoking-related illnesses. They showed a commendable determination to look out for the public's health and welfare. But they also had greedy eyes aimed at

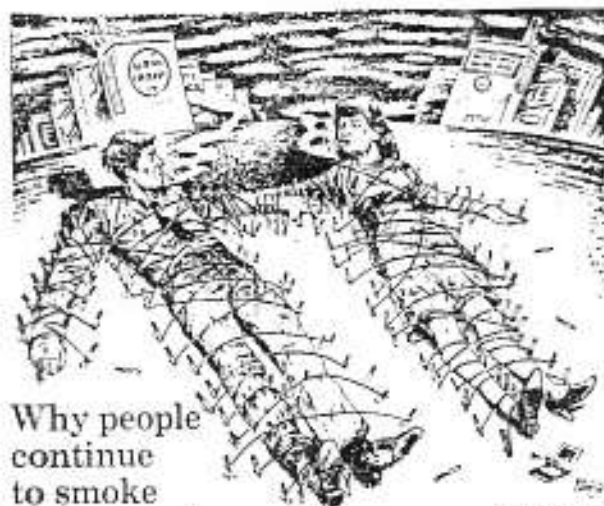
recovering money for their state budgets. Some also have political aspirations that may have driven them to prefer an imperfect deal over no deal. They were joined by plaintiffs' attorneys who were seeking the maximum amount of compensation for their injured clients and, not incidentally, for themselves.

On the other side sat the tobacco industry, which wants a bargain that guarantees its long-term stability (it will be exempt from class-action suits and punitive damages for past misconduct) and whose executives might profit handsomely if the deal drives up their stock as expected. Only two negotiators came from medical or anti-tobacco groups, and there is real concern whether any two individuals could have the strength and vision to shape a sound solution amid conflicting interests.

The agreement offers many real gains. There are substantial sums of money for injured smokers, health care for uninsured children and assistance in helping smokers quit; a huge industry-financed program to educate the public on the dangers of smoking; bolder and more explicit health warnings on cigarette packages; access to at least some industry documents, and protection for industry whistle-blowers.

The chief strength of the agreement, from a smoking standpoint, is a host of regulatory restrictions on advertising and marketing that the industry has agreed to accept to get out from under the legal and regulatory threats to its future. The industry has agreed to a ban on vending machines and is willing to eliminate all outdoor advertising and all human images and cartoon characters in ads (bye-bye, Joe Camel).

But those are simply restrictions on what the industry can do, and anyone who has watched this industry find ways around one restriction



Why people
continue
to smoke

"REBEL, REVOLT, RESIST"

Smokers' Rights Group Wants Smokers to Break Smoking Laws

In a special newsletter sent to militant smokers, The National Smokers' Alliance is asking smokers to "rebel, revolt, and resist" complying with regulations on smoking. The newsletter incites smokers to follow the example of various people in Toronto, Canada.

GASP obtained the newsletter from a smoker who is fed up with the tobacco industry lies.

New York Times editorial continued...

after another for the past several decades must assume that the tobacco moguls will soon find a way around this latest batch as well.

Where the deal falls woefully short is in provisions designed to force the industry to actually reduce the amount of smoking by youngsters under 18. This is a particularly important goal given that most smokers first pick up the habit as teen-agers and get hooked for life. The negotiators came up with a valuable approach, setting performance standards for smoking reduction among youths, with penalties imposed on the industry for failing short. The goals seem reasonable. Youth smoking is to drop by 30 percent in five years, 50 percent in seven years and 60 percent in ten years. But the penalties — reportedly \$80 million for each percentage point by which the target is missed — look too small to push the industry to comply.

The agreement also steers away from one of the most powerful tools to curb smoking, a hefty tax that would drive up the cost of cigarettes high enough to discourage use. True, the money the industry will put up under the agreement does imply some increase in the cost of cigarettes. But many health authorities believe a stiff additional tax, say \$1 or \$2 a pack, would do more to discourage smoking than anything in this deal. In theory, the agreement does not rule out imposing a cigarette tax separately. But in a Congress already loath to raise taxes, many members may conclude that a deal is a deal, so why do more.

A final worrisome element is that the deal whittles down the F.D.A.'s authority to regulate nicotine. It not only rules out any possibility of banning nicotine for years, but is said to contain fine print that would make it easier for the industry to overturn any F.D.A. rulings on nicotine. The F.D.A. has just won a court decision solidifying its jurisdiction over the addictive substance. This should not be traded away without good reason.

The great difficulty in assessing this agreement, aside from the fact that only a skimpy outline has been released, is that the gains and losses for the tobacco industry, for the states and for plaintiffs are much clearer than the impact on reducing smoking. Yet smoking reduction should be the primary goal in any settlement that gets White House approval and enactment in Congressional legislation. This is a pivotal moment in the fight against smoking. Whatever deal is ultimately approved is apt to be the last major word from Washington for years to come. The tobacco industry was driven to the table by the combined threats of liability suits, Federal regulation, public outrage and possible perjury indictments against top executives. Before these weapons are muffled in a comprehensive settlement, the public must be sure that the health gains will be real and enforceable.

SMOKING SECRETS REVEALED

North Carolina based tobacco company admits cigarettes are addictive, cause cancer, and ads are aimed at kids

By James W. Brosnan, Scripps Howard News Service

WASHINGTON—A tobacco company Thursday admitted for the first time that cigarettes are addictive, cause cancer, and are marketed to children.

The Durham, N.C.-based Liggett Group Inc.—the maker of Chesterfield cigarettes and many generic brands—agreed to help 22 states prove the other four major tobacco companies know these things, too.

Under a settlement with 22 states, (Colorado is not among them), the smallest of the cigarette manufacturers will turn over potentially damaging documents and provide witnesses to testify against Philip Morris, R.J. Reynolds, Lorillard, and Brown & Williamson in lawsuits seeking billions of dollars in damages. The states are trying to recover costs incurred as a result of caring for residents who became ill as a result of smoking.

In advance of the settlement, the other four tobacco companies won a restraining order from a North Carolina state judge barring Liggett from turning over documents involving discussions with officials or lawyers connected with the four companies.

Mississippi Attorney General Mike Moore said he plans to file a motion today to ask Jackson County Chancery Court Judge William Meyers in Pascagoula to order release of the documents because they are "evidence of crime and fraud" on the part of tobacco companies.

Mississippi's case is scheduled to begin July 7, with Florida and Texas scheduled to follow in August and September.

Moore said Liggett's internal documents show company officials knew 30 years ago that cigarettes were addictive and caused cancer.

In a statement, Liggett Group Chief Executive Officer Bennett LeBow agreed to "scrupulously avoid any and all advertising and marketing that would appeal to children and adolescents" and to put a warning label on Liggett brands that says "Smoking is addictive."

The agreement also calls on Liggett to pay the states 25 percent of its pre-tax profits for the next 25 years. However, Moore admitted the monetary settlement may never bring a dime to the states because Liggett is so financially troubled it may not make a profit. If the company is sold the states will receive \$25 million.

Secondhand Smoke Doubles Risk of Heart Disease

Dallas—Regular exposure to secondhand smoke appears to almost double the risk of heart disease in women who don't smoke, a study of 32,000 nurses found. That's higher than previous studies found.

The results are "startling in terms of the strength of the association," said Ichiro Kawachi of Harvard Medical School, the study's lead author.

In a mayor study published last August, nonsmoking spouses of smokers had about a 20 percent higher rate of heart disease deaths

SECOND
HAND



SMOKE
HURTS

than nonsmokers whose spouses did not smoke.

The latest study—published today in the American Heart Association journal *Circulation*—looked at total exposure to secondhand smoke at home and at work.

Kawachi said he and his colleagues had expected to find a 30 percent to 50 percent higher risk of heart disease among nonsmoking nurses exposed to smoke at work or home. Instead, the increased risk was 91 percent for nurses reporting regular exposure and 58 percent for those reporting occasional exposure.

Does Smoking on Stage Violate the Americans With Disabilities Act?

Editorial by Tom Schantz

The Handicapped Coloradan Winter 96

Olympic gold medalist Amy Van Dyken, who has severe asthma, is welcome just about everywhere—except the theaters in Boulder, Colorado, where the Boulder City Council amended a law to allow actors to smoke as part of a production.

Shortly after Boulder passed one of the most progressive anti-smoking laws in U.S. history, Ross Haley, the owner of the Boulder Dinner Theater, told the city that he would continue to allow actors to smoke on stage. The First Amendment was far more important than any potential health risk to his patrons.

Local theater types, including several newspaper drama critics, jumped to his defense, displaying an abysmal knowledge of constitutional law. Their misguided and naive position was saluted in the pages of NSA Voice, which is a newsletter put out by the National Smokers Alliance, a front group for tobacco giant Philip Morris.

Haley trotted out a Colorado firm that tested the theater's air and pronounced it safe and clean. The Handicapped Coloradan attempted to contact this firm but could find no listing for them in the Yellow Pages or through telephone information. In a letter to the Denver Post, the head of this elusive firm challenged anti-smoking advocates to supply him with peer-review studies that showed that such secondhand smoke would be dangerous to a theater audience. (Such a study, by the way, can be found in the Sept. 27, 1995 issue of the Journal of the American Medical Association).

Haley and cohorts asked the Boulder City Council to except stage performances from the city ordinance. Council, acted in part on the advice from City Attorney Joe De Raismes, whose record on disability issues was

frequently challenged by former Boulder city councilman Homer Page, now director of the Colorado Center for the Blind. The majority of the council made it clear that they didn't think much of Haley's argument but they also said they didn't have the stomach to fight back. In the end, Haley got his exception, and those people with hidden disabilities—lung and heart diseases—got the shaft. Or went to Loveland, where theater groups said they would not

jeopardize the health of their patrons by allowing on stage smoking, especially when it is such an easy thing to simulate.

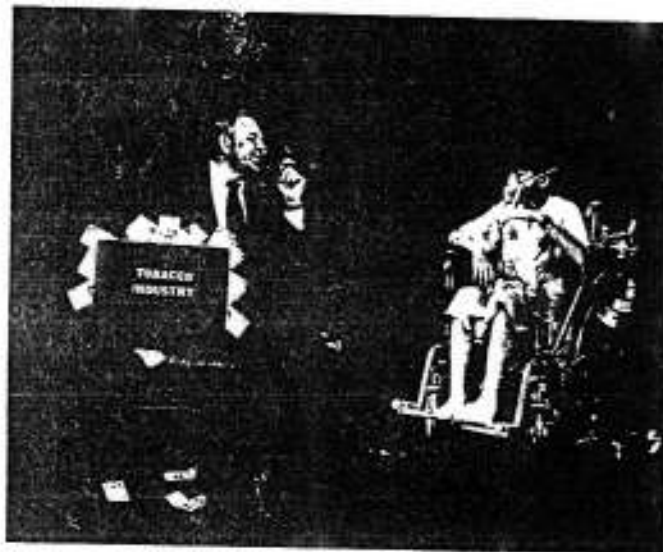
While all this huffin' and puffin' was going on in Boulder, the U.S. Court of Appeals for the Seventh Circuit made an historic ruling that could pave the way for persons with disabilities to ban secondhand smoke from public areas, theaters included, under the provisions of the Americans with Disabilities Act (ADA). More than a dozen other cases involving secondhand smoke and

the ADA are pending in courtrooms. The Boulder Dinner Theater exception could well end up in court.

The real danger of the Boulder decision is that it tells potential theater goers that they face no significant danger by attending a production with on-stage smoking. In this case, ignorance isn't bliss.

It's disgraceful. And dangerous.

Tom Schantz has been working for the rights of the disabled for more than 16 years, and is also a well-known political strategist in Boulder. The Handicapped Coloradan is distributed to 12,000 people.



Maryland Restaurant Sued Under State Human Rights Law

The Coalition for Smoke-free Maryland Workplaces, in an aggressive new strategy, has filed civil rights complaints against 18 restaurants in Montgomery and Howard counties on behalf of people with asthma, emphysema and other breathing disorders. The complaints, which were filed with the human rights offices, are based on ordinances that require restaurants, hotels and other businesses to make "reasonable accommodations" for the disabled.

The complaints allege that the restaurants have effectively barred nonsmokers with respiratory ailments from their premises by not providing smoke-free environments. All of the restaurants named in the complaints are in compliance with state and local laws mandating businesses to provide a separate and enclosed space from smokers, but the civil rights claim involves another legal issue altogether—people with disabling breathing ailments are legally guaranteed the same access as everyone else to places of public accommodation.

Richard A. Daynard of Northeastern University's School of Law says that, "This is really an emerging issue. We probably have several million Americans who are not able to participate in the activities that other Americans can for reasons of access, and the principle here is fundamentally one of equal treatment." Daynard, along with Professor Wendy Parmet and Tobacco on Trial Legal Editor, Mark Gottlieb, authored an article which appeared in the September 18, 1996 issue of the Journal of the American Medical Association discussing the legal rights of people with breathing and other ETS-related disabilities to smoke-free workplaces and public spaces. — Tobacco on Trial

LEGISLATIVE INFLUENCE NETWORK QUESTIONNAIRE

This questionnaire is designed to do two things: 1) Let us know how best to contact you during the "heat of battle" and 2) Help us understand how well you know your elected officials in the state legislature and in your city or county government. It will help GASP of Colorado become more effective when regulations on smoking are being debated.

FIRST NAME _____ LAST NAME _____
TITLE EMPLOYER _____
MAILING ADDRESS _____
TOWN, STATE, ZIP CODE _____
WORK PHONE _____ HOME PHONE _____
FAX _____ E-MAIL ADDRESS _____
POLITICAL PARTY _____

PLEASE LIST BELOW THE OFFICIALS YOU KNOW AND YOU ARE WILLING TO CONTACT ABOUT TOBACCO ISSUES

*If you know especially well the public officials you listed below, please describe the basis for that rapport:
(Example: We belong to the same service club, same church, same bridge group; worked on campaign, served as campaign treasurer, contributed to legislative campaign; we went to college together; brother is on my board, etc.*

1. STATE SENATOR

✓ Check only if known on a first name basis

2. STATE REPRESENTATIVE

3. CITY COUNCILMEMBERS

4. COUNTY COMMISSIONERS

5. FRIENDLY BUSINESS LEADERS, CHAMBER EXECUTIVES, SCHOOL OFFICIALS, OR OTHERS WHO ARE CONCERNED ABOUT TOBACCO ISSUES.

VOLUNTEERS NEEDED

To beat the tobacco industry at the State Capitol we need to generate a lot of calls from area constituents. We need volunteers to contact other people in your area about tobacco legislation. To help, mark the number of people you would like to call.

Area Coordinator:
(Check one)

I will be happy to call the following number of people:
☐ 10 ☐ 15 ☐ 20 ☐ 25 ☐ Other _____

Area Assistant:
(Check one)

I will be happy to call the following number of people:
☐ 5 ☐ 7 ☐ 10

Please return this questionnaire to:
GASP of Colorado
2885 Aurora Suite 37
Boulder CO 80303

GANGRENE AND TOBACCO



Gangrene is just one of the results of government failure to regulate the tobacco industry.

A TIME TO ACT

Even though tobacco industry products cause 30 percent of all cancer and heart disease deaths,

Even though research shows that tobacco smoke in the air can cause discomfort, disease and, yes, even death for nonsmokers,

Even though this industry's products maim and disfigure thousands every year -- gangrene and amputations are some of the results of tobacco caused cardiovascular disease,

Even though the tobacco industry markets an addictive product which, for many users, creates a dependency as difficult to break as heroin addiction,

Even though this powerfully addictive practice usually begins in childhood or early adolescence, certainly before the age of responsibility,

Even though government polls show that a vast majority of Coloradans want legislation to deal with this industry, the tobacco industry, unlike any other industry which markets a hazardous product, is not subjected to any stringent state laws regulating tobacco use.

4,500 DEATHS ANNUALLY

The government's response to Colorado's No. 1 cause of premature death has been "business as usual" for the industry. The government places the

responsibility for the 92 tobacco-caused deaths each week in Colorado on the individual smoker, not on the industry where it belongs.

IT'S HARD TO BELIEVE...

That the State legislature killed five out of six tobacco bills introduced in the 1997 legislative session. And the one that got passed, a vending machine ban, was stripped of its best provisions. They killed bills designed to reduce youth access to tobacco, inform the public about the ingredients, and keep tobacco off school grounds. Why did some legislators cave in to the tobacco industry to permit smoking on school grounds? Why didn't the Colorado Education Association back the bill?

TIME TO SPEAK UP

Write your two State Legislators. Tell them that there's no "freedom of choice" when a product is addictive. It's time to stop kids from beginning an addictive, killing practice. It's time to stop forcing nonsmokers to breathe the 4,700 chemicals in secondhand smoke. Tell them it's time to end the "hands off" approach to an industry which produces a net economic loss for Colorado, even after all tax revenues are considered. Urge them, as the Denver Post did on May 27, to pledge not to accept political contributions from tobacco companies. Now it's time to let your legislator know. And please, send us copies of any replies.

The Nonsmokers' Voice

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Boulder • CO 80303-2252

(303) 444-9799 • (303) 444-2399 FAX • GASPCO@aol.com

Promoting smoke-free policies since 1977.

Membership and subscription information on page 5.

WebPage: <http://www.somedec.com/gasp>

Philip Morris Sought Experts To Stimulate Controversy About Secondhand Smoke

growing consensus on the health risks of secondhand tobacco smoke and "keep the controversy alive," according to a 1988 internal tobacco company document.

The British American Tobacco Company memo, obtained by The Washington Post, laid out in great detail Philip Morris's presentation at a February 1988 conference of its global strategy for dealing with environmental tobacco smoke. The company was "spending vast sums of money" to find scientists amenable to its cause and funding research by them, the memo said.

According to the memo, Philip Morris said the company vetted the resumes of scientists with "no previous connection with tobacco companies" to ensure that "obvious 'anti-smokers' or those with 'unsuitable backgrounds' are filtered out." Scientists who agreed to review material on secondhand smoke and seemed promising were contacted by a Philip Morris scientist about the company funding their research; proposals "apparently would be 'filtered' by lawyers to eliminate areas of sensitivity," the memo said.

The chosen scientists "should be able to produce research or stimulate controversy" that could be used to advantage by "public affairs people in the relevant countries," the memo said. The global campaign was coordinated by the Washington law firm Covington & Burling.

Tobacco researcher Stanton Glantz, a consultant to the OSHA initiative, called the 1988 document "quite remarkable" evidence of "a continuing effort by Philip Morris to keep the public confused about secondhand smoke."

The Washington Post
Friday, May 9, 1997
By John Schwartz

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Circulation this issue: 1,000.

A WORD FROM THE PRESIDENT

In the last six months there has been a constant stream of news stories about Big Tobacco's dirty tactics, lawsuits against Big Tobacco, new research about secondhand smoke, etc. All these events, increasing demands for my time with other health groups, and Internet networking time have kept me extremely busy.

A Newsletter Innovation

The Nonsmokers' Voice, our bi-annual newsletter, is designed to keep you informed of GASP's actions and tobacco news of interest. It takes two weeks to put together, averages 16 pages, and provides special insightful reports. Starting with this newsletter, GASP of Colorado is innovating a new concept in providing members with the information you want. The new service, called "Information on Demand", provides a list of articles that you may order. GASP members will not be charged (in general) to receive these articles which are identified by numbers. The articles may be requested by mail, fax, e-mail or on our Website [www.somedec.com/gasp]. An order form is provided on page 8.

GASP OF COLORADO'S 1998 PRIORITIES

GASP of Colorado is starting its 20th year. The Board of Directors has established the priorities for 1998.

The Tobacco Settlement

The tobacco settlement, as currently written, would severely limit the public's ability to sue the tobacco industry. It would make it almost impossible for nonsmokers to seek legal recourse for the damage inflicted by exposure to secondhand smoke. It prohibits class-action suits like the recent flight-attendant suit that was settled for \$300 million. It also calls for the elimination of punitive damages for past misconduct, which means compensation to victims would be minimized. Law Professor Richard Daynard says this means few rational attorneys would invest large resources to bring individual cases against Big Tobacco.

GASP of Colorado and more than 250 other health and activist groups have joined forces and formed the Save Lives, Not Tobacco Coalition. Save Lives believes that granting special protections to the tobacco industry is unjust and would undercut the ability to protect public health. Save Lives believes the "deal" would immunize tobacco companies from legal liability, hamper the ability of the FDA to regulate nicotine, and exempt the industry from anti-trust laws. Endorsers include the American Lung Association, Action on Smoking and Health (ASH), Americans For Nonsmokers' Rights, Ralph Nader, former Surgeon General C. Everett Koop, Attorney General Hubert Humphrey III, and many activist groups like GASP.

Laws Regulating Exposure to Secondhand Smoke

The number of new clean-indoor-air laws that have passed since 1993 (the year the EPA classified secondhand smoke a Class A carcinogen) has significantly decreased. There are many reasons for this, but one of them is because health groups have emphasized working on laws limiting youth access to tobacco. Yet smoke-free policies also help reduce tobacco use by kids because they make smoking socially unacceptable, according to recent research.

In Colorado there are currently 40 local laws regulating smoking in public places. Since 1990, 7 new laws have been

passed, and 4 laws have been enhanced. There are 238 cities and 58 counties in Colorado that have no local regulations on public smoking. The State law, passed in 1977, is woefully antiquated.

GASP wants to strengthen and pass more local smoking limitations this year. We can help you contact other members and supporters in your area through our statewide database of 12,000 people. Efforts are under way to work on clean-indoor-air laws in Manitou Springs and Douglas County, and to upgrade Jefferson County's law. If you would like to work on a local law in your community, call GASP at 444-9799.

Advocacy

GASP will continue to distribute and publish educational materials about secondhand smoke, smoke-free dining lists, and brochures encouraging smoke-free policies. We will continue to fight and expose the tobacco industry to the extent our resources allow.

Encouraging More Smoke-Free Restaurant Policies

GASP will be mailing our "Twenty-Five Reasons to Become a Smoke-Free Restaurant" brochure to nearly 8,000 restaurants, bars, and hotels in Colorado that are not smoke-free. This program is made possible by a grant from the Colorado ASSIST program.

Restaurant Listings

GASP's smoke-free dining Website for Colorado now includes the type of food the restaurant serves. The service is updated every two months and the search engine can also be used to find smoke-free bars. Check out GASP's Website at [Http://somedec.com/gasp](http://somedec.com/gasp).

Due to the costs of printing and distributing the restaurant guide (\$30,000), GASP of Colorado may only print a limited number of guides in 1998 to its donors.

Counteradvertising

GASP will continue to sponsor educational advertisements about the dangers of tobacco smoke. We are currently running ads in the Capitol Reporter — a Capitol Hill -- area newspaper read by State legislators. We also ran 80 radio spots about secondhand smoke on KUVU Radio, and more small ads in the Rocky Mountain News.

Internet Advocacy

GASP's Website is averaging 100 hits a month. By the end of the year, we hope to post more than 100 educational articles, including articles in this newsletter, on the Website.

GASP has established GASPLINE, a special free e-mail service that provides action alerts and news of interest to members and supporters. About 150 GASP members and supporters are using this service. For more information see page 4 or send an e-mail message to GASPCO@aol.com.

Membership and Funding

In the last four years, the total number of dues-paying GASP members has dropped from 1,500 to about 1,050. Membership dues are GASP's primary source of revenue and account for 80% or more of our annual budget. GASP of Colorado needs to find other ways to bring in income in the foreseeable future. If you can help, please call us.

Parental Smoking Kills 6,200 Kids Yearly

Related illnesses cost \$4.6 billion
to treat annually, study finds
By Brenda C. Coleman, Associated Press

Chicago -- At least 6,200 children die each year in the United States because of their parents' smoking, killed by such causes as lung infections and burns, a study says.

"More young children are killed by parental smoking than by all unintentional injuries combined," the researchers said in the Archives of Pediatrics and Adolescent Medicine.

In addition, some 5.4 million other youngsters each year survive ailments such as ear infections and asthma that are triggered by their parents' smoking, and these problems cost \$4.6 billion annually to treat, the researchers from the University of Wisconsin Medical School in Madison estimated.

The study looked at reports from 1980 to 1996 involving children up to 18, existing research about the risks associated with parental smoking and the costs of treating smoking-related illnesses.

The researchers estimated that the childhood loss of life from

parental smoking costs \$8.2 billion a year, based partly on how much a child would be expected to earn over a lifetime.

The cost analyses are conservative, because they don't include the cost of work time lost by parents caring for sick youngsters, said Dr. Thomas E. Novotny, an epidemiologist with the Centers for Disease Control and Prevention.

"All of these illnesses and economic costs are foisted upon children who have had absolutely no choice in the matter," said Novotny, who was not involved with the study.

The researchers said 2,800 of the deaths are due to low birth-weight caused by mothers who smoke while pregnant. Low birthweight babies are frail and vulnerable to many ills, including respiratory distress syndrome, bleeding in the brain and blood infections. About 2,000 of the deaths are attributed to Sudden Infant Death Syndrome caused by secondhand tobacco smoke. An additional 1,100 are due to respiratory infection.

About 250 children die yearly of burns from fires caused by cigarettes, matches or lighters. And 14 children die of asthma.

Order more articles on secondhand smoke and nonsmokers' rights on page 8.

Forty People Attend Anniversary Meeting By Pete Bialick, President

World-famous anti-smoking activist Dr. Stan Glantz addressed 40 people at GASP's anniversary meeting Nov. 17. Dr. Glantz spoke about the tobacco settlement, how the tobacco industry has been harassing scientists like him, and about his recent study on the economic impact of smoke-free policies in bars and restaurants. It was published in the Oct. 97 issue of the Journal of American Public Health.

I talked about how I started GASP of Colorado after picking up a newsletter put out by California GASP back in 1977. I am affected by secondhand smoke, but once I became aware of the dangers of secondhand smoke, I felt compelled to do something about how people are forced to breathe a toxic substance against their will. Since then, I've run into many people who are so severely affected by secondhand smoke it sends them to the hospital or makes them sick for days. These are the people who continue to motivate me.

I was a student at the University of Northern Colorado in Greeley when GASP started. Professors were smoking in classrooms and smoking was allowed in all buildings -- even in the gymnasium. Within a year and with the help of professors, students, and the administration, these policies were changed. In 1977 smoking was allowed in grocery stores, workplaces, and public places; and nonsmoking sections in restaurants were sporadic. GASP of Colorado, with the help of our ardent supporters and others, has played a key role in helping change the norm. Still there is much to do. More than 300 cities and counties in Colorado have no smoking regulations at all, and the state law (passed in 1977) is antiquated.

Five GASP Board members received plaques in recognition for years of dedicated commitment to the nonsmokers' rights issue and loyal service to the Board of Directors. Two other special awards were given.

Special Awards Given Out to:

Dr. Frank Judson is the Director of the Denver Health Department and has served as a Board member for 15 years. He has been a key to smoke-free policies in Denver, the airport, and most recently the Denver Zoo. He helped GASP get off

its feet in the 1980's and helps bring in the speakers for our special meetings.

Richard Briedenbach is a research scientist who has served on the Board for 10 years. He was the leader of the successful 1987 Colorado Springs no-smoking ballot issue and has been one of GASP's most generous contributors.

Ernest Stiltner is a computer consultant who has been on the Board for more than 10 years. He is extremely affected by secondhand smoke. He recently helped work on the Boulder no-smoking ordinance.

Roberta Nielsen is a former Board member who currently is the Studio Director for Recording for the Blind. She helped edit GASP's newsletter and played a key role in passing the 1987 no-smoking law in Jefferson County.

June Mercer is a former Board member who served for 10 years. June was one of the first people to win a suit for the right to work in a smoke-free workplace. She also helped work on passing the 1986 no-smoking law in Golden and is very sensitive to secondhand smoke.

LaRue Olsen was given a plaque to acknowledge her 1997 donation of \$10,000 to GASP of Colorado. The donation is the largest individual contribution in GASP's history. Without it, GASP would have had to shut down for a few months last year. Thank you, LaRue!

William and Eleanor Bialick (my parents) were given a special award (given a month later during a family reunion) for their continued support of my family. Without that support, I would have had to find another job.

GASPLINE E-MAIL SERVICES

GASP of Colorado now provides an e-mail news and alerts communication service. There are three options you can choose from: GASPLine, SettlementLine, and GASPCoLine. You can expect a maximum of 6 to 10 messages a month through GASPLine, and 10 to 30 through the other lines.

GASPLine: Action alerts and important news. Examples: We posted an action alert to urge people to write Elitch's about their smoking policy. We also posted news about the Broin flight-attendant secondhand smoke suit settlement.

Settlement Line: Keeps you posted on key news and happenings on the tobacco settlement and national legislation.

GASPCoLine: Get both of the above.

To try any of these services, send an e-mail message to GASPCO@aol.com

CHECK OUT OUR WEB SITE AT:

<http://somedec.com/gasp>

Campaign to Reduce Smoking at Elitch Gardens

Now that the Denver Zoo has become smoke-free, GASP of Colorado is asking supporters to write letters to support restrictions on smoking at Elitch Gardens Amusement Park. Smoking is prohibited in the indoor areas of Elitch's, but smoking continues to be allowed outside. This can create problems of secondhand smoke exposure when people congregate in lines. Children may be burned when an adult holds a cigarette and flicks the ashes. Near the swimming areas, people could step on discarded cigarettes and get burned. Smoking should be prohibited in these areas. In addition, doesn't smoking at Elitch's send a bad message to kids? Your calls and letters made a difference in changing the policy at the Zoo, so we encourage you to act. To express your concerns write or call (or use one of the enclosed postcards):

Jack Bates, Vice President
Elitch Gardens
299 Walnut St
Denver CO 80204
Phone: 595-4386

Send a copy of your letters to:
Mayor Wellington Webb, City of Denver
1437 Bannock, Denver CO 80202
Phone: 640-2721

E-mail: MAYORDEN@INFO-DENVER.DENVER.CO.US
(If you are a Denver resident, you may want to send a copy to your City Council representatives)
(Also send copies to GASP)

The Denver Zoo is Now Smoke-Free

GASP of Colorado has been urging members and supporters to call or write the Denver Zoo about the smoking policy since December 1996. The Zoo is now smoke-free and signs are posted at the entrance. Employees and volunteers are allowed to smoke, but only in areas not open to the public. Any comments, complaints, and thanks about the policy should be directed to:

Clayton Freiheit at 331-5804, fax 331-4125.
Write: Denver Zoo, City Park, Denver, CO 80205.

Send a copy to Mayor Wellington Webb,
1437 Bannock, Denver CO 80202.

Mile High Marlboro Sign Comes Down After GASP Complaint

Philip Morris last year agreed to remove all its Marlboro signs from stadiums in a settlement with the Justice Department. The ads were skirting the ban on TV tobacco advertising every time a football game was televised in a stadium. When those ads were still present after the first Bronco game of the season, GASP of Colorado filed a complaint with the U.S. Justice Department, the Denver Health Department, and the Mayor's office. Within two weeks a crew was sent to Mile High Stadium to paint over the Marlboro sign.

Materials Distributed by GASP in 1997

Consumer Reports reprint	20,000
GASP Brochure	3,000
Dining Cards.....	30,280
Cancer Country Bumper Sticker/Sign	750
Welcome! Smoke-Free Home sign	4,800
Welcome! Smoke-Free Environment sign	1,400
Welcome! Smoke-Free Restaurant sign.....	750
25 Reasons To Become a Smoke-Free Restaurant	1,500

GASP 1997 Financial Report

In 1997 GASP spent \$43,253, while our revenue was \$47,633. GASP's main source of income came from membership dues (\$25,862), general public contributions (\$14,829), and sponsorship/grants (\$4,000). The primary expenses were for wages and contract services (\$16,300), postage, printing, and programs (\$12,000), counter-advertising (\$4,358), and office rent (\$3,310).

GASP of Colorado currently has about 1,050 dues-paying members. Our database of former members, supporters, and other Coloradans who have contacted GASP for information, publications, or assistance has grown to more than 12,000.

A full detailed financial report is available upon request. Call GASP at 444-9799.

GASP TELLS ATTORNEY GENERAL GALE NORTON "NO IMMUNITY"

In a letter dated September 10, 1997, GASP of Colorado responded to a letter from Attorney General Gale Norton that was supportive of the national tobacco settlement. Here are portions of our response.

Dear Attorney General Norton,

Your suit succinctly documents how the tobacco industry colluded to keep safer cigarettes off the market and deliberately hid the health dangers of tobacco from the public. The "massive unlawful course of conduct and conspiracy" by Big Tobacco that your suit documents is appalling.

While it is true that 40 cities and counties in Colorado have various regulations on public smoking, 238 Colorado cities and 58 counties **have no regulations on smoking in public places, restaurants, or workplaces.** Six of the current local laws do not regulate smoking in restaurants and four fail to protect nonsmokers in the workplace. In addition, only four of the restaurant laws require that smoking areas be fully enclosed and separately ventilated. We all know how ineffective smoking and nonsmoking sections were on the airlines. Such policies also do not protect children, the parents of children, and other people who work in restaurants from the 43 cancer-causing chemicals in tobacco smoke. Don't these people also have a right to work in a safe work environment?

The State law [CRS 25-14-101-5] which passed in 1977 does not require nonsmoking sections in restaurants and smoking policies are "encouraged" but are not required in workplaces. Attempts to strengthen those provisions were scuttled by the tobacco lobby and the legislature at least five times. The last time it came up, a pocket veto was used to defeat it. This action helped garner support for the GAVEL amendment that was passed by the people the next year.

The settlement language on secondhand smoke exposure is much weaker than regulations OSHA is considering. Under the settlement, secondhand smoke exposure would be "minimized" rather than eliminated. Under OSHA's proposal all workers would be protected; under the settlement, workers in the hospitality industry and small workplaces would not be protected. Under OSHA's proposal, signs would be posted; but under the settlement, there are none. Those signs are just as important as a stop sign in communicating policy.

You state that, "there are significant legal obstacles that must be surmounted before a court will certify a class action and, despite proceedings in the Broin case, courts generally have not favored class certification in tobacco litigation."

First, while it may be difficult to obtain class action suits, I do not think this is a valid reason to deny victims of tobacco, or anyone else, the right to pursue them. Furthermore, the settlement violates the rights of plaintiffs who are not party to the agreement.

Second, according to the Tobacco Liability Project (TLP) in Massachusetts, there are at least 25 proposed state class action suits against tobacco companies pending. In addition, class actions have been filed in 20 states on behalf of hundreds of labor-management health and welfare funds seeking reimbursement for the tobacco-caused health care costs they have been paying for their members. All these actions have taken place in the last three years, and most of them in the last year.

You state in your letter, "The proposed settlement preserves individual rights to pursue their own claims against the tobacco companies." This is true, but because of the way the settlement is written, most attorney's wouldn't want to pursue such suits. Furthermore, to make it tougher, the settlement also bars any "joinder, aggregations, consolidations, extrapolations, and other devices." This would leave subrogation as one of the few legal tools — a tool that would be too costly for most lawyers, said Professor Daynard at the World Conference on Smoking or Health.

"There are two reasons the Settlement's elimination of punitive damages for past misconduct will minimize the compensation victims receive.

"First, absent the possibility of punitive damages, few rational attorneys will invest large resources to bring individual cases against it."

"Second, the removal of punitive damages weakens the plaintiff's negotiating strength considerably. This is a critical consideration since approximately ninety percent of civil cases are settled without a trial. Under the current civil justice system, the threat of double or treble damages might induce tobacco industry defendants to offer settlement amounts that approximate the actual injuries sustained by victims. However, without this threat, actual injuries will be discounted by the probability of success at trial, and victims will receive a mere fraction for their suffering."

Daynard also points out that, "Although the proposed Settlement technically permits punitive damages for actions based on future conduct, the cap on damages removes the deterrent value such damages normally hold. That is because the Settlement allows the industry to deduct 80 percent of any damages it pays from the amount it would otherwise owe under the Settlement."

While it is true that the courts have generally ruled in favor of the tobacco companies in the past, the climate has changed. The first two waves of lawsuits through the 90's did meet a number of barriers the tobacco industry erected. However, since then the new wave of litigation as well as new cost-saving devices is changing the litigation landscape. This change began when then the FDA classified nicotine as a drug and new documents emerged showing how the tobacco industry deceived the public.

In addition to the Jacksonville case, on August 12 the California Court of Appeal upheld a \$2 million verdict against Lorillard, the first time a jury verdict against a tobacco company has survived appeal. So, I think it is too early to dismiss individual and class action tobacco suits based on past failures that did not have the advantages we have now.

You state that, "Since no one has yet collected a judgment against the tobacco companies, in this outcome, everyone except the tobacco companies would have been better off with the proposed settlement." If this were the case, I do not think the

Continued on next page...
Letter to Gale Norton Continued...

tobacco companies would be spending millions of dollars to

JOIN GASP and together we will all breathe easier

- ☐ Yes, I support GASP's efforts to promote smoke-free policies. Here is my contribution of ____ \$100 ____ \$75 ____ \$50 ____ \$25 ____
(GASP's annual membership dues start at \$25)

Name _____
Address _____
City-State-Zip _____
Phone _____

Mail and make checks payable to:
GASP OF COLORADO
2885 Aurora Avenue, Suite 37
Boulder CO 80303-2252

hire lobbyists to support the settlement. Big Tobacco has also made public statements supporting the deal. Furthermore, as the Florida settlement showed, states can obtain financial and public health objectives without giving the tobacco industry so many concessions. (Editor's note: Lorillard paid a cancer victim \$1.5 million on Jan. 1, 1998).

The global settlement in its current form provides too many concessions to a corporation that has been engaging in "a host of unfair, deceptive, anti-competitive, and unlawful acts" [from paragraph 2, your lawsuit]. Hubert Humphrey III, in his July 18 preliminary analysis on the settlement submitted to Congress, points out a number of preemptive measures that will severely hamper States from enacting stronger laws. One of those preempts States from passing "ingredient disclosure" laws for at least five years, while another will limit how states may enforce youth access laws.

Because the global settlement contains too many concessions favorable to the industry, I would encourage you to continue to pursue Colorado's litigation on your own in the manner Florida has. In my opinion, this serves the people the best and Big Tobacco the least. I understand that most of the members of the Coalition for a Tobacco-Free Colorado support this position.

Sincerely,
Pete Bialick, President, GASP of Colorado

Resources:

"Tobacco Proposal--Preliminary Analysis," July 18, Hubert Humphrey III
"Changes to the Civil Justice System Under the Proposed Settlement,"
Professor Richard Daynard and John Rumpel
"Tobacco Litigation History & The Settlement", Tobacco on Trial, August 1997
"Analysis of the Proposed Resolution of the U.S. Tobacco Litigation,"
Brion Fox, James Lightwood, Stanton Glantz, Institute of Health Policy Studies
"Evaluating the Proposed Settlement to the Koop-Kessler Report and Current
Public Policies and Efforts," Advocacy Institute, Washington DC

*** You can order some of these articles on page 8.**

Koop Endorses SAVE LIVES Coalition

US Surgeon General C. Everett Koop has endorsed the only national coalition to take a strong stance against giving Big Tobacco immunity as part of a "national settlement." Koop's urgent letter endorsing the SAVE LIVES coalition follows.

More than 250 organizations, including GASP of Colorado, have now endorsed the principles of the SAVE coalition. To receive a copy of the principles and an endorsement form, see page 8, go to www.savelives.org, or call GASP today at 303-444-9799.

Dr. Koop's Dec. 17 Letter:

Dear Friends and Colleagues:

The time has come for us and every ally we can muster across the country to dedicate our best strategies and efforts to fight for significant advances in national tobacco control policy.

Let us mobilize our energy and our talents. Let us get every local activist and national organization to seize this historic moment to save hundreds of thousands of lives and to spare millions of children and adults from nicotine addiction and debilitating disease. Let us expand the excellent work begun at the grassroots to make this truly a national campaign for the improvement of public health.

I endorse the principles and goals of Save Lives, Not Tobacco -- The Coalition for Accountability, and commend the Coalition's vigorous opposition to granting special privileges and protections to the tobacco industry.

Let us encourage the entire health community and health-related organizations to join together to bring the American public a safer and healthier environment. A united front will be of great significance in the months ahead as Congress creates tobacco legislation.

Sincerely, C. Everett Koop, M.D., Sc.D.

Boulder No-Smoking Ordinance Doing Fine

A January 26 article in the Boulder Daily Camera reports that sales tax revenues are up in restaurants and bars for the second year in a row. After the first year, "Sales tax revenues increased 3.97 percent from January through October 1996 over the same period in 1995. Revenues from January through October 1997 increased 3.14 percent over the previous year." The City of Boulder is currently concerned with a decrease in sales tax receipts in many other areas, but this one area has stayed strong. The Camera reports that business owners who opposed the ordinance are learning to live with it.

The Boulder law prohibits smoking in restaurants and bars except in fully enclosed and separately ventilated areas, and prohibits smoking in the workplace and all other indoor public places. Similar laws exist in Colorado only in Aspen, Telluride, and Snowmass.

Tobacco Industry Collusion With Bar and Restaurant Owners

Recent articles in Business Week, The Los Angeles Times, and The San Diego Union indicate that the tobacco industry is actively recruiting and funding "retail and restaurant groups (and individuals) to campaign against youth-access restrictions and smoking bans on the grounds that such measures hurt business." The Colorado Restaurant Association uses two tobacco lobbyists (Poncho Hayes and Wally Stealey).

The National Smokers' Alliance (NSA), a tobacco industry front group started by Philip Morris and receiving support from other tobacco companies, is helping bar and restaurant owners "with pockets far deeper than those of small merchants," says the L.A. Times. The Times also reports that statements filed with the California attorney general indicate that NSA has received \$42 million from tobacco interests from 1993 to 1996.

FACTS ABOUT CIGARS

Due to massive advertising, cigar smoking is making a big comeback in the US. Secondhand cigar smoke is much worse than secondhand cigarette smoke and far more smelly.

- Secondhand cigar smoke is more poisonous than secondhand cigarette smoke. The smoke from one cigar equals the smoke of three cigarettes.
- The average cigar emits three times as much carcinogenic matter and 30 times as much carbon monoxide as one cigarette, according to research by James Repace, a physicist and policy analyst for the Environmental Protection Agency. Cancer death rates for cigar smokers are 34 percent higher than for nonsmokers.
- Cigar smoking can lead to cancer of the voice box (larynx), mouth, esophagus and lungs.
- Cigar smokers are three to five times as likely to die of lung cancer as nonsmokers.
- Cigar smokers are five times as likely to get emphysema as nonsmokers.
- Nicotine does not have to be inhaled to damage the heart and blood vessels -- it is absorbed into the bloodstream through the mouth.
- Ninety-nine percent of cigar smokers have atypical cells in their voice boxes, which is the first step toward malignancy.

Sources: American Lung Association, Environmental Protection Agency

Tobacco Bills in the State Legislature

These are some of the bills being monitored by the Coalition for Tobacco Free Colorado and its member agencies (which includes GASP of Colorado)

- **HB 1139:** The Tobacco Free Schools Bill would close the loophole that allows Colorado school districts to exempt schools from the current Tobacco Free School Law. It passed the House 41-23 and goes to the Senate where it was defeated last session by **just one vote**.
- **SB 98:** Protects children under 16 from secondhand smoke in cars and is enforced like other traffic violations. The Bill died Jan. 27 in the Senate Transportation Committee on a 4-2 vote.
- **SB 56:** Expands county powers to give them the right to regulate the purchase of tobacco by minors. The bill died Jan. 29 in the Senate Local Government Committee on a 4-3 vote.
- **HB 1328:** Would allow sales of tobacco products only by a clerk (no self-service displays). Scheduled to be heard in February.
- **HB 1175:** Expands treatment programs for high-risk pregnant women to include pregnant women who use tobacco.
- **Synar Compliance:** This bill, which is still being drafted, would increase Colorado's ability to monitor and reduce youth access to tobacco.
- **SB 37:** Would limit the disciplinary action that may be taken against retailers for selling alcohol to a minor. Health groups are opposed to it because of implications for efforts toward preventing illegal sales of tobacco products to minors.

Complete copies of these bills can be obtained by:

Calling the Bill Room: (303) 866-3055
On the Internet: [Http://www.state.co.us](http://www.state.co.us)

ACTION TIPS

1. **Contact your two legislators.** For Senate Republican numbers call 866-4866; for Democratic Senators call 866-4865. For House representatives call 866-2904. **Fax a letter to any legislator at 866-2291.**
2. **For bill status information call 866-3055.** Find out where the bill is, when it will be heard, committee members, etc.
3. Write letters of support to the editor of your local paper and share this information with others.

Be polite and calm when writing or communicating with policy-makers. Leave a message if your legislators are not in and ask them how they plan to vote. Request a reply. Avoid personal attacks on politicians and don't be abusive. Stick to the facts; use personal experiences.

Please send GASP copies of any correspondence.

TO OBTAIN ADDITIONAL TALKING POINTS ABOUT THESE BILLS CONTACT:

GASP of Colorado • 2885 Aurora Ste 37
Boulder CO 80303
(303) 444-9799 • Fax (303) 444-2399
E-mail: GASPCO@aol.com

The Coalition for a Tobacco Free Colorado
Box 6042 Denver, CO 80206
(303) 758-2030 X107 • Fax (303) 399-9733
E-mail: ACOBCTFC@AOL.com

NOW AVAILABLE FROM GASP

How Legislators Voted on Tobacco Legislation in 1997

A three-page report documenting how legislators voted on five tobacco bills last year.

To order, see page 8.

GASP Supports Effort To Protect Kids From Secondhand Smoke in Cars

Here's why GASP of Colorado's Board of Directors unanimously supported the effort by Senator Dorothy Rupert to protect children (under 16) from secondhand smoke exposure in cars.

1. Health: The US Surgeon General Reports, the EPA, the Centers for Disease Control, Consumer Reports, and others indicate that there is strong scientific evidence showing kids exposed to smoke have increased risk of developing lung diseases and respiratory problems. New research indicates that 6,200 kids die each year from lung infections, fires, and other causes due to parental smoking [Archives of Pediatrics and Adolescent Medicine]. The research also found that the cost of treating ailments caused by this parental smoking costs Americans \$4.6 billion annually.

2. It is a small confined space where the options are limited. In the home or elsewhere, kids and parents can move, go outside, etc.

3. Pushing the envelope for social change: Many of the changes in laws have come only because of public outcry. Examples include current laws that protect children from abuse and violence, seat belt laws, restrictions on permitting kids in bars, etc. When GASP of Colorado was formed 20 years ago

people were smoking in classrooms and in most public places. Nonsmoking sections in restaurants were rare. Why should people have to breathe the 43 known cancer-causing chemicals in secondhand smoke? [US Surgeon General]

4. An educational opportunity: This bill will continue to help increase public awareness about how secondhand smoke affects kids.

5. Protecting children: GASP of Colorado has always fought to protect kids from secondhand smoke and has sponsored advertisements on the subject of smoking around kids.

Other Groups Endorsing Senate Bill 98

American Lung Association

National Jewish Medical Research Center Coalition
for a Tobacco-Free Colorado Colorado School
Health Council
Rocky Mountain HMO • Colorado PTA Criminal
Justice Addiction Services
Family Counseling Center • Save Our Lungs

INFORMATION ON DEMAND

Mark any articles you wish to receive and indicate how you want to receive them.

Subject: Secondhand Smoke

- ☐ **S1 California EPA on Secondhand Smoke** (3 pages). Article about "one of the best comprehensive reviews of the adverse effects of environmental tobacco smoke on humans."
- ☐ **S2 ETS Fact Sheet** (5 pages). Summary prepared by the Save Lives — Not Tobacco Coalition.
- ☐ **S3 Fathers' Smoking Linked to Cancer in Children** (1 page). French Research.
- ☐ **S4 Passive Smoking, Britain** (1 page). British Medical Journal study says secondhand smoke increases the risk of lung cancer and heart disease by about 25 percent.
- ☐ **S5 Secondhand Smoke and Kids** (8 pages). New research by the Centers for Disease Control shows approximately 15 million children risk health problems because they are exposed to passive cigarette smoke at home.
- ☐ **S6 Secondhand Smoke Affects Kids' Cholesterol Levels**
- ☐ **S7 Secondhand Smoke Linked to Hardening of Arteries** (1 page). Major study of 10,900 people showing damage to arteries could be irreversible.
- ☐ **S8 Secondhand Smoke and NNK** (2 pages). Traces of a powerful tobacco carcinogen found in the blood of hospital employees who must work where smoking is allowed.

Subject: The Tobacco Settlement

- ☐ **T1 AMA Rejects Immunity** (1 page). Reuters, Dec. 9.
- ☐ **T2 Analysis of the Proposed Settlement** (27 pages). Stanton A. Glantz, Brion J. Fox, James M. Lightwood critique of the entire settlement document.
- ☐ **T3 Changes to the Civil Justice System Under the Proposed Settlement** (6 pages). Enlightening paper by law Professor Richard Daynard and John Rumpel on how the settlement would make it almost impossible for people to continue to file suits against the industry.
- ☐ **T4 Dave Barry Humor About the Settlement** (3 pages).
- ☐ **T5 Koop Rejects Role in ENACT Coalition** (1 page). *Washington Post*, Oct. 24. Koop rejects ENACT (the other "health" coalition which hasn't taken a stance on the immunity issue), as being too meek in its approach.
- ☐ **T6 Save Lives, Not Tobacco** principles & sign-on sheet (3 pages).
- ☐ **T7 Sellout to Big Tobacco** (2 pages). Joseph Califano editorial, *Washington Post*, Jan. 9, 98.
- ☐ **T8 Tobacco Litigation, History, and The Settlement** (7 pages). Speech by law Professor Richard Daynard about why tobacco lawsuits have failed in the past and the tactics that have led to new victories.

Subject: Nonsmokers' Rights, Legislation

- ☐ **N1 Behind Fuming Bar Owners is a Well-Heeled Tobacco Industry-Funded Group** (4 Pages). *Los Angeles Times* report on how the tobacco industry is using the National Smokers' Alliance to fight California bar ban.
- ☐ **N2 Casino Workers Sue Tobacco Companies** (1 page). Suit alleges the tobacco companies lied about the addictive nature of nicotine and the ill-health effects of breathing secondhand cigarette smoke.
- ☐ **N3 Flight Attendants Receive \$300 Million in Secondhand Smoke Suit Against Tobacco Industry** (10 pages). Various newspaper reports.
- ☐ **N4 Hidden War** (*Business Week*, 3 pages). Describes the tobacco industry's hardball tactics and how they use front groups on the local level.
- ☐ **N5 How Colorado Legislators Voted on Tobacco Legislation in 1997** (3 pages). Voting record for five tobacco bills introduced in the State legislature in 1997.
- ☐ **N6 How to Pass Local Smoking Regulations** (4 pages). GASP's paper on the six key elements needed to get laws passed on a local level.
- ☐ **N7 Prison Worker Wins \$400,000 in Secondhand Smoke/Americans With Disabilities Case** (2 pages).
- ☐ **N8 Teen Food Workers at Risk** (2 pages). Among working teens, only 32 percent reported that their place of employment was smoke-free. This was the lowest rate of protection for any age group, says a study by the National Cancer Institute.

HOW TO ORDER MATERIALS

These materials are generally available free of charge to dues-paying members of GASP of Colorado. Just choose how you want to receive the information and fill out the form below.

- ☐ E-mail
- ☐ Internet (Sign on to www.somedec.com/gasp)
- ☐ Fax
- ☐ Fax—Long Distance from metro area (include 25¢ per page to cover costs)
- ☐ Mail (allow 2 to 4 weeks for bulk mail delivery)
- ☐ First Class Mail (include 25¢ per page to cover postage costs)

Name
Address
City, State, Zip
Phone #
E-mail address and/or Fax number
Donation

Mail to: GASP of Colorado
2885 Aurora Suite 37
Boulder CO 80303
Fax To: (303) 444-2399

Encouraging More Smoke-Free Restaurant Policies

GASP sent our updated "25 Reasons to Become a Smoke-Free Restaurant" brochure to 7,500 Colorado restaurants, bars, and hotels in April. More than 250 restaurants responded and requested more than 350 GASP "Welcome to Our Smoke-Free Restaurant" stickers. GASP also received more than 40 requests for the brochure from health departments from Texas to New Hampshire after it was mentioned in the newsletter of the National Association of City and County Health Officials.

1999 Smoke-Free Dining Guide

GASP of Colorado will be printing a limited edition of the Colorado Guide to Smoke-Free Dining early in 1999. The publication will likely grow from 48 pages to somewhere between 64 or 72 pages. We are also considering a larger 5 x 8 format. Our goal is to print 5,000 copies. GASP members will receive a free copy, but the general public will have to pay \$2.50 to \$3.00 per copy.

Guide Sponsors Needed

GASP will need to raise about \$10,000 to print, circulate, and promote the guide. Sponsors who contribute \$1,000 or more will have their logos featured on the front cover and will receive 400 to 500 free copies. Sponsors of \$100, \$250, or \$500 will be listed on the inside front cover and also receive some free copies. For more information, call Pete at 303-444-9799.

2,500+ Smoke-Free Eateries

With the help of more than 50 volunteers, GASP has surveyed more than 2,000 restaurants in Colorado over the summer. We have now added more than 700 new listings to our list of smoke eateries in Colorado. A confirmation letter is sent to the owner of all new discoveries along with some free signs. The list has now grown to a total of 2,500 smoke-free eateries in the state (out of about 7,500). Volunteers are finding that 20% to 30% of the places called are smoke-free. We need more volunteers to poll more restaurants. We want to poll the entire state by the end of the year.

GASP kicked off a new service providing monthly smoke-free dining update. More than 100 people have signed up for the service. GASP members may receive the updates via the mail or by e-mail. Call us at 303-444-9799 for more information. The smoke-free dining list is also updated at our web site at <http://somedec.com/gasp>. It includes the type of food served for most of the restaurants listed.

Marlboro Spoof Hits the Streets

November kicks off our annual ad campaign. Our "Cancer Country" spoof of the Marlboro Man will be seen on RTD buses starting November 15. It features a skeleton in the place of the Marlboro man with the statement "Warning: Smoking Harms Everyone." A bumper sticker of the sign is available free to all GASP members. The ad fund also contributed \$500 toward Montrose's educational campaign on secondhand smoke.

Internet Advocacy

GASP's Web site <http://somedec.com/gasp> is averaging 100-200 hits a month. The smoke-free dining guide, which now has more than 2,500 listings, is the most popular section of the web page.

GASPLine, our e-mail service, has been simplified to offer three basic services: action alerts, news and information, and a monthly smoke-free dining update. About 250 people are signed up for one service or another. For more information about GASPLine please e-mail a message to GASPCO@aol.com.

GASP recently used the e-mail service to respond to satirical comments trivializing the affects of secondhand smoke by a sports columnists in the *Rocky Mountain News*. Several people called and wrote letters. The service has also been providing weekly action alerts on the tobacco settlement and other important news.

Membership Campaign

In the last four years, the total number of dues-paying GASP members has dropped from 1,500 to about 1,000. During the summer GASP began a direct mail campaign to increase membership and bring in additional revenue. Donations to GASP usually slow down during those months, which sometimes forces us to curtail some of our programs.

This summer GASP gained 93 new members and \$3,200 in donations at a cost of \$1,800 (postage, printing, envelopes, and labor). Since membership dues comprise 95% of our operating budget, we will continue to try to increase membership using our list of 11,500 non-member contacts.

Continues on back...

Honey, We Shrunk the Office

During the last two years, around fall, GASP has come very close to having to temporarily close down the office due to increasing costs that were not being met by corresponding donations. To cut back on some of our rental expenses, we reduced the size of our office in Boulder from 340 square feet to 180 square feet during the summer. It also took us about two months to complete the work and move all the equipment.

Clean Indoor Air

Montrose: The National Smokers' Alliance, a front group that has received \$45 million from Big Tobacco, flew in three people and organized its supporters into delaying a vote on a comprehensive no-smoking law. The effort to force a six month delay was defeated on the ballot. GASP and other health groups have been working since then to help the Montrose Tobacco Alliance with their effort to bring the issue back to the City Council. GASP and the National Center For Tobacco-Free Kids donated money for a six-week educational campaign. A recent survey of 625 Montrose residents by the Coalition for a Tobacco-Free Colorado shows that 70% favor banning smoking in restaurants and other public places.

Aurora, Carbondale, Douglas County, Pueblo: Efforts are underway to strengthen regulations on smoking in public places. These communities are currently working on educational and coalition-building campaigns.

Denver: Toughened its youth-access law by regulating tobacco displays and prohibiting tobacco billboards near schools and youth centers. GASP worked with La Rasa and other health groups and mailed out more than 2,000 action alerts to our contacts in Denver.

State Legislation

Three tobacco bills passed the State legislature: Tobacco Free Schools, Synar (tightening tobacco sales to youth), and a bill giving counties the right to enact tobacco-possession laws aimed at minors. The Tobacco-Free Schools bill passed the Senate by one vote. For this important bill, GASP of Colorado helped target Senators with 3,600 postcards to our constituents. The American Cancer Society, the American Heart Association, and the Coalition for a Tobacco-Free Colorado provided financial assistance for the campaign.

Educational Materials

Three thousand more copies of the Consumer Reports 1995 articles on secondhand smoke and teenage smoking have been printed with a small grant from the Colorado ASSIST alliance.

Research on Internal Documents

As part of the Minnesota tobacco settlement, thousands of Big Tobacco's internal documents have been released and posted on the Internet. This summer I spent hours researching some of internal documents that apply to Colorado. These documents show how Big Tobacco has sought to influence the Colorado media, discredit studies on secondhand smoke, hide their involvement in building smoking lounges at DIA, and even spy on anti-smoking activists. Watch for my special report in our next newsletter.

Secondhand Smoke Linked to Hardening of Arteries

Reuters, January 14, 1998

Chicago — Exposure to secondhand cigarette smoke contributes significantly to atherosclerosis, the hardening and thickening of artery walls — a leading cause of death in the U.S.

The report from Wake Forest University in Winston-Salem, N.C. also reaffirmed previous findings that smokers themselves suffer the same risk, adding that the effects of heavy smoking may be cumulative and irreversible in terms of artery damage.

"The study suggests that when a person finishes work in a smoke-filled office, factory or restaurant, he or she goes home with more than just the smell of cigarette smoke on their clothes," said researchers from the University of Rochester School of Medicine, commenting on the study that was published in this week's *Journal of the American Medical Association*.

The Wake Forest study involved 10,914 middle-aged adults who were examined for the impact of both smoking and exposure to smoke.

Current cigarette smoking was associated with a 50 percent increase in the progression of atherosclerosis, compared to people who had never smoked, and past

smoking was associated with a 25 percent increase, the study found.

In addition, exposure to secondhand smoke was associated with a 20 percent increase in the progression of the condition.

"The effect of smoking on atherosclerosis progression may be cumulative, proportional to lifetime...exposure, and perhaps irreversible," the report said.

Atherosclerosis has a number of causes including smoking, obesity, high blood cholesterol levels and physical inactivity. It leads to strokes and heart attacks and is responsible for more deaths in the United States than any other condition. The Rochester researchers who commented on the study in an editorial in the same issue of the journal said previous studies have rarely touched on the effects of secondhand smoke on the condition.

"Not much is passive about passive smoke," the editorial said. "However, what is passive is our lack of recognition of the importance of passive smoke as a cardiovascular disease factor, our oversight in not asking patients about this exposure and our lack of advocacy for clean air as a way to help prevent chronic disease."

The Nonsmokers' Voice

Published by:



2885 Aurora Avenue • Suite 37
Boulder • CO 80303-2252

(303) 444-9799 • (303) 444-2399 FAX • GASPCO@aol.com

Promoting smoke-free policies since 1977.

Membership and subscription information on page 3.
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Marlboro Spoof Gets Positive Response

The response to the "Cancer Country" Marlboro spoof has been very positive. GASP of Colorado received more than 400 requests for the "Cancer Country" bumper sticker and more than 20 people ordered the full-size sign that appeared on the buses (GASP members may order either of these on page 3.)

The Marlboro spoof made its debut on the back of Denver area RTD buses in November -- kicking off the annual counteradvertising campaign sponsored by the Group to Alleviate Smoking Pollution (GASP of Colorado). The paid ad campaign lasted a month and cost \$4,000 (see Rocky Mountain News article on page 4).

The spoof features a skeleton in place of the Marlboro Man, "Cancer Country" replaces the words "Marlboro Country," and the warning message says "Warning: Smoking Harms Everyone." Pete Bialick, president of GASP of Colorado, said, "We are using this ad to emphasize and remind the public that smoking is an equal opportunity killer — it kills smokers and nonsmokers." "Secondhand smoke is the third leading cause of preventable disease and death in Colorado and the United States," says Bialick. More than 500 Coloradans die from secondhand smoke exposure each year, 53,000 nationally.*

Several doctors called wanting the full sign for their patient examining rooms. Health and DARE class teachers requested bumper stickers for their classes. A large business wanted large signs to encourage smokers to quit. Several smokers requested the bumper sticker because they believe it will give them an incentive to quit smoking. One woman said tobacco billboards on I-25 promoting smoking made it harder for her to quit. She said anti-smoking ads would help remind her that she shouldn't postpone quitting. One day a man called who was smoking while driving behind a bus displaying the ad. He said he thought the ad was very effective and that he needed all the reinforcement he could get to quit because he was feeling bad about his habit.

The unique campaign was paid for by GASP's counteradvertising campaign, which aims to counter Big Tobacco's promotional efforts in Colorado. Funds are generated by dedicated donations and from up to 10% of all donations GASP receives. GASP started the ad campaign in 1988 with print ads about the hazards of secondhand smoke. GASP has also done television and radio advertising, but this was our first bus-advertising campaign.

**Colorado Dept. of Health & Environment, American Heart Association*

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(More than 1/2 of all Colorado restaurants)

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■ **How Karsh and Hagan influence
the media for Philip Morris.**

■ **R.J. Reynolds spent \$21,000 on grass roots,
under-reports expenditures.**

■ **Big Tobacco spies on Colorado activists.**

■ **Philip Morris an the smoking lounges at airport.**

■ **Survey unravels Big Tobacco's
1994 tobacco tax strategy.**

Circulation this issue: 1,000.

1999 SMOKE-FREE DINING GUIDE COMING THIS SPRING

GASP listed 1,800 smoke-free restaurants, eateries, and bars in our last 1996 print guide. With the help of volunteers and a grant to hire someone to poll rural restaurants, the 1999 smoke-free dining guide will have **more than 3,800 listings**. The guide continues to be posted on the Internet. However, GASP of Colorado continues to receive requests for printed copies from people who don't have Internet access or appreciate having a copy to keep in their car. GASP's Board of Directors has now agreed to print a 1999 guide.

The new 1999 guide will probably be twice as large as the previous 1996 48-page guide and will also be twice as expensive to print and distribute. GASP anticipates it will cost \$2.00 per guide. **GASP members will receive a free copy when it is published, but the general public may be charged when they request copies.**

Sponsors Needed

The 1999 Colorado Guide to Smoke-Free Dining will be the most comprehensive smoke-free restaurant guide ever published because GASP will have polled almost every restaurant in the state. Sponsors and advertisers will get one guide for every \$2.00 of their sponsorship. We plan to print at least 5,000 copies. Additional copies will be printed and distributed if more than \$10,000 is raised through sponsorships. The two-color guide will be 5 1/4 x 8 1/4 with 88 or more pages.

SPONSOR DEADLINE:

The deadline for receipt of sponsorship commitments, payments, and ad copy is March 31.

SPONSORSHIP LEVELS

\$5,000 Gold Sponsorship: Sponsor's logo and name on front and back cover, name on credit page, plus two full-page (7 1/4 x 4 1/2) ads.

\$2,000 Silver Sponsorship: Sponsor's logo and name on front cover, name on credit page, plus one full-page (7 1/4 x 4 1/2) ad.

\$1,000 Bronze Sponsorship: Sponsor's name listed on front cover, name on credit page, plus one half-page (3 1/2 x 4 1/2) ad.

\$500-\$999 Emerald Sponsorship: Sponsor listed on credit page, plus one quarter-page (1 1/2 x 4 1/2) ad.

\$100-\$499 Ruby Sponsorship: Sponsor listed on credit page.

*The credit page will be placed on the inside of the front cover.
Display advertising rates are one-half of the above rates*

**FOR SPONSORSHIP INFORMATION
CALL GASP AT 303-444-9799**

The Colorado Guide to Smoke-Free Dining

A positive and popular publication

"The 1999 Colorado Guide to Smoke-Free Dining will be the most comprehensive smoke-free restaurant guide ever released in Colorado because GASP will have polled almost every restaurant in the state."

- Helps encourage more restaurants to adopt smoke-free policies.
 - Has become more and more popular.
 - Is a valuable resource for people with asthma, respiratory problems, and seniors.
 - Helpful for people who don't have Internet access. Useful when traveling.
 - Is used over and over again.
 - Helps further educate people about the dangers of secondhand smoke.
 - Will have more than 3,600 listings in 1999 (double the 1800 listed in the 1996 guide).
 - Will be mailed free to GASP members (people more concerned or affected by secondhand smoke).
 - Has been GASP's most popular public service.
 - Reaches a specialized target; 77% of Coloradans don't smoke.
 - Provides a valuable incentive to people who want to quit smoking (70%, according to the National Cancer Institute).
 - Is copied or mimicked by hundreds of other health groups in the U.S.
- The guide and smoke-free dining are promoted through public service television and radio spots, a media campaign and some paid advertising.

Smoke-Free Guide Web Site

www.gasp.somedec.com

GUIDE SPONSOR COMMITMENTS TO DATE

Groups: Colorado ASSIST Alliance, Coalition for a Tobacco-Free Colorado, Poudre Valley Foundation, Jefferson County Health Dept, Denver Public Health, Colorado Medical Society, Frontroom Pizza, and the American Nonsmoker's Rights Foundation.

Individuals: Janine Pryor, Bob Vocate, Vance Johnson.

RTD Upholds Ban On Tobacco Advertising

In December, RTD Board Director John Caldara introduced a resolution to allow the return of tobacco and alcohol ads on RTD buses, and to disallow effective anti-smoking ads like the "Cancer Country" signs GASP was running on the buses. Caldara is now the director of the Independence Institute -- a conservative think tank in Golden, Colorado. According to the *Denver Post*, the Institute received a \$25,000 grant from Big Tobacco. The group has received support from Philip Morris in the past. One GASP member called and suggested they be nick-named the "Dependence Institute."

GASP of Colorado took the lead in mobilizing its supporters and alerting the health community about the vote. GASP stressed that a publicly financed institution should not be promoting or endorsing the use of an addictive drug -- a product that is the number one cause of preventable disease and death in the U.S. Smoking causes 450,000 deaths each year (53,000 from secondhand smoke). Further, the First Amendment allows the government to restrict advertising if there is a compelling public interest. Keeping children away from an addictive, deadly product is clearly a compelling interest.

To preserve the ban and fend off efforts to limit anti-smoking ads on buses, eight votes were needed. Prohibiting anti-smoking ads would have created a national precedent and possibly an unconstitutional limit of freedom of speech. A week before the vote, health advocates counted six votes. Then, GASP went to work. We mailed out 1,200 action alerts to people in the districts of the undecided Board members. We also e-mailed and faxed 500 other alerts. GASP also took the lead in alerting and working with other health groups. **On Wednesday, December 16 the RTD Board upheld the ban on tobacco and alcohol ads by a vote of 11-4!**

We'd like to thank the following groups and individuals for their assistance in this successful RTD victory: Danielle Radovich & Ann Cobb (Coalition for Tobacco Free Kids), Mike Huttner (American Heart Association), Janine Pryor (American Lung Association), Bonnie Mapes (Denver Public Health), Andy McCallin (Attorney General's Office), SHOUT kids (Stay Healthy Oppose Using Tobacco) and Brooke Merriam, and the West High School kids of Alan Chimento.

GET QUICK ACTION ALERTS

Your e-mail address or fax number helps GASP activate and mobilize its grassroots network quickly and inexpensively. If you have an e-mail address, send us a note at GASPCO@aol.com. If you don't have e-mail, but do have a fax, call us with your fax number at 303-444-9799.

Large "Cancer Country" Poster Now Available

GASP of Colorado has had so many requests for the full-sized "Cancer Country" Marlboro spoof that ran on RTD buses that we are now making the large poster available to the public. The spoof features a skeleton in place of the Marlboro Man, "Cancer Country" replaces the words "Marlboro Country," and the warning message says "Warning: Smoking Harms Everyone."

The price for the large 6 by 2 foot poster is \$20 plus \$8 for shipping and handling. The sign is printed on a durable plastic sheet about 1/4 inch thick. For additional posters, add another \$2 per poster for shipping and handling. Allow two to three weeks for delivery.

The "Cancer Country" 3 x 9 inch bumper sticker is also available and free to all GASP members (limit 10 per member). GASP members may also purchase 100 bumper stickers for \$40.

To order, send a check and a note specifying the quantity you want.

GASP Ad Campaign
2885 Aurora Suite 37
Boulder CO 80303

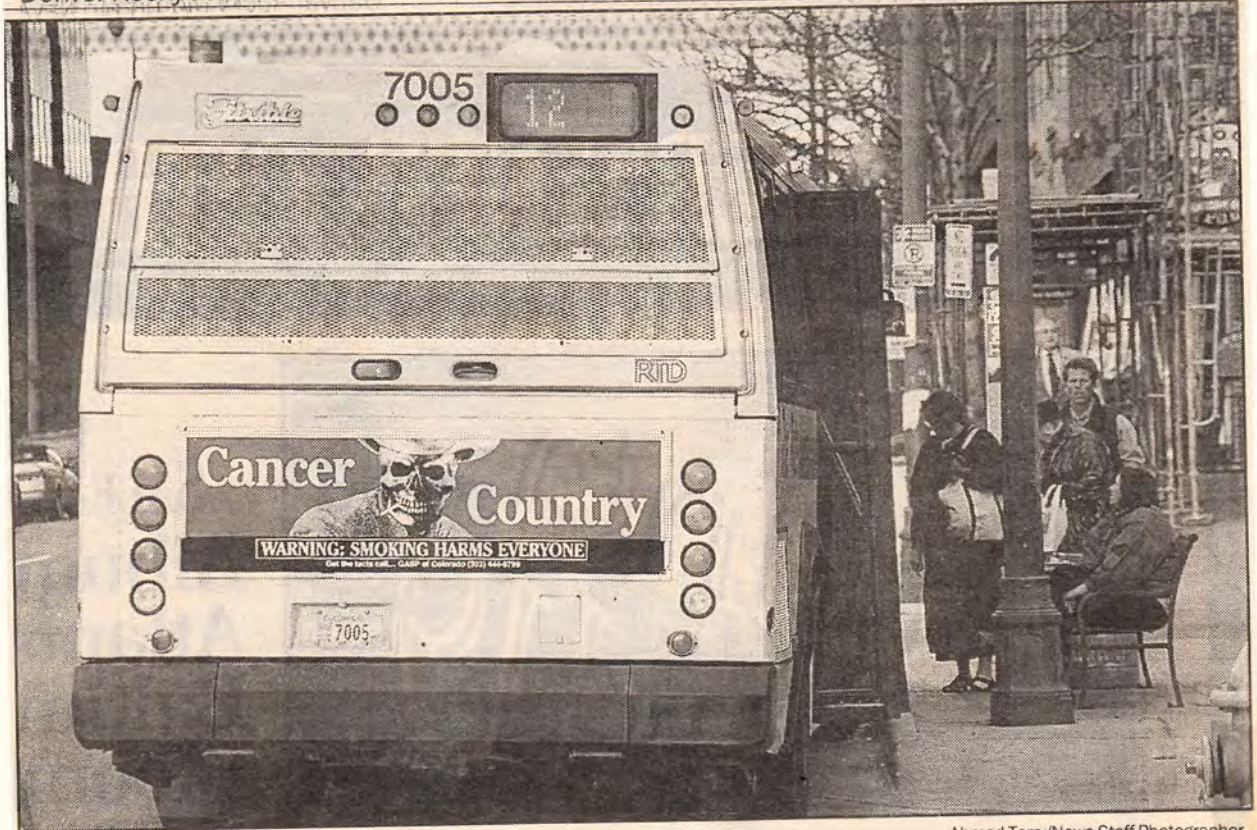
JOIN GASP and together we will all breathe easier

- ☐ Yes, I support GASP's efforts to promote smoke-free air.
Here is my contribution of ____.
\$100__ \$75__ \$50__ \$25__
(GASP's annual membership dues start at \$25)
- ☐ I support your efforts, but I do not want to become a member.

Name _____
Address _____
City-State-Zip _____
Phone _____

Mail and make checks payable to:

GASP OF COLORADO
2885 Aurora Avenue, Suite 37
Boulder CO 80303-2252



Ahmad Terry/News Staff Photographer

A parody of the Marlboro Man appears in ads on RTD buses. The ad is a centerpiece of a campaign conducted by the Group to Alleviate Smoking Pollution, known as GASP.

GASP: Smoking equal-opportunity killer

Anti-smoking campaign, using 'Cancer Country' slogan, targets sites where cigarette ads run

By Joe Garner

News Staff Writer

We're not in Marlboro Country any more.

The skeleton wearing the cowboy hat lacks the craggy, howdy-partner charm of the Marlboro Man.

The slogan "Cancer Country" replaces "Marlboro Country" in the advertisement, and other words caution, "Warning: Smoking Harms Everyone."

This parody of the Marlboro Man is beginning to appear in ads on RTD buses.

The ad is the centerpiece of the annual anti-smoking campaign conducted by the Group to Alleviate Smoking Pollution, known as GASP.

"We think it's a striking way to get across our message that smoking kills smokers and non-smokers alike," said Pete Bialick, president of GASP of Colorado. "We're using this ad to remind the public that smoking is an equal-opportunity killer — It kills smokers and nonsmokers alike."

Forty buses are to carry the anti-smoking message for a month at a cost of \$4,000. Free bumper

stickers with the same theme are available from GASP at (303) 444-9799.

Bialick said Denver is the second metropolitan area in the nation to use the skeletal cowboy campaign. It premiered about a year ago in New York.

"We had very favorable reaction," said Joe Cherner, president of Smoke Free Educational Services, in New York. "It created a lot of media interest in the ads. They ran on taxi roofs where people are used to seeing tobacco ads."

The Tobacco Institute, which represents the tobacco industry, did not return a voice-mail request for an interview.

The House Vote

SB 132 passed the House on the first final vote (3rd reading) 44 to 21. The conference committee made minor modifications and then the House killed the bill 42 to 23. On the final vote all Republicans and two Democrats (Carl Miller and Dan Grossman) voted to kill the bill and almost all the Democrats voted not to kill it (Democrat Dan Grossman may have voted to kill the bill for procedural reasons).

	VOTE ON 3RD RDG		FINAL VOTE			VOTE ON 3RD RDG		FINAL VOTE	
	Yes	Vote Passes Bill	Yes	Vote Kills Bill		Yes	Vote Passes Bill	Yes	Vote Kills Bill
	Yes	44	No	21		Yes	42	No	23
Kay Alexander (R)	Y				Carl Miller (D)	Y			
Debbie Allen (R)	N				Shawn Mitchell (R)	N			
Bob Bacon (D)	Y				Marci Morrison (R)	Y			
Gayle Berry (R)	Y				Joe Nuñez (R)	N			
Nolbert Chavez (D)	Y				Mark Paschall (R)	Y			
Lauri Clapp (R)	N				Penn Pfiffner (R)	N			
Benjamin Clarke (D)	Y				Tom Plant (D)	Y			
Fran Coleman (D)	Y				Ann Ragsdale (D)	Y			
Doug Dean (R)	Y				Todd Saliman (D)	Y			
Richard Decker (R)	Y				Glenn Scott (R)	Y			
Rob Fairbank (R)	Y				Bill Sinclair (R)	N			
Al Gagliardi (D)	Y				Matt Smith (R)	Y			
Russell George (R)	Y				Nancy Spence (R)	Y			
Ken Gordon (D)	Y				Lola Spradley (R)	N			
Dorothy Gotlieb (R)	Y				Joe Stengel (R)	N			
Dan Grossman (D)	Y				Bill Swenson (R)	Y			
Bob Hagedorn (D)	Y				Stephanie Takis (D)	Y			
Lynn Hefley (R)	N				Abel Tapia (D)	N			
Diane Hoppe (R)	N				Penfield Tate (D)	Y			
Steve Johnson (R)	Y				Jack Yaylor (R)	Y			
William Kaufman (R)	Y				Lois Tochtrop (D)	Y			
Moe Keller (D)	Y				Steve Tool (R)	Y			
Kenneth Kester (R)	Y				Ron Tupa (D)	Y			
Keith King (R)	N				Jennifer Veiga (D)	Y			
Mark Larson (R)	Y				Valentin Vigil (D)	Y			
Joyce Lawrence (R)	N				Bill Webster (R)	N			
Don Lee (R)	N				Suzanne Williams (D)	Y			
Gloria Leyba (D)	Y				Tambor Williams (R)	N			
Frana Mace (D)	Y				Sue Windels (D)	Y			
Ron May (R)	N				Joan Witwer (R)	Y			
Andy McElhany (R)	N				Brad Young (R)	N			
Scott McKay (R)	N				Paul Zimmerman (D)	Y			
Gary McPherson (R)	N				Co-sponsors added: Representatives Bacon, Decker, Gordon, Hagedorn, Plant, S. Williams, Windels.				

Other Tobacco Bills

Senate Bill 172 by Senator Elsie Lacy passed. This bill makes all settlement moneys "damages" not subject to the "Tabor" revenue controls and sets up a trust of 20% for the settlement money.

Senate Bill 54 by Senator John Andrews was killed in Senate Appropriations. This bill would have put all the settlement money into a trust and didn't specify where the funds will go. This meant no settlement money would have been spent on tobacco prevention and education.

House Bill 1208 by Representative Ken Gordon passed. This bill keeps renegade tobacco companies from being exempt from the provisions of the settlement.

KARSH & HAGAN CORRECTION

Russell, Karsh & Hagan PR and Karsh & Hagan are Separate

Our last newsletter featured an article on how tobacco industry internal documents show that Karsh & Hagan worked to influence the media for Philip Morris. Karsh & Hagan President Pasquale Marranzino informs GASP in an April 30 letter, "I want to go on record that Karsh & Hagan is an advertising agency in Denver, and we have not and do not represent Philip Morris or any other tobacco company. Our former sister agency, Russell, Karsh & Hagan Public Relations represent Philip Morris not Karsh & Hagan."

Pasquale says that while the two companies were partners in the same building, they had separate accounts. Charlie Russell owned 51% and controlled the vote on accounts, said Pasquale in a recent phone conversation.

One health advocate I spoke to doesn't doubt that the two agencies were separate but wonders why Karsh and Hagan couldn't have applied more pressure to deny the Philip Morris account considering Karsh and Hagan's name was a prominent part of the business.

Pete Bialick, Editor

Did Owens Play Hardball with Tobacco Settlement Bill?

The tobacco settlement bill died in the House on the last day of the legislative session. The bill was the tool for the state to implement the settlement by the Attorney Generals with about \$2.8 billion going to Colorado. The final version of the bill split the proceeds and would have 30% going to a children's basic health plan, 20% to an annual endowment, 15% for tobacco education and prevention (5% for K-12 programs), 10% (reducing to 0%) for K-12 school construction, 10% for the read to achieve program, 8% for tobacco-related research, 3% for school violence, 2% (increasing to 10%) for a home nursing program, and 2% (for 10 years) to move the CU Health Sciences Center.

Capitol reporter Sandra Fish of the *Boulder Daily Camera* said about the death of SB132: "In the waning hours of the session, Owens lobbied hard for his position on spending \$2.8 billion in the tobacco lawsuit settlement money over the next 20 years or so. He wanted 30 percent of the money to go to education, while some legislators wanted less for education and more for health care programs. In the end, Owens refused to back down, bringing negotiations to an end..."

Other sources believe that Owens threatened to use a veto if he didn't get 30% for education (15% for school construction and 15% for the read to achieve program), and when it appeared like he wouldn't get his way, Republican legislators killed the bill so that Owens wouldn't have to use a veto on it in effort to "save face." The bill was killed 42-23 when the House sponsor Marcy Morrison asked that it be laid over till May 6 (insiders say Morrison asked that the bill be withdrawn). The House had passed the bill earlier by 44-21 and then it kills an almost identical bill on the final vote. The recorded vote shows that the motion to kill the bill went along party lines with Republicans pulling together to kill the bill.

Here's the history of SB 132 and the key votes on the bill:

(info obtained from web site and printed journals)

Bill status and actions by date:

Jan 22 Introduced in Senate and assigned to Finance & Appropriations.
 Jan 29 Senate Finance refers bill to Senate HEWI.
 Feb 15 Senate HEWI amends bill and sends to Senate Appropriations.
 Apr 27 Senate Appropriations amends bill and sends to floor for 2nd reading.
 Apr 27 Bill passes 2nd reading and is sent on for 3rd reading.
 Apr 28 Bill passes 3rd reading and is sent to House.
 Apr 29 Introduced in House and assigned to HEWI.
 Apr 30 House HEWI amends bill and refers to House Appropriations.
 May 03 House Appropriations amends bill and sends to floor for 2nd reading.
 May 04 Bill is amended on 2nd reading and is sent on for 3rd reading.
 May 05 Bill passes House on 3rd reading and is sent back to Senate.
 May 05 Bill is modified by a Senate Conference committee.
 May 05 Bill is laid over and fails in the House vote.

The Senate Vote

Senate Bill 132: Final Vote Count on Third Reading Yes 29 No 6 (A Yes vote passes the bill)

Norma Anderson (R)	Y
John Andrews (R)	N
Ken Arnold (R)	N
Tom Blickensderfer (R)	Y
Ken Chlouber (R)	N
Jim Congrove (R)	Y
Gigi Dennis (R)	Y
Jim Dyer (D)	Y
Mary Ellen Epps (R)	N
John Evans (R)	Y
Mike Feeley (D)	Y
Rob Hernandez (D)	Y
Mark Hillman (R)	N
Elsie Lacy (R)	Y
Doug Lamborn (R)	Y
Doug Linkhart (D)	Y
Bob Martinez (D)	Y

Stan Matsunaka (D)	Y
Marilyn Musgrave (R)	Y
Alice Nichol (D)	Y
David Owen (R)	Y
Pat Pascoe (D)	Y
Ed Perlmutter (D)	Y
Terry Phillips (D)	Y
Ray Powers (R)	Y
Peggy Reeves (D)	Y
Dorothy Rupert (D)	Y
Bryant Sullivant (R)	Y
Gloria Tanner (D)	Y
MaryAnne Tebedo (R)	N
Ronald Teck (R)	Y
Bill Thiebaut (D)	Y
Dave Wattenberg (R)	Y
Frank Weddig (D)	Y
Dotty Wham (R)	Y

Co-sponsors added: Dyer, Hernandez, Linkhart, Pascoe, Perlmutter, Phillips, Reeves, Rupert, Weddig, Wham.

GASP of Colorado
Group to Alleviate Smoking Pollution
Promoting smoke-free policies since 1977.

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ANNUAL REPORT

Financial Report 1998

GASP of Colorado spent every donation it recieved in 1998. Memberships and public donations consisted of 80% of our revenue while wages, counter advertising, postage, printing, and office rent were our primary expenses.

GASP of Colorado 1998 Financial Report

Income	
Contributions	7,706.21
Educational Materials	1,638.20
Interest Earned	230.03
Memberships	24,934.87
Grants-Sponsorships	4,750.00
Restaurant Guide	100.00
Miscellaneous	940.69
Total Income	40,300.00
Expenses	
Advertising	5,339.55
Fund Raising	1,224.73
Equipment Care	55.00
Lobbying	88.46
Office Rent	3,240.00
Postage	4,188.66
Graphic Design	101.50
Printing/copying	3,597.30
Publications	833.50
Contract Services	1,414.95
Supplies	2,691.64
Telephone-Internet Service	1,562.94
Wages	16,025.00
Total Expenses	40,363.23
Total Loss	-63.23

GASP ended 1998 with 712 dues-paying members (1,068 if you count husbands & wives) and 11,850 nonmember supporters and contacts (a grassroots database of people who support GASP or have contacted GASP for the restaurant guide, information, or materials).

GASP's primary source of revenue came from membership donations and a direct mail campaign aimed at our nonmembers. We mailed to 7,800 nonmembers and gained 120 new members, with \$4,319 in donations, while spending \$2,958.

GASP uses bulk mail for most of its mail. Bulk mail rates for nonprofits increased by an average of 3¢ per piece. There is software available to reduce the rates, but it is too expensive for GASP. We may also be needing a new copy machine sometime in the near future.

GASP continues to be the fiscal sponsor of the Boulder County Shout program (Stay Healthy Oppose Using Tobacco). The program rewards kids for pledging to stay tobacco-free with discounts obtained by showing a Shout card that resembles a credit card.

Customers' Smoke Kills Waiters

Friday 1, May 1998, Montreal Gazette, Canada. By Lucy Payette

A new study of what second-hand smoke does to restaurant staff has found it adds a "massive" risk of dying from lung cancer or heart disease. One MD is calling for a smoking ban.

A tornado wouldn't clear the air in Quebec's restaurants. That's how thick the tobacco smoke is, according to the coordinator of a new Quebec study that shows non-smoking restaurant workers are heavily exposed to environmental tobacco smoke.

And, said Dr. Louis Jacques, the second-hand smoke gives those workers an additional "massive" risk of dying from lung cancer or heart disease.

"If we want to reduce the risk to an acceptable risk level, you have two choices: you can declare the restaurant a non-smoking area or increase the ventilation," Jacques, a Monteregie public-health physician, said in a telephone interview yesterday.

'Not feasible'

You would need so much ventilation that it's practically not feasible. A tornado would not be enough to clear the air. In reality, the risk needs to be reduced 100,000-fold."

Jacques said the study shows smoking should be banned not only in restaurants, but in all public areas.

Researchers tested 42 non-smoking employees from 26 restaurants in Montreal, the Eastern Townships and the Monteregie. Most eateries had both smoking and non-smoking sections; employees who participated in the study said they were only exposed to second-hand smoke at work. The study found that working in a restaurant added a one-per-cent lifetime risk of dying from lung cancer and a 10-per-cent risk of dying from heart disease. "This massive risk," Jacques said, "is over and above the likelihood of dying from these diseases for the general population."

"If 100 restaurant workers are exposed to smoke in their workplace over 40 years, we can expect one out of 100 of them would die of lung cancer and 10 would die of heart disease," he said.

In the study, urinary cotinine, a biological marker for nicotine, was measured after a shift, after two to three days of work. "The study group's exposure was nearly five times higher than the concentration found in a non-smoking population not exposed to second-hand smoke at home or work," Jacques said.

American authorities including the Occupational Health and Safety Administration, the Environmental Protection Agency and the Food and Drug Administration regard mortality risks greater than one out of every 1,000 people as "very hazardous." They recommend limiting smoking to outdoor areas or installing separately ventilated indoor areas where non-smoking workers aren't forced to enter.

Board Establishes GASP's 1999 Smoke-Free Dining Listing Guidelines

GASP's Board of Directors established guidelines for listing restaurants and bars in the 1999 smoke-free dining guide and web site.

- 1) The inside area of the entire restaurant (or bar) must be 100% smoke-free at all times. Restaurants that allow smoking outside are listed, as long as the inside is 100% smoke-free.
- 2) Establishments that have an adjoining bar where smoking is permitted are not listed unless the bar is separate, fully enclosed by walls, and on a separate ventilation system. (Note: GASP will start putting an asterick by the name of any establishment that allows smoking in an enclosed bar, but is smoke-free otherwise)
- 3) Carry-out or drive-in-only restaurants without seating areas are not listed.

GASP of Colorado will list all sit-down eateries including ice-cream and frozen yogurt places, coffee places, bakeries, donut stores, juice bars, and bars that meet our guidelines. All listings are posted to our Website and in our 1999 restaurant guide.

BOARD MEMBERS NEEDED

GASP of Colorado is accepting applications for Board Directors. Board members serve in an advisory capacity and play a role in the decision-making process. The Board meets in the evening in Denver every two months. Applicants must be dues-paying members of GASP and are encouraged to attend Board meetings before applying. Our Board meetings are open to all GASP members. Call Pete Bialick at 303-444-9799 for an application or information about Board meetings.

The next Board meeting is March 24.

Bartenders Breathe Easier in California

Bartenders who worked for as little as one month in smoke-free conditions after California law banned smoking in their workplace reported a significant drop in coughing and other respiratory problems and showed improved lung function, according to a new study by researchers at the University of California San Francisco.

The study, appearing in the December 9 issue of the *Journal of the American Medical Association (JAMA)*, is the first to examine the short-term health effects of reducing second-hand smoke. It was designed to study the health impact of California State Assembly Bill 13, which prohibited smoking in most bars and taverns in the state as of January 1, 1998.

The rationale for the new law was to protect the health of California workers by reducing their exposure to second-hand smoke. "We saw the chance to examine how the smoking ban would affect respiratory symptoms and lung function among an occupation usually exposed to many hours of second-hand smoke every week," said Mark D. Eisner, MD, a pulmonary and critical care medicine post-doctoral fellow in UCSF's Cardiovascular Research Institute and lead author on the JAMA paper.

About three-fourths of the 53 bartenders in the UCSF study reported respiratory symptoms such as wheezing, coughing and phlegm production during the month before the smoke-free workplace law went into effect. One to two months later, 59 percent of those who had indicated respiratory symptoms were now symptom-free. In addition, more than three-fourths of the bartenders initially reported sensory irritation such as red, teary eyes, runny nose, and sore or scratchy throats during the month before the smoking ban. During the follow-up study, more than three-fourths of this group were symptom-free.

Finally, researchers measured the lung function of the bartenders before and after implementation of the smoke-free workplace law. By two different measures used, lung function improved after the ban.

"The bartenders experienced a significant improvement in lung function simply from avoiding second-hand smoke in the workplace," Eisner said. "That's a pretty big change over a short period of time." Surprisingly, even among bartenders who smoked cigarettes themselves, reduced exposure to second-hand smoke led to improved respiratory symptoms and function.

"The study clearly shows that reducing second-hand smoke exposure quickly leads to improved symptoms and lung function," Eisner said. "This is one of the first studies to look at such a heavily exposed occupational group," he added, noting, "It may be hard to generalize the study to people with lower exposures."

Smoker Group's Thick Wallet Raises Questions

Funding: Alliance amassed \$45.9 million but very little from members' dues, IRS reports show.

Other records cite backing from tobacco firms.

By Myron Levin, Los Angeles Times, Sunday, March 29, 1998

The country's leading smokers' rights group has built a fat war chest despite minimal support from the 3 million people it claims as members, according to public records and internal documents that suggest its only significant backer is Big Tobacco. The National

Smokers Alliance has become a major force in public smoking battles in California and elsewhere, while portraying itself as "a nonprofit, grass-roots membership organization with more than 3 million members." That claim in the group's brochures also appears regularly in stories on the Alexandria, Va.-based group by major news organizations.

But a review of the group's annual reports to the Internal Revenue Service shows that a tiny fraction of the supposed members pay the nominal \$10 dues the group says it charges. According to the IRS reports, of the \$45.9 million amassed by the group in its first three years, very little came from dues. In fiscal 1996, for example, when total receipts were more than \$9 million, dues contributed just under \$74,000. In other words, the group collected enough dues for 7,400 members.

By contrast, support from tobacco companies, while not disclosed in public reports, has been generous. Internal documents reviewed by The Times show that of the first \$7 million funneled to the alliance after its founding in August 1993, nearly all came from giant Philip Morris. More recent internal documents were not available.

NSA Invades Montrose

The National Smoker's Alliance has been very active in Montrose, Colorado. It flew three people from Washington and were successful in postponing a vote on a no-smoking ordinance and recruiting the influential owner of the Red Barn restaurant. The owner denies industry involvement, but everything he says and does is out of Big Tobacco's playbook. The tobacco companies train their local mouthpieces to deny industry involvement, according to a 1996 article in Mother Jones.

Whether the alliance has any significant funding beyond industry contributions is an issue its officials won't discuss. Gary Auxier, the group's senior vice president and chief spokesman, refused to discuss its finances, saying, "I really don't want to entertain your questions."

In the past, Auxier and other officials have said that seed money to start the alliance came from Philip Morris and that it has since been supported by membership dues and corporate contributions, including from tobacco firms. But they have refused to discuss how much the group relies on cigarette makers—saying only that they should give more because the

NSA- An Industry Front Group (Continued)

alliance speaks for their customers. The group's failure to develop a grass-roots financial base reflects the ambivalence of most smokers toward curbs on the right to smoke.

Facing increasing hostility from nonsmokers, as well as mounting restrictions on where they can light up, the nation's 48 million smokers would appear to be a potent political force. But experts say a large majority of smokers want to quit, and rather than fighting back tend to regard bans as the medicine they need. Many smokers "fully believe in the health issues and . . . actually like the imposed assistance" of smoking bans, said Dee Burton, an associate professor of public health at the University of Illinois-Chicago who has extensively researched the attitudes of smokers.

Even the roughly 20% of "committed smokers"—those not intending to quit—don't want their children to smoke and don't identify with the industry, Burton said.

"Even though one may want to continue smoking . . . there's still no desire really to align oneself with an industry that's seen as going after children," Burton said. The bottom line: "You just can't find that many people who say smoking's a great thing and let's get involved in a movement," she said.

In many prominent battles, however, the smokers' alliance has put itself forward as the voice of abused smokers rather than as a mouthpiece for the industry.

The group was launched by Philip Morris and Burson-Marsteller, the tobacco giant's longtime public relations firm. The two directors named in its incorporation papers were both lawyers with Hunton & Williams, a Richmond, Va., law firm that represents Philip Morris. The alliance's interim president, David K. McCloud, was a Burson-Marsteller executive. McCloud was succeeded by Thomas Humber, a fellow Burson executive who had worked for Philip Morris in Switzerland

and earlier for Brown & Williamson Tobacco Corp. Humber earned \$450,731 as president and CEO of the alliance during the year ended Sept. 30, 1996, according to the group's report to the IRS. As a tax-exempt organization, the alliance must report annual financial data to the IRS, disclosing among other things the salaries of top officers, the names of corporate donors and how much they give. But contributor information is deleted, on privacy grounds, when copies of the reports are provided by request to the public or the media. However, the redacted reports do state how much of a group's money comes from "membership dues and assessments." During the last two reporting years, dues accounted for less than 1% of the group's receipts. Moreover, internal documents show that of the first \$4 million received by the group through early 1994, 96% came from Philip Morris alone. By the middle of that year, the company had given \$3 million more, one of the documents states. By then the alliance had launched membership drives to develop an independent base, but with disappointing results. After expensive mass mailings brought little response, the group began paying recruiters to sign up members in bars, bowling alleys and other places where smokers congregate, according to interviews and published reports. The alliance has also tapped political figures and celebrities to serve as directors and on its board of advisors to add luster to its image. Jeanie R. Austin, former co-chairwoman of the Republican National Committee, is a director. But the use of celebrity spokesmen backfired in at least one case: former board of advisors member Morton Downey Jr. The acerbic talk show host, a heavy smoker, left the board of advisors in 1996. Within weeks of resigning, he was diagnosed with lung cancer. At a press conference soon thereafter, Downey committed himself to the anti-smoking cause and attacked the alliance as a "total front" for the industry—a charge a spokesman denied.

Don't Let Big Tobacco Give Smokefree Ordinances the Red Light

Like a criminal on the run, the tobacco industry is resorting to ever more desperate measures to stop local communities from passing smokefree ordinances. The latest tactic, **Red Light - Green Light**, has shown up recently in communities throughout the country, causing trouble from Montrose, CO, to Niagara County, NY and Monongalia County, WV. **Red Light - Green Light** policies restrict smoking in only a few public places, then require restaurants to post signs indicating if smoking is allowed (red light), restricted to designated areas (yellow light), or prohibited entirely (green light). In Colorado, such a policy is no better than the antiquated state law passed in 1977.

Red Light - Green Light is a red herring. This type of strategy was spelled out in an internal Philip Morris memo as a way to wipe out local smokefree ordinances in California "by introducing smoking accommodation bills" to "confound the antis" and "put them on the defensive". It is nothing more than a retooled version of the Philip Morris "Accommodation" program, originally developed to derail a restaurant smoking ordinance in Pittsburgh, PA.

The tobacco industry and their restaurant association allies are pro-actively introducing these weak laws to forestall the possibility of local communities adopting strong smokefree ordinances. In West Virginia, an attorney linked with the National Smokers Alliance proposed the **Red Light - Green Light** policy to the Monongalia County Board of Health as an alternative to the 100% smokefree policy being considered by the Board. This same attorney had earlier threatened the Board with a lawsuit challenging the smokefree regulations.

The tobacco industry touts that Spokane, WA has implemented **Red Light - Green Light**, without mentioning that representatives of the Spokane Regional Health District have gone on record that they do not recommend **Red Light - Green Light** for communities that have the right to enact local smokefree policies.

DON'T BE FOOLED!!! The only meaningful protection against the dangers of secondhand smoke are completely smokefree public places, workplaces and restaurants. **Stop Big Tobacco - Give'm the Red Light!**

Here's what you can do: Beat the tobacco industry to the punch! Pro-actively give policy makers and the media background materials exposing this tobacco industry tactic. If **Red Light - Green Light** is introduced in your community, contact ANR immediately.

For more information, contact Elva Yañez at (510) 841-3032 or anr@no-smoke.org (in Colorado, call GASP)

Secondhand Smoke Study 'Garbage Science'

Activists, scientists united in opposition to controversial report

Charles Enman, The Ottawa Citizen, March 9, 1998

Experts have blasted a study purportedly from the World Health Association that suggests second-hand smoke does not cause lung cancer. "This is simply not sound science," said David Sweanor, the Ottawa-based lawyer for the Non-Smokers' Rights Association. "The only place we have seen this kind of garbage is from the tobacco industry."

Jim Repace of Maryland, author of more papers on second-hand smoke than anyone in the world, describes the study as "propaganda, not science."

The study was said to have been commissioned by the World Health Organization, long known for its belief second-hand smoke causes cancer. The seven-country European study was co-ordinated by the International Agency for Research on Cancer in Lyon, France. It was described as "one of the largest ever to look at the link between passive smoking and lung cancer, and eagerly awaited by medical experts and anti-tobacco groups." Researchers compared 650 lung-cancer patients with 1,542 healthy people. Their data were said to suggest there not only is no connection between second-hand smoke and lung cancer, but that second-hand smoke might even have a slight protective anti-cancer effect. If you were surprised to find such a conclusion coming from study instigated by the World Health Association, so too was the acting chief of the UN organization's tobacco program.

"This was certainly nothing done in my office," said Neil Collishaw, who works in the WHO's Geneva offices. Mr. Collishaw described the International Agency for Research on Cancer as a "sister" agency. "But if my organization, as you say, commissioned it, it's strange I haven't heard of it," he said. "Particularly strange, since it's said to have been 'eagerly awaited.'"

As for the study being one of the largest ever on the topic, Mr. Collishaw snorted. "This is certainly untrue. One of the earliest studies, conducted in Japan, followed hundreds of thousands of people — and there are other studies in that category." He said all the larger studies bringing together the data from smaller studies have agreed that passive smoking is a cause of lung cancer.

Mr. Repace, a retired U.S. Environmental Protection Agency scientist who has written 50 papers on second-hand smoke, was even more emphatic. "The data linking passive smoking and lung cancer are simply overwhelming. This conclusion is shared by every organization of the U.S. federal government with a purview over public health. The American Medical Association and the American Association of Cancer Research agree. "And the most recent study — by the California State Environmental Protection Agency — not only links second-hand smoke with lung cancer, but with nasal sinus cancer, as well."

Not all studies find a causal link between second-hand smoke and lung cancer, Mr. Repace acknowledges. But of the 30 studies that had been done by 1992, 24 did. The remaining six were either neutral, flawed by distorting factors, or had only slight statistical significance. "So we had 24 studies that were positive," he said. "If passive smoking has no effect on lung cancer, what's the probability of this result? Only six in 10,000." Fourteen of the 30 studies looked at "dose response" to determine whether exposure to second-hand smoke increased the likelihood of developing lung cancer. Ten of them established — each with a 95-per-cent confidence level — that there indeed was a dose response. And the chances of that happening, if passive smoking and lung cancer are unconnected, is one in 10 billion, Mr. Repace said. Since even the tobacco companies now concede that smoking causes lung cancer, the suggestion that second-hand smoking has no connection with lung cancer is "awfully fishy on the intuitive level," he said.

In Ottawa, Mr. Sweanor, lawyer for the Non-Smokers' Rights Association, said the small size of the study suggested its results would have no statistical significance. Mr. Sweanor and Mr. Repace both suspect the tobacco industry leaked the study to the media. As Mr. Sweanor said, "This has got tobacco industry PR written all over it. It will sell more cigarettes." "And in the nature of misinformation, it's very hard to correct." It was small wonder, he said, that the study has not yet been published in a peer-reviewed journal. "This is just as misleading as a study that announces that unsafe sex protects you from AIDS. On the face of it, you've got to be suspicious."

SCIENTISTS AGREE, SECONDHAND SMOKE IS A CARCINOGEN

Major Victory on Secondhand Smoke

A subcommittee of the National Toxicology Program's (NTP) Board of Scientific counselors voted 13-0 to recommend placing environmental tobacco smoke (ETS) on the federal government's official list of carcinogens. The unanimous subcommittee vote represents a major defeat for the tobacco industry. It begins a process wherein ETS may be listed on the federal government's official list of carcinogens — the Report on Carcinogens — as early as next year. This will represent a second completely separate scientific panel (besides EPA) that has concluded that ETS is a carcinogen.

The composition of the board brings additional significance to the decision. The Board is an independent advisory panel of the NTP, relatively conservative, and composed of eminent scientists from private industry, academia, research institutes and other non-governmental organizations. At a recent public hearing, the subcommittee heard extensive testimony from tobacco industry funded scientists trying desperately to convince the panel that secondhand smoke is merely a "nuisance." The panel also heard from Jim Repace Ph.D., a leading researcher on the health hazards of ETS. The subcommittee's decision now proceeds through an NTP administrative review, before being forwarded to HHS Secretary Donna Shalala.

The tobacco industry is expected to try and disrupt further progress. GASP members are encouraged to send letters of support to the NTP and to HHS Secretary Shalala stressing the importance and significance of the subcommittee's findings.

Dr. Kenneth Olden, Director
National Institute of Environmental Health Sciences
Director National Toxicology Program, Box 12233
Research Triangle Park, NC 27709-2233
(919)-541-3201

Secretary Donna Shalala
US Department of Health & Human Services
200 Independence Ave. S.W.
Washington, D.C. 20201
(202) 619-0257 Toll Free: 1-877-696-6775

Did a North Carolina Judge Blow Smoke at an EPA Report?

On Friday, July 17, 1998, US District Judge William L. Osteen (North Carolina) issued a ruling to overturn the 1993 Environmental Protection Agency's report on environmental tobacco smoke. Tobacco industry public relations experts are busy spinning this news as a major blow not only to the science on ETS, but also to the hundreds of ordinances passed nationwide which eliminate secondhand smoke exposure in workplaces and other public places. This decision in no way effects clean indoor air ordinances or smokefree policies pending or enacted.

FACTS

- The overwhelming majority of scientific studies worldwide have concluded that secondhand smoke causes death and disease in otherwise healthy nonsmokers.
- There were 588 local clean indoor air ordinances on the books before the release of the EPA's Risk Assessment on ETS in January, 1993. Since then, another 239 localities have amended or enacted clean indoor air ordinances.
- The EPA report summarized what we already knew from the 1986 Surgeon General's report and numerous other scientific studies.
- Big Tobacco has fought the EPA report on ETS since the day the EPA began conducting their risk assessment. The industry successfully placed their researchers on the Scientific Advisory Board of the EPA and tried to get well-known health researchers thrown off the Scientific Advisory Board. They've conducted a mis-information campaign about the EPA report since its release, including a national campaign to misinform the public about a report done by the Congressional Research Service. This is just the latest tactic in Big Tobacco's arsenal.
- On August 20, 1995, the Associated Press reported that Judge Osteen once worked for tobacco growers as a lobbyist, and raised the issue of his impartiality in this suit.
- Dr. William Farone, former Director of Applied Research for Philip Morris from 1976 to 1984 where he supervised five divisions and a staff of approximately 150 scientists, has issued a statement in which he asserts that Philip Morris has long known of the toxic nature of secondhand smoke and has intentionally kept that information from the public. (July 13, 1998 statement by William A. Farone, Ph.D.)
- This war on nonsmokers' rights began in 1978 when a study commissioned by the Tobacco Institute found that the information about how smoke affects the health of nonsmokers is "this most dangerous development to the viability of the tobacco industry that has yet occurred." (1978 Roper Organization poll.)

FREE FOUR-PAGE PAPER AVAILABLE

A more detailed paper about the decision is available from GASP of Colorado. Call us at (303) 444-9799 or request a copy via e-mail at GASPCO@aol.com.

What can you do:

Write letters to the editor of both local newspapers and the national press expressing your support for smokefree policies, and your confidence in the body of evidence linking secondhand smoke to cancer, respiratory illness and other harmful health effects.

Write a letter to Carol Browner, EPA Administrator. Thank her for her leadership and express support of the EPA appeal of Judge Osteen's ruling to a higher court.

Carol Browner, Administrator
U.S. Environmental Protection Agency Headquarters
401 M Street, SW Mailcode 1101
Washington, DC 20460

Useful quotes:

"Despite a cloud of questions raised by last week's court decision on secondhand smoking, a majority of scientific studies in recent years support the government's view on the fundamental point: Breathing someone else's tobacco smoke can be seriously harmful to one's health."

Washington Post, July 20, 1998

"Enough people recognize that secondhand smoke is dangerous. It's going to be hard to put the genie back in the bottle."

*Robert Kline, director of the Tobacco Control Legal Clinic
Washington Post, July 20, 1998*

"We're going to be very aggressive about getting this into the hands of decision-makers."

*Gary Auxier, senior vice president for the National
Smoker's Alliance, USA Today, July 22, 1998*

"You can quibble with the methodology, but in scientific and medical communities, there's a consensus that the basic EPA conclusions are valid."

*Stanley Rosenblatt, Florida flight attendants attorney in
secondhand smoke trial, Wall Street Journal, July 20, 1998*

"The decision is disturbing because it is widely accepted that secondhand smoke poses very real health threats to children and adults. Protecting people from the health hazards of secondhand smoke should be a national imperative."

EPA Administrator Carol Browner, Washington Post, July 19, 1998

"No one wants to go back to smoking on airplanes, smoking in restaurants. No one wants to go back to polluting indoors."

*Donna Shalala, Secretary of Health and Human Services
Washington Post, July 20.*

"The tobacco industry focuses on cancer because it's always harder to prove. . . . But what is absolutely undisputed is the impact secondhand smoke has on the respiratory system, especially with kids. With them, there's not a latency period of 40 years before you see the effects. You see it the next day."

Philip Schiliro, staff director for Rep. Henry Waxman

Sources: Americans For Nonsmokers Rights and The Advocacy Institute

BIG TOBACCO'S INTERNAL DOCUMENTS ON COLORADO

PART I

GASP of Colorado has begun examining some of the internal documents released as part of the Minnesota settlement with the tobacco companies. We searched for documents related to Big Tobacco's activities in Colorado at three primary Internet sites: www.philipmorris.com, www.tobaccoinstitute.com, and www.rjrt.com. The documents unravel how Big Tobacco has sought to influence the media, discredit studies on secondhand smoke, build smoking lounges at DIA, influence public decisions, hide expenditures, and even spy on anti-smoking activists in Colorado.

Karsch and Hagan

Philip Morris employs the Public Relations firm of Karch and Hagan, which also develops the advertising for the Colorado lottery. An internal memo released along with the thousands of documents as part of the tobacco settlement in Minnesota shows that Karch and Hagan are one of the many hired guns Big Tobacco uses in an effort to move the Colorado media toward a more pro-tobacco stance. Other memos from Karsch & Hagan include further plans to influence the media and a detailed analyses of the Colorado media's attitudes toward smoking.

Philip Morris Media Action Network-Media Plan for Colorado

March 15, 1995

To: David Laufer, Karen Daragan at Philip Morris

From: Charlie Russell, Lindsey Zimmerman, John Head

RE: PM Media Action Network-Media Plan for Colorado

The following proposal is in response to your request for a detailed action plan for achieving the major objectives in Colorado outlined during the New York Media Action Network conference February 21-23.

WHERE ARE WE NOW?

Recent events, such as the defeat of the 50-cents excise tax increase last November and the recent opening of the Aviator's Club smoking lounge at Denver International Airport, indicate that a significant portion of the Colorado media is amenable to taking a broader view of tobacco industry issues. In fact, the arguments against the tax and for the smoking lounges were extremely well received by most of the state's media.

The most entrenched media opponents continue to be The Denver Post, the only major state publication to editorially endorse the excise tax proposal, and KOA Radio 850-AM, whose "Health Notes" editor, Lori Parsons, waged a months-long, on-air effort in support of the tax increase. However, both mediums covered the Aviator's Club opening in a fair, balanced manner. We continue to believe that these two media outlets will be predictably negative to all tobacco-industry-only issues for the foreseeable future, but may be swayed by broader perspectives on other related issues. We plan to deal with The Post and KOA on an issue-by-issue basis.

The vast majority of Colorado's print and electronic media have been open to meetings, educational visits and materials which present a balanced and more global view of the issues. **With this in mind, we are confident we can continue to shift the media's views and ultimately, the views of the general public, toward a more equitable philosophy in regards to those issues affecting the (tobacco) industry."**

R.J. Reynolds Grass Roots Lobbying 1987

In 1987 GASP of Colorado and other health groups supported a statewide bill to eliminate smoking in public places and require all restaurants to provide nonsmoking sections. It was the fifth year in a row such a bill had been attempted without success. Senate Bill 65 sponsored by Senator Martha Ezzard passed the Senate and two house committees. Supporters had the votes to get the bill through the third committee but Representative Elwood Gillis of Lamar used a pocket veto to kill the bill. A ballot initiative to correct this and other abuses of political power by state legislators was later passed by the voters (the GAVEL amendment -- Give A Vote to Every Legislator). Gillis's action on this SB 65 was often cited as one of the reasons GAVEL was needed.

Twelve years later an internal RJR memo from Public Issues director Tom L. Ogburn shows that RJ Reynolds spent \$21,003 to mail action alerts urging 24,426 smokers in 28 key house districts to write letters opposing the SB 65. The memo reports on costs, who was targeted, the response rate, and the average number of personal letters each legislator received. Legislators, like Representative Bill Owens (now our Governor) cooperated by providing Big Tobacco copies of the letters opposing the bill, according to another memo by Ogburn.

Tom Ogburn Interoffice Correspondence to Larry Bowley July 15, 1987

Colorado

- We mailed packages to 24,426 smokers in 28 key house districts.
- 574 smokers responded to our mailing, a 2.4% response rate. The low response rate in comparison to Ohio and Minnesota, reinforces our belief that smokers do not react as strongly to a restriction issue as they do to a tax issue — a pocketbook issue vs. a non-pocketbook issue.
- Smokers wrote 749 personal letters opposing the bill.
- Of the total letters written, 473 went to state representatives, 147 went to local newspapers, and 129 to "others," such as the governor and state senators.
- Each state representative received an average of 17 personal letters, ranging from a low of 6 to a high of 37.
- Total expense for the direct-mail program was \$21,002.60, or \$28.04 per contact. The high per-contact cost was due to the low response rate.

Ogburn Correspondence to Larry Bowley May 5, 1987

I just received notice from Colorado that the Clean Air Bill will die in committee. The following quotes are from an article in this morning's Rocky Mountain News.

Anti-Smoking Bill Dies in Committee: Backers Incensed
"...Gillis, who chairs the House appropriations committee, said the decision was based on his opposition to the proposal and letters from constituents. Gillis does not smoke."

"Many people see this as a further intrusion into their lives and I support what they are saying," Gillis states of the letters.

The article also refers to the uproar the decision created among the bill supporters.

What is especially pleasing is the fact that we sent letters to 20,000 of our 60,000 partisans in Colorado who are part of our Partisan Project Program asking them to contact their legislators. We also reported the bill in the Regulatory Watch newsletter they received. Their response appears to have provided a rationale for the bill's defeat.

I have attached several letters that were sent to Representative Bill Owens representing the type of responses legislators received.

RJR Fails to Disclose Lobbying Expenses \$6,779 Not Reported

Internal documents indicate that RJ Reynolds spent \$21,002.60 on grassroots lobbying opposing Senate Bill 65 by Martha Ezzard in 1987. However, GASP has learned through records in the archives of the Colorado Secretary of State that RJR only reported spending \$14,223.01 on this bill according to a report filed by the California firm of Nielsen, Hodgson, Parrinello & Mueller on May 8, 1987. **That is \$6,779.59 short of the amount the RJR spent according to its own internal documents.** All Colorado lobbying entities are required to report expenditures in support or opposition of proposed state legislation to the Secretary of State. GASP of Colorado is in the process of filing a complaint against RJR and will ask the Attorney General to conduct a full investigation.

Big Tobacco Spies on Colorado Activists

SPYING ON FOES OF SMOKING

Philip Morris files detail tobacco industry's opposition

Richmond Times-Dispatch, Sunday, July 12, 1998, By Peter Hardin

WASHINGTON — There's a surprising saga from files of the powerful tobacco industry.

A pro-tobacco informant apparently infiltrated a meeting of health activists in Colorado six years ago to monitor their efforts to start the local arm of a federal anti-smoking program. A report by the informant, found in Philip Morris Cos. Inc. files, provides a portrait of an amateurish undercover attempt.

"I arrived after the meeting commenced and despite my effort to remain invisible, ended up seated at the head of the table," the anonymous author wrote in a memo dated Dec. 9, 1992.

"I signed in as a student and hoped that my baggy clothes and backpack would make this credible," the memo said about the meeting in Fort Collins, a college town. "The 'close quarters' inhibited my notetaking somewhat."

The snoop obtained literature from the meeting and told about activists discussing "guerilla [sic] tactics" to use in fighting "the enemy" as well as anti-smoking ordinances and tax initiatives, according to the memo.

"Would advise future 'plants' to arrive late and leave early, avoiding the awkward small talk with other attendees that might create suspicion," the author wrote.

In 1991, the National Cancer Institute and American Cancer Society launched in Colorado, Virginia and 15 other states the unusual program that was discussed at the Fort Collins meeting. It's called American Stop Smoking Intervention Study and is aimed at snuffing out smoking through community-based coalitions.

ASSIST got off the ground long before Congress considered more restrictive and sweeping measures to fight youth smoking and before the tobacco industry mounted a \$40 million advertising campaign against legislation in the Senate. That bill was jettisoned last month.

Officials with ASSIST have been forced to defend their program against attacks from the tobacco industry and its allies. The officials say the attacks have diverted valuable time and resources.

In some ASSIST states, critics have submitted freedom-of-information request for documents and placed formal charges against anti-smoking groups and health officials, alleging the improper use of public money to lobby. But ASSIST officials say they have spelled out that federal money must not be spent improperly.

Now, documents from Philip Morris files posted on the Internet have offered new information about the industry's opposition.

A January 1992 Philip Morris memo offered a six-point plan to thwart ASSIST. Tactics included congressional investigation, legal challenges, use of sympathetic health advocacy groups, and anti-tax groups.

"I believe that these are the most effective means of disrupting ASSIST," the author wrote.

Marc W. Manley, chief of tobacco control research for the National Cancer Institute, reacted angrily to the disclosures.

"Looking at those memos, it seems to me the Philip Morris company deliberately disrupted a major cancer prevention research program," he said.

"We had evidence that Philip Morris was leading legal attacks on several ASSIST states as the project has gone along. Now we have the document that planned many of those attacks," he said.

Jerie Jordan, ASSIST manager for the American Cancer Society, criticized people who she said tried to thwart the program. "It's scary to think of," Jordan said. "While in the early '90s Philip Morris sponsored the Bill of Rights tour around the country — and there they are coming into little citizens' groups, taking notes."

Brendan McCormick, a spokesman for the company's tobacco-manufacturing arm, Philip Morris USA, declined to discuss the memos. He said his company wanted to find out more about whether local ASSIST groups misspent taxpayer money. "Our primary concern about the ASSIST program was what appeared to be an improper use of federal funds to support lobbying activities at the state and local level," McCormick said.

ASSIST has been allotted about \$160 million by the federal government and is funded through fall 1999. It has reported reducing cigarette consumption in the 17 states by 7 percent. Congress is considering expanding it to all states.

One document from the Philip Morris files described ASSIST as posing a serious threat. (Philip Morris and three other tobacco companies posted hundreds of thousands of internal documents on the Internet in February to help promote a national tobacco settlement.)

"ASSIST will hit us in our most vulnerable areas—in the localities and in the private workplace," the document said. "It has the potential to peel away from the industry many of its historic allies."

"For example, major employers in many states are members of the ASSIST coalition. Also, chambers of commerce, labor unions, groups like the Urban League and NAACP."

The document, not on a company letterhead, expressed concern that ASSIST would aid "creation of an anti-smoking infrastructure, right down to the local level."

In Colorado, meanwhile, a local health official who attended the Fort Collins meeting wondered aloud recently why it was subject to intelligence-gathering. Perhaps it was because the local anti-smoking coalition was the most active one in the state then, said Ann Watson of the Larimer County health and environment department. Watson said the meeting was open to the public.

Colorado later became a battleground in the tobacco wars. A referendum in 1994 to increase cigarette taxes was fought vigorously by the tobacco industry and was defeated.

The person who monitored the Fort Collins meeting felt conspicuous after a speaker alleged "sleazy, low-life" tactics by the tobacco industry to counter anti-smoking efforts, and after someone suggested sending a spy to a smokers' rights group event, according to the memo.

"I waited until the group moved on to a more benign topic so as not to seem abrupt, looked conspicuously at my watch and left."

Philip Morris Hides Support For Smoking Lounges at Denver International Airport

There are a cluster of internal documents related to the smoking lounges that exist at Denver International Airport (DIA). Several memos indicate that Big Tobacco wanted to keep its involvement in building the lounges behind the scenes. Another reveals that Philip Morris contracted to install HVAC ventilation systems in the lounges and to decorate them using a "Benson & Hedges theme." Leo Burnett, Philip Morris's ad agency, helped with the lounge design. The documents also show that Benson & Hedges sent the lounge owners \$77,000 for the HVAC systems and that Philip Morris paid for all the furniture.

Survey Unravels Big Tobacco's 1994 Tobacco Tax Strategy

In 1994, Big Tobacco spent more than \$5 million to defeat a 50¢ cigarette tax on the Colorado ballot. Big Tobacco's media campaign on TV, radio, newspaper, and direct mail focused on every possible negative tobacco lobbyist could find. Big Tobacco's campaign was coordinated by Frank "Poncho" Hays of the Tobacco Institute in Denver. Fair Share for Health, the coalition of health groups supporting the tax, was never able to counter the industry and only had \$300,000 to spend in its campaign.

Now, one of Big Tobacco's internal documents unravels the poll the "tobacco cartel" used to formulate its strategy. The poll, titled "Colorado Statewide II A Survey of Registered Voters" was completed June 6, 1994. The poll was designed to find all the "hot buttons" that might move Colorado voters toward voting against the initiative.

Respondents were first asked if they would vote for the initiative. The poll indicated 61% of those surveyed were in favor of the tobacco tax but by the time Big Tobacco had finished its survey support had eroded 8%. Big Tobacco had found all the right hot buttons and proceeded to spend more than \$5 million pushing those buttons — a record amount for ballot initiatives. Many of the statements were misrepresentations of the facts.

"It was as if the tobacco industry hired arsonists to create a constant series of brush fires which the Fair Share Committee had neither the resources or the time to fight," said Lea Ann Purvis, a member of the Fair Share For Health Board and current director of the American Lung Association of Colorado.

"This document illustrates how a large corporation can influence public policy with large media buys. To level the playing-field, I think it's time to reconsider the re-enactment of the Fairness Doctrine," said Walter Young a former Health Department employee who was sued by Big Tobacco for supporting the tobacco tax.

"These documents prove conclusively that the Big Tobacco knows the power of community and media based interventions to reduce tobacco consumption and shows the lengths to which it is prepared to go to stop these important public health efforts," says Pete Bialick, President of GASP of Colorado (Group to Alleviate Smoking Pollution) and a member of the Fair Share for Health Board.

The complete survey may be found under "Statistics/Survey/Questionnaires, Colorado Smoking #2 Topline Results" or document TIMN 44308/4479 at www.tobaccoinstitute.com

Amongst the findings of the poll taken June 1994

Note, any remaining percentages are either against, don't know, or refused.

- 54% were aware of the tax already of the ballot initiative.
- 38% felt the 50¢ tax was too high, 38% thought it was about right, 16% felt it wasn't high enough.
- 47% agreed raising tobacco taxes was easier than raising other taxes, but 42% agreed it would help reduce the problems caused by smoking.
- 25% felt the greatest advantage of the tobacco tax was to fund health care for the poor, 22% for anti-smoking programs, 20% to increase the price of cigarettes, and 13% for tobacco-related research.
- 38% felt the greatest disadvantage of the tobacco tax was that the money might not get spent the way promised, 19% felt it singles out smokers unfairly, and 12% felt it might expand the bureaucracy.
- 57% supported abolishing separate smoking sections and having a complete ban on smoking in all public places like restaurants and buildings, 39% were opposed.
- 40% felt more should be done about smoking, 36% felt enough is being done, 21% felt too much is being done.
- 59% felt it was unfair to single out smokers to pay for health care programs for the poor, 34% felt it was fair.
- 80% felt it was very likely that if the tobacco tax passed to pay for health programs for the poor, other consumer taxes would be increased for the same purpose. 45% of those said they would be willing to pay for those higher taxes for health care for the poor, 43% said they wouldn't.

The next set of questions were "hot button" statement to see if people would be More Likely to Vote FOR or against the ballot issue.

A "doesn't matter" or "statement incorrect" opinion was volunteered and not read by pollers.

The initiative gives local governments the power to charge additional taxes on tobacco...

More Likely to Vote FOR: 36%

More Likely to Vote AGAINST: 54%

Truth Test: Under current state law local governments may not raise their sales taxes on tobacco without losing their state sales tax on tobacco. The Colorado Municipal League supported making this change.

The constitutional amendment locks the tax and spending programs into the state constitution...

More Likely to Vote FOR: 36%

More Likely to Vote AGAINST: 48%

Truth Test: The sponsors put it there to keep Big Tobacco from whittling the tax through the legislature as they've done in other states.

The spending will be administered by the state Dept. of Health, which has a history of wasteful spending...

More Likely to Vote FOR: 22%

More Likely to Vote AGAINST: 59%

Doesn't matter: 10%

Truth Test: The measure established an Independent Commission in charge of the tobacco money and the state constitution would require the Auditor to audit all tobacco-tax funds and programs.

Tobacco companies — who oppose excise taxes such as these — may contribute up to four million dollars in order to defeat this initiative...

More Likely to Vote FOR: 45%

More Likely to Vote AGAINST: 28%

Doesn't matter: 20%

Truth Test: Big Tobacco created a front group called "Citizens Against Tax Abuse and Government Waste" and never disclosed publically that the \$5.3 million the group spent came from the major tobacco companies.

The higher cigarette tax will help keep teenagers from starting to smoke...

More Likely to Vote FOR: 54%
More Likely to Vote AGAINST: 17%
Statement is incorrect: 20%

The people sponsoring this initiative used federal tax dollars for the political campaign to place this initiative on the ballot...

More Likely to Vote FOR: 25%
More Likely to Vote AGAINST: 51%
Doesn't Matter: 15%

Truth Test: No Federal tax dollars were used to place the initiative on the ballot.

Because of the huge price increase, this initiative would lead to increased smuggling and might create a black market for cigarettes...

More Likely to Vote FOR: 22%
More Likely to Vote AGAINST: 47%
Doesn't matter: 15%
Statement is incorrect: 11%

Truth Test: In other states that have passed tax increases there has been no evidence of this problem.

An initiative similar to this one was passed in California and Massachusetts and was effective in getting more people to quit smoking...

More Likely to Vote FOR: 65%
More Likely to Vote AGAINST: 18%

Supporters of the initiative violated Colorado election law by giving incentives to voters who signed petitions to get the initiative on the ballot...

More Likely to Vote FOR: 18%
More Likely to Vote AGAINST: 52%
Doesn't matter: 13%

Truth Test: A district court threw out charges that KOA radio gave Rockies tickets to people signing petitions. It was part of a regular ticket give-away.

The people who would be in charge of spending the tax money have used these programs in the past to pay expenses like hotel bills, catered lunches, and banquets diners...

More Likely to Vote FOR: 12%
More Likely to Vote AGAINST: 70%
Doesn't matter: 11%

Truth Test: The industry is referring to a federal grant given to the State Health Department for the ASSIST (American Stop Smoking Intervention Study). The grant required the department to spend the first two years in planning and coalition building. As a result, ASSIST built an 800 member organization.

If the initiative passes, it would mean a 350% increase in Colorado's tobacco tax...

More Likely to Vote FOR: 40%
More Likely to Vote AGAINST: 43%
Doesn't matter: 10%

Truth Test: Colorado's tobacco tax (20¢) is amongst the lowest in the United States.

One point three two millions dollars of the cigarette tax money raised by this initiative will be spent on administrative salaries and overhead...

More Likely to Vote FOR: 20%
More Likely to Vote AGAINST: 64%

Truth Test: Only 1 percent of the tobacco tax was earmarked for administration.

A California anti-smoking program like the one proposed in Colorado used tax money to sponsor race cars and support a cheerleader team...

More Likely to Vote FOR: 10%
More Likely to Vote AGAINST: 67%
Doesn't matter: 12%

Truth Test: Those sponsorships are important to counter Big Tobacco's sponsorship of sports and other cultural and civic activities.

How likely would you say that the money from this initiative will not be spent on the programs that the initiative specifies but on other programs instead...

Extremely likely: 27%
Very likely: 24%
Just somewhat likely: 33%
Not very likely: 10%

Truth test: An independent citizen's commission would account for the appropriate spending. Since the measure was in the Constitution, the tobacco lobby couldn't use their muscle to divert the money to other programs.

If the money from the initiative is spent on programs other than the ones promised, who do you feel is most likely responsible for that...

The state bureaucracy: 33%
The state legislature: 29%
The Governor: 9%
The initiatives sponsors: 8%
All equally (volunteered): 11%

Do you believe that the Citizens Committee that the initiative authorizes to supervise spending the tobacco tax dollars will consist of average citizens, or do you believe it will consist of political insiders?

Political insiders: 77%
Average citizens: 14%

Truth Test: The 11-member Commission would have been appointed by the Governor with the consent of the Senate and limited to a three-year term.

The next batch of questions were more "Hot button" questions that respondents were asked. They were asked to respond whether they strongly or somewhat agree or disagree with each statement. Many are similar to earlier questions.

We should not write issues like the tobacco taxes and health care spending programs into the Colorado constitution...

Agree Strongly or Somewhat: 59%
Disagree Strongly or Somewhat: 36%

Just like so many other initiatives, there is probably more in the details of this cigarette tax initiative than the sponsors would like you to know about...

Agree Strongly or Somewhat: 85%
Disagree Strongly or Somewhat: 11%

Truth Test: The measure was carefully crafted by more than 20 organizations and was modeled after other successful dedicated tobacco tax programs in California and Massachusetts that have reduced tobacco consumption.

As long as people have a right to smoke, we shouldn't be trying to charge a cigarette tax that is so high it taxes smoking out of existence...

Agree Strongly or Somewhat: 51%
Disagree Strongly or Somewhat: 45%

Truth Test: More than 70% of smokers want to quit smoking and cigarette taxes are known to reduce smoking among youth. This has not happened in other states with much higher tobacco taxes.

I pretty much vote against all initiatives that increase taxes...

Agree Strongly or Somewhat: 41%
Disagree Strongly or Somewhat: 57%

A cigarette tax this high is almost like prohibition for alcohol — it won't work, and it will create as many problems as it solves...

Agree Strongly or Somewhat: 58%
Disagree Strongly or Somewhat: 39%

We shouldn't increase cigarette taxes for hospitals until doctors and hospitals do a better job of controlling costs...

Agree Strongly or Somewhat: 54%
Disagree Strongly or Somewhat: 39%

The people who control how the tax money will be spent should not also be able to receive the money for their own programs...

Agree Strongly or Somewhat: 79%
Disagree Strongly or Somewhat: 14%

Higher cigarette taxes are needed to drive up the price of cigarettes so teenagers can't afford to start smoking...

Agree Strongly or Somewhat: 53%
Disagree Strongly or Somewhat: 44%

In view of the issues just discussed, if the elections were held today would you probably vote For the tobacco tax initiative or would you vote Against it?

For- strongly: 38%
For- not strongly: 13%
Leaning towards: 2%
Leaning against: 1%
Leaning against- not strongly: 8%
Leaning against- strongly: 34%

The next batch of questions asked respondents to rate how well they would pay attention to what was said by some organizations speaking out on the initiative.

The University Hospital

Pay no attention: 20%
Neutral: 28%
Pay Attention: 41%
Not familiar, don't know, refused: 8%

Denver General Hospital:

Pay no attention: 24%
Neutral: 33%
Pay Attention: 36%
Not familiar, don't know, refused: 8%

Children's Hospital of Denver:

Pay no attention: 15%
Neutral: 23%
Pay Attention: 56%
Not familiar, don't know, refused: 6%

Other statistics:

Do you currently smoke?

Current smoker: 20%
Former smoker: 28%
Non-smoker: 51%
Refused: 1%

Registered Republican, Democrat, or something else?

Republican: 39%
Democrat: 29%
Independent: 19%
Something else: 8%

Male: 48%
Female: 52%

Big Tobacco Stresses Need For More Lobbying

By Anne Landman, American Lung Assn, Grand Junction

In the mid-1970s, RJ Reynolds recognized that the tide of public opinion was turning against smoke-filled rooms indoors. They decided to study the matter and devise a plan of action. Their recommendations, outlined in an internal document, called for influencing public decisions by planning and financing a certain pre-determined number of "public commotions" each year about smoking to try and turn public opinion their way. The R.J. Reynolds document "Target Goal #1: Reversing Steadily Unfavorable Trends in Public Opinion Regarding the Social Acceptability of Smoking" unravels this tactic.

"Unless countervailing steps are taken (such as lobbying), public decision-making will march with public opinion."

"Any future efforts to have smokers assert their "rights" is heavily shadowed by the growing desire of smokers to stop smoking. In effect, many smokers want to lose their rights. They are not proud to be smokers and they want to quit or cut down. There's no way that public affairs can deal with this basic barrier given the legal constraints growing from the primary health issue."

You can view the text of the entire document at
<http://www.tobacco.org/Documents/781222rjrsosas.html>

CIGARETTE FIRE DAMAGE

**Cigarettes continue to be the primary source of fire fatalities in the United States.
In 1995 smoking-related fires**

Caused: 153,400 fires

Cost: \$507 million in property damage

Caused: 1,122 fatalities

"Cigarettes Kill: the Other Way", by John R. Hall, Jr., Jan-Feb 1998 issue of the NFPA Journal. To get a copy of this article, and a complete report on smoking material fires, call Nancy Schwartz at the NFPA One Stop Data Shop at (617) 984-7450. NFPA is the National Fire Protection Association, One Batterymarch Park, Quincy, MA 02269.

The Nonsmokers' Voice Special Issue

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Who's Your Legislator in the Colorado General Assembly?
New search engine at our web site gives you their name, address, fax,
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My Friend is a Tobacco Lobbyist An Interview

Introduction:

I recently exchanged e-mail correspondence with a man I'll call Mr. X. Who is Mr. X ? Mr. X is a PR director for a large company with offices in many states. Mr. X knows a lot of people and one of those people -- a close friend -- is a tobacco lobbyist who works for RJ Reynolds.

Just before Governor Bill Owens publicly announced he would like to see the tobacco settlement dollars go to education and children's health initiatives, I sent an e-mail out to our action network titled "Is Bill Owens our friend?" The e-mail documented how much money Owens had taken from Big Tobacco while he was a legislator and how much money he received from tobacco lobbyists during his recent Gubernatorial campaign. It also mentioned that Owens is good friends with Pam Inmann -- a highly aggressive and influential Philip Morris lobbyist in Colorado. Mr. X responded shortly thereafter, saying that Owens has other close friends at RJR. This is where our e-mail interview begins.

Mr. X discusses various tactics and techniques used by Big Tobacco. Many of these techniques have already been made public in *Mother Jones*, interviews with former tobacco lobbyist Victor Crawford, and the industry's internal documents. Mr. X, however, wants to remain anonymous and I have assured him that I would keep his name anonymous. Mr. X has agreed to let me use this information for an article in GASP's newsletter.

Pete Bialick, President, GASP of Colorado

The Interview

Pete:

"Thank you Mr. X, my guess would be that the RJR lobbyist you refer to is either Wallace or Michelle Stealey, Chuck Ford, or Lynn Young --- the principal lobbyists for RJR in Colorado. Out of curiosity, and you don't need to reveal names, how do you know that RJR lobbyists are close to Owens?"

Mr. X:

"It's none of the names on your list. It's a personal friend of Owens and mine (who knows about how I feel about his affiliation with tobacco)."

"Owens has been lobbied on this issue for years, but now he's in a position to really hurt the anti-tobacco movement. Most big tobacco companies do not allow their grass roots specialists to lobby in their home state. So the person to whom I elude doesn't even live in Colorado."

"You understand, I assume, that tobacco cares deeply how the dollars are spent. They'd like to be associated with positive educational, social services, or anything else that draws attention to the 'public service' made possible by the tobacco settlement and away from anything that educates the public about the insanity of smoking."

"You are also aware that tobacco has the MOST sophisticated grassroots lobbying organization in America. The good news though, is that the machine has fallen upon hard times with the settlement. My suspicion is that the California settlement yesterday may force big tobacco to oil it up and get it going again."

"Keep up the good fight."

Pete:

"Governor Owens recently announced he wants all the tobacco settlement to go to education and children's health. Do you know if your RJR friend had anything to do with it?"

"I know RJR has a monthly newsletter that goes to a lot of Coloradans. Internal documents show that 12 years ago they asked all these people to write their legislator to oppose a statewide law on smoking in public places. But I would appreciate more details. Also, do you know if RJR is using the network to try to steer settlement dollars away from tobacco prevention?"

Mr. X:

"My guess is yes. He met with the Governor in the last few weeks. It is certainly in Tobacco's interest to associate the money to positive programming, rather than smoking cessation programs."

"I need to ask for anonymity on this issue. My dad died of lung-cancer, so I'm with you 15 percent. But on this issue involving the governor, I need to be in the background. OK?"

Pete:

"Mr. X, I want to assure you that I will not reveal your identity or name. What else can you tell me about the grassroots network?"

Mr. X:

"First, 15 percent was suppose to read 150 percent. In answer to your question, it's by far the most sophisticated direct mail, letter desk generation, database management, coalition-building organization in America, bar none!"

"While the rest of America takes it for granted that lawmakers will surely do the right thing, big tobacco engages all organizations who share in any way with their ideology. These include: smokers, anti-tax groups, anti-government groups, militia groups, convenience store owners, related industry groups."

"What this creates, and I'm in this line of work so I know, in the minds of policy makers is that what should be a slam-dunk decision is a lot more controversial than it really is."

"Bottom line: tobacco is far more sophisticated and organized than any of its opposition."

"The 'machine' which was in the process of being dismantled after the settlement, in my opinion, will be re-oiled if lawsuits like the one in California two weeks ago begin to catch on."

"Big tobacco can't allow ordinances that prevent people from smoking wherever they want; they can't afford to have the public inundated with anti-smoking educational programs. So they lobby to have the money spent on positive projects involving education, feeding the poor, etc., anything that isn't going to make it harder for them to hang on to smokers."

Pete:

"The tobacco companies have gotten much more effective with their grassroots campaigns. A 1987 document shows that RJR sent 24,426 smokers alerts asking them to write to legislators about a clean indoor air law being debated in the legislature. 749 wrote with 473 going to State reps. That is not a very good response rate and 70% of smokers want to quit anyways (down from 90% at one time)."

"I suspect they ghost write letters and provide smokers incentives to write or show up at local public hearings (money or a carton of cigarettes). Do you know if this happens and can you give me any specifics?"

"I am working on our newsletter. It will have a special report on some of the internal documents. *Mother Jones* did an expose on some of the stuff the companies do in 1996. Would you be willing to write an article anonymously about the grassroots issue? How about RJR connection to Owens? Or if you wish, I could call you and conduct an interview."

Mr. X:

"The way it works is that they call the smoker, tell them of the threat, and offer to write a letter on their behalf. The letter is then sent to the 'constituent' who signs and forwards."

"The response rate, is actually guaranteed, because the letter is already addressed to the policy maker, an envelope prepared, and so on. Literally all the constituent has to do is sign it, place it in an envelope and pop it in the mailbox. And let's face it, anyone whose still smoking with the mountain of evidence out there, for the most part, is pretty easily lead. It's quite the machine!"

Pete:

"You said last week that Bill Owens met with 'Mr. RJR' about two weeks ago. Do you know who initiated the meeting (Owens or Mr. RJR)? Do you know if they met here or at the Governor's monthly conference?"

Mr. X:

"I don't know any of the details, just that they were supposed to meet. My guess, and it's only a guess, is that my friend arranged the meeting. I can't imagine Owens WANTING a meeting to talk about tobacco issues."

Pete:

"Do you know where the governor and Mr. RJR met?"

Mr. X:

"They were supposed to meet here in Denver, but I don't know if the meeting ever took place. I would normally be willing to call my friend to ask about it, but then he'd know I was the source."

Pete:

"Do you know if RJR provides financial incentives or gifts to entice smokers to participate in grassroots efforts?"

Mr. X:

"I believe that they have been given free catalog gifts for their efforts. When they meet in bars, the tobacco representative usually buys."

Pete:

"I've heard RJR has a 'Peaceful Coexistence program' that works on opposing no-smoking ordinances especially when it deals with restaurants. Do you know if RJR uses the program to give money or in-kind payments to restaurant associations and restaurant owners to go out and oppose no-smoking ordinances?"

Mr. X:

"I don't know how they fund these campaigns. But I do know that they've formed coalitions in nearly every state to oppose any restrictions like the ones you reference. RJR funds them along with restaurant owner associations, anti-government and tax groups, convenience store associations, etc."

"It's very sophisticated, very well funded. Think of it as bringing together disparate groups who may not favor tobacco, but who have a ax to grind and tobacco is the beneficiary."

Pete:

"Have you ever heard of RJR using the names of dead people when sending ghost-written letters to the editor?"

Mr. X:

"Not that I'm aware of. Usually they reach a live body via telephone, then either transfer them on line to their elected official, or write a letter that is then sent to the constituent for his/her signature and forwarding. But it's almost always tied to another issues like taxes, anti-government, etc. As you can imagine, the companies databases are huge."

Pete:

"Can you get more specific about the coalitions RJR has formed in every state to oppose smoking restrictions? Do you know any names of groups and who leads them? Has your friend told you any specific stories about what they have done in Colorado or other states either locally or statewide that you could share?"

Mr. X:

"If I get any more detailed this will come back to haunt me. I cannot afford that. There are coalitions in every state."

Pete:

"In 1996 *Mother Jones* did an expose on Big Tobacco's "grassroots" efforts including the names of coalitions in Texas (Citizens Against Government Interference), Minnesota (Minnesota Coalition of Responsible Retailers), Michigan (Michigan Citizens for Fair Taxes), and Maine & Vermont (Grocers Associations). Much of the activity is coordinated by the Ramhurst Corporation says *Mother Jones*. I am sending you a copy of part of the long expose. So it wouldn't exactly be news. I'll send that today and I hope you'll reconsider going public. Meanwhile, how did you get to know Mr. RJR?"

Mr. X:

"Mr. RJR is one of the principals in Ramhurst."

Pete:

"According to *Mother Jones*, James Ellis (formerly of the Free Congress Foundation) is the President and Doug Goodyear (a former GOP operative in Colorado and New Jersey) is the vice president and treasurer of Ramhurst."

"So my guess is that Mr. RJR is Doug Goodyear because with his former GOP connection he probably knows Bill Owens well."

"You also wrote that Mr. RJR is a friend. Political friend, former neighbor, business friend, relative?"

Mr. X wrote:

"Cannot confirm."

Note: That ended our series of e-mail exchanges.

Did Owens Play Hardball with Tobacco Settlement Bill?

The tobacco settlement bill died in the House on the last day of the legislative session. The bill was the tool for the state to implement the settlement by the Attorney Generals with about \$2.8 billion going to Colorado. The final version of the bill split the proceeds and would have 30% going to a children's basic health plan, 20% to an annual endowment, 15% for tobacco education and prevention (5% for K-12 programs), 10% (reducing to 0%) for K-12 school construction, 10% for the read to achieve program, 8% for tobacco-related research, 3% for school violence, 2% (increasing to 10%) for a home nursing program, and 2% (for 10 years) to move the CU Health Sciences Center.

Capitol reporter Sandra Fish of the *Boulder Daily Camera* said about the death of SB132: "In the waning hours of the session, Owens lobbied hard for his position on spending \$2.8 billion in the tobacco lawsuit settlement money over the next 20 years or so. He wanted 30 percent of the money to go to education, while some legislators wanted less for education and more for health care programs. In the end, Owens refused to back down, bringing negotiations to an end..."

Other sources believe that Owens threatened to use a veto if he didn't get 30% for education (15% for school construction and 15% for the read to achieve program), and when it appeared like he wouldn't get his way, Republican legislators killed the bill so that Owens wouldn't have to use a veto on it in effort to "save face." The bill was killed 42-23 when the House sponsor Marcy Morrison asked that it be laid over till May 6 (insiders say Morrison asked that the bill be withdrawn). The House had passed the bill earlier by 44-21 and then it kills an almost identical bill on the final vote. The recorded vote shows that the motion to kill the bill went along party lines with Republicans pulling together to kill the bill.

Here's the history of SB 132 and the key votes on the bill:

(info obtained from web site and printed journals)

Bill status and actions by date:

Jan 22 Introduced in Senate and assigned to Finance & Appropriations.
 Jan 29 Senate Finance refers bill to Senate HEWI.
 Feb 15 Senate HEWI amends bill and sends to Senate Appropriations.
 Apr 27 Senate Appropriations amends bill and sends to floor for 2nd reading.
 Apr 27 Bill passes 2nd reading and is sent on for 3rd reading.
 Apr 28 Bill passes 3rd reading and is sent to House.
 Apr 29 Introduced in House and assigned to HEWI.
 Apr 30 House HEWI amends bill and refers to House Appropriations.
 May 03 House Appropriations amends bill and sends to floor for 2nd reading.
 May 04 Bill is amended on 2nd reading and is sent on for 3rd reading.
 May 05 Bill passes House on 3rd reading and is sent back to Senate.
 May 05 Bill is modified by a Senate Conference committee.
 May 05 Bill is laid over and fails in the House vote.

The Senate Vote

Senate Bill 132: Final Vote Count on Third Reading

Yes 29 No 6 (A Yes vote passes the bill)

Norma Anderson (R)	Y
John Andrews (R)	N
Ken Arnold (R)	N
Tom Blickensderfer (R)	Y
Ken Chlouber (R)	N
Jim Congrove (R)	Y
Gigi Dennis (R)	Y
Jim Dyer (D)	Y
Mary Ellen Epps (R)	N
John Evans (R)	Y
Mike Feeley (D)	Y
Rob Hernandez (D)	Y
Mark Hillman (R)	N
Elsie Lacy (R)	Y
Doug Lamborn (R)	Y
Doug Linkhart (D)	Y
Bob Martinez (D)	Y

Stan Matsunaka (D)	Y
Marilyn Musgrave (R)	Y
Alice Nichol (D)	Y
David Owen (R)	Y
Pat Pascoe (D)	Y
Ed Perlmutter (D)	Y
Terry Phillips (D)	Y
Ray Powers (R)	Y
Peggy Reeves (D)	Y
Dorothy Rupert (D)	Y
Bryant Sullivan (R)	Y
Gloria Tanner (D)	Y
MaryAnne Tebedo (R)	N
Ronald Teck (R)	Y
Bill Thiebaut (D)	Y
Dave Wattenberg (R)	Y
Frank Weddig (D)	Y
Dotty Wham (R)	Y

Co-sponsors added: Dyer, Hernandez, Linkhart, Pascoe, Perlmutter, Phillips, Reeves, Rupert, Weddig, Wham.

The House Vote

SB 132 passed the House on the first final vote (3rd reading) 44 to 21. The conference committee made minor modifications and then the House killed the bill 42 to 23. On the final vote all Republicans and two Democrats (Carl Miller and Dan Grossman) voted to kill the bill and almost all the Democrats voted not to kill it (Democrat Dan Grossman may have voted to kill the bill for procedural reasons).

	VOTE ON 3RD RDG		FINAL VOTE			VOTE ON 3RD RDG		FINAL VOTE	
	Yes	Vote Passes Bill	Yes	Vote Kills Bill		Yes	Vote Passes Bill	Yes	Vote Kills Bill
	Yes	44	No	21		Yes	44	No	21
Kay Alexander (R)	Y			Y	Carl Miller (D)	Y			Y
Debbie Allen (R)	N			Y	Shawn Mitchell (R)	N			Y
Bob Bacon (D)	Y			N	Marci Morrison (R)	Y			Y
Gayle Berry (R)	Y			Y	Joe Nufiez (R)	N			Y
Nolbert Chavez (D)	Y			N	Mark Paschall (R)	Y			Y
Lauri Clapp (R)	N			Y	Penn Pfiffner (R)	N			Y
Benjamin Clarke (D)	Y			N	Tom Plant (D)	Y			N
Fran Coleman (D)	Y			N	Ann Ragsdale (D)	Y			N
Doug Dean (R)	Y			Y	Todd Saliman (D)	Y			N
Richard Decker (R)	Y			Y	Glenn Scott (R)	Y			Y
Rob Fairbank (R)	Y			Y	Bill Sinclair (R)	N			Y
Al Gagliardi (D)	Y			N	Matt Smith (R)	Y			Y
Russell George (R)	Y			Y	Nancy Spence (R)	Y			Y
Ken Gordon (D)	Y			N	Lola Spradley (R)	N			Y
Dorothy Gotlieb (R)	Y			Y	Joe Stengel (R)	N			Y
Dan Grossman (D)	Y			Y	Bill Swenson (R)	Y			Y
Bob Hagedorn (D)	Y			N	Stephanie Takis (D)	Y			N
Lynn Hefley (R)	N			Y	Abel Tapia (D)	N			N
Diane Hoppe (R)	N			Y	Penfield Tate (D)	Y			N
Steve Johnson (R)	Y			Y	Jack Yaylor (R)	Y			Y
William Kaufman (R)	Y			Y	Lois Tochtrop (D)	Y			N
Moe Keller (D)	Y			N	Steve Tool (R)	Y			Y
Kenneth Kester (R)	Y			Y	Ron Tupa (D)	Y			N
Keith King (R)	N			Y	Jennifer Veiga (D)	Y			N
Mark Larson (R)	Y			Y	Valentin Vigil (D)	Y			N
Joyce Lawrence (R)	N			Y	Bill Webster (R)	N			Y
Don Lee (R)	N			Y	Suzanne Williams (D)	Y			N
Gloria Leyba (D)	Y			N	Tambor Williams (R)	N			Y
Frana Mace (D)	Y			N	Sue Windels (D)	Y			N
Ron May (R)	N			Y	John Witwer (R)	Y			Y
Andy McElhany (R)	N			Y	Brad Young (R)	N			Y
Scott McKay (R)	N			Y	Paul Zimmerman (D)	Y			N
Gary McPherson (R)	N			Y	Co-sponsors added: Representatives Bacon, Decker, Gordon, Hagedorn, Plant, S. Williams, Windels.				

Other Tobacco Bills

Senate Bill 172 by Senator Elsie Lacy passed. This bill makes all settlement moneys "damages" not subject to the "Tabor" revenue controls and sets up a trust of 20% for the settlement money.

Senate Bill 54 by Senator John Andrews was killed in Senate Appropriations. This bill would have put all the settlement money into a trust and didn't specify where the funds will go. This meant no settlement money would have been spent on tobacco prevention and education.

House Bill 1208 by Representative Ken Gordon passed. This bill keeps renegade tobacco companies from being exempt from the provisions of the settlement.

KARSH & HAGAN CORRECTION

Russell, Karsh & Hagan PR and Karsh & Hagan are Separate

Our last newsletter featured an article on how tobacco industry internal documents show that Karsh & Hagan worked to influence the media for Philip Morris. Karsh & Hagan President Pasquale Marranzino informs GASP in an April 30 letter, "I want to go on record that Karsh & Hagan is an advertising agency in Denver, and we have not and do not represent Philip Morris or any other tobacco company. Our former sister agency, Russell, Karsh & Hagan Public Relations represent Philip Morris not Karsh & Hagan."

Pasquale says that while the two companies were partners in the same building, they had separate accounts. Charlie Russell owned 51% and controlled the vote on accounts, said Pasquale in a recent phone conversation.

One health advocate I spoke to doesn't doubt that the two agencies were separate but wonders why Karsh and Hagan couldn't have applied more pressure to deny the Philip Morris account considering Karsh and Hagan's name was a prominent part of the business.

Pete Bialick, Editor

The Nonsmokers' Voice

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Did Philip Morris Deliberately Withhold Election Expenses in Boulder?

Public Relations Firm Appears to Have Run 1995 Ballot Campaign But Didn't Report it

GASP of Colorado (Group to Alleviate Smoking Pollution) has uncovered internal documents indicating that Philip Morris did not report all its expenses in the 1995 Boulder no-smoking initiative campaign. POGO (the opposition) reported receiving \$22,255 in donations, with a minimal amount coming directly from tobacco companies. The group used an attorney who works for the tobacco lobby, got donations from retailers and the Colorado Tobacco and Candy Association. The opposition denied getting help or money from Big Tobacco during most of the campaign. Proponents of the ordinance (FAIR) knew that other tobacco industry consultants were helping the opposition behind the scenes. However, FAIR had no concrete proof to verify this information.

Now, four years later, internal documents unearthed by GASP of Colorado confirm that the opposition (POGO) used the services of a Philip Morris consulting firm as early as July 1995 — almost five months before the election. The earnings of those consultants (Russell, Karsh & Hagan Public Relations) were never reported to the Boulder City Clerk. The documents indicate that the Philip Morris PR firm aided the opposition by writing and submitting letters to the editor, composing op-ed pieces, arranging editorial board meetings, developing messages, preparing press releases, arranging press conferences and radio interviews, preparing opponents for radio shows and press conferences, contacting news media to generate unfavorable press, assisting with PR activities in a lawsuit, and day-to-day consulting.

"In my view, those type of activities indicate to me that a Philip Morris consultant was running the campaign to

oppose Boulder's no-smoking ballot issue without ever reporting it to elected officials," said Pete Bialick, president of the statewide nonsmokers' rights group. "I wouldn't be surprised if these activities entailed \$50,000 to \$250,000 in campaign costs that were never reported to the city," said Bialick.

"Furthermore, I believe that the Philip Morris PR firm deliberately withheld expenses to avoid further influencing Boulder voters from supporting the smoking ban," Bialick

"In my view, those type of activities indicate to me that a Philip Morris consultant was running the campaign to oppose Boulder's no-smoking ballot issue without ever reporting it to elected officials,"

Pete Bialick, GASP of Colorado

added. The tobacco industry knows that they have a bad image and wants to keep a low profile in local anti-smoking campaigns, according to internal documents and statements by tobacco lobbyists. GASP of Colorado is checking with the Attorney General to see if the actions by Philip Morris violated any laws or constituted any form of fraud.

GASP of Colorado has also uncovered other evidence that Philip Morris may have laundered money to oppose the 1995 campaign through the Colorado Restaurant Association. The Association spent \$5,000 opposing the campaign. According to records obtained on the CIVIC campaign disclosure website, the Colorado Restaurant Association PAC received \$5,000 from Philip Morris at the end of 1995 and another \$7,500 at the beginning of 1996.

These documents and other internal documents show that Big Tobacco continues to pour substantial money into opposing regulations on smoking while hiding behind front groups and individuals.

Continued on page 7

Clients of Colorado's Most Influential Tobacco Lobbyists

Half of the 450 tobacco lobbyists in America also lobby for a health-related organization or business, or for medical or physician groups according to research published in the *American Journal of Public Health*. These relationships, whether done knowingly or unknowingly, represent real ethical inconsistencies and conflicts of interest that should be examined, says the *Journal*.

Tobacco lobbyists represent a number of health groups in Colorado according to the current list of lobbyists published by the Secretary of State. In 1996 health activists confronted the Rose Medical Center about why they were employing tobacco lobbyist Ruben Valdez. Months later, Rose asked Valdez to choose between working for good health or working for Big Tobacco. Valdez reportedly chose to remain with Philip Morris.

GASP of Colorado's Board of Directors feels it is ethically inconsistent and a conflict of interest for health groups to employ a lobbyist that helps promote smoking — the number one cause of disease and death in Colorado. Tobacco kills 4,500 people each year in Colorado. If you would like to join GASP in its campaign to put pressure on health groups who use tobacco lobbyists, see the box below.

This list is based on public records available at the Secretary of State's office and other sources. Health groups and other odd bedfellows are listed in bold. Tobacco contracts are capitalized.

FRANK L HAYS JR.

(Associates: Michael Fitzmons, Matthew Flora, Karen Reinertson, Lynn Young)
Company: Hays, Hays, & Wilson

Lead tobacco lobbyist in State, previously represented the **Tobacco Institute**. Currently works for **Lorrillard Tobacco, Brown & Williamson Tobacco, and CRL Associates** (CRL has been a major Philip Morris contractor). Hays's firm received more than \$400,000 from the tobacco industry to oppose the 1994 tobacco tax campaign.

Clients Include:

American Medical Response of Colorado
William Artist
Association of Life & Health Insurers
George K Baum & Company
BROWN & WILLIAMSON TOBACCO
(received \$10,500 in 1999)
Building Owners & Managers Association
Cascade Auto Glass
Cherry Creek School District
Coalition for Natural Health
Colorado Association of Realtors
Colorado Health Care Association
Colorado Psychiatric Society
Colorado Restaurant Association
Colorado Rockies Baseball Club
Colorado Ski Country, USA
Colorado Trial Judges Council
Columbia Health Care Association
Commercial Real Estate Women
COPIC Insurance Company
CRL ASSOCIATES (received \$25,000 in 1999)
Denver Public Schools Employees
E-470 Public Highway Authority
Eli Lilly Co
Greenwood Village (city of)
Independent Bankers of Colorado
International Council of Shopping Centers
LeGan Inc.
LORRILARD TOBACCO
(received \$10,500 in 1999)
Metro Taxi, Inc.
Motion Picture Association of America
National Assn of Independent Office Properties
North America Power Group Ltd
Shea Homes, Highland Ranch
(which bought Mission Viejo — a subsidiary of Philip Morris)
Shell Oil Company
Southeast Business Partnership
Steeley & Associates
U. S. West Communication Inc
Wellpoint Health Networks
Wine & Spirits Wholesalers of Colorado

WALLACE STEALEY

(Associates: Becky Brooks, Chuck Ford, Michelle Stealey)
Company: Stealey & Associates

Lobbies for **R. J. Reynolds Tobacco Company**. Stealey made about \$200,000 as a tobacco industry consultant opposing the 1994 tobacco tax campaign.

Clients Include:

Anchor Gaming
Anthem Inc.
Background Information Services Inc.
Casino Owners Association of Colorado
Colorado Association of Home Builders
Colorado Assn of Plumbing-Heating-Cooling Contractors
Colorado Automobile Free Trade Association
Colorado Education Association
Colorado Radiological Society
COLORADO RETAIL COUNCIL
(received \$12,550)
Colorado State Pipe Traders Association
Community Corrections Services
Contract Administration Fund of Colorado
E-470 Public Highway Authority
Equus Farms
Ethanol Management Company
Farmer's High Line Canal & Reservoir Co
Farmer's Reservoir & Irrigation Company
First American Railways (Durango/Silverton Gauge RR)
Forbes Trinchera Ranch
Harvey's Wagon Wheel Casinos
Hays Hays & Wilson
Health Insurance Association of America
Independent Bankers of Colorado
International Brotherhood of Electrical Workers
Isle of Capri Casinos Inc.
Klode Salvage & Towing
Merck & Company Inc.
Newmont Gold
Prudential Insurance of America
Pueblo (city of)
R. J. REYNOLDS TOBACCO COMPANY
(received \$52,000 in 1998)
Rio Grande Water Conservation District
Rocky Mountain National Electrical Contractors Assn.
RRK Enterprises/Independence House
San Isabel Electrical Assn.
Seagram & Sons Inc.
Towing & Recovery Professionals of Colorado
Trinidad (city of)
United Title Companies, Inc.
U S West Communications Inc.

RUBEN A. VALDEZ

Works for **Philip Morris USA**, and also a paid tobacco industry consultant opposing the 1994 tobacco tax campaign.

Clients Include:

Allied Jewish Federation of Colorado
Asarco, Inc.
Central City (City of)
Colorado Association of Transit Agencies
Colorado Greyhound Breeders
Colorado Health Care Assn.
Colorado Library Association
Colorado Livestock Association
Denver Health Department
(received \$25,000 in 1999)
Denver Public Schools
PHILIP MORRIS (received \$51,000 in 1999)
Piper Jaffrey Inc.
Scientific Games, Inc.
Sycare/Options-Colorado Health Networks
Thornton (city of)

What You Can Do?

- 1) **Do you personally know anyone affiliated with any group?** Contact any individual members, board directors, stockholders, or officers.
- 2) **State your concerns and ask questions**, but avoid harassment. Ask: "Are you aware that your contract lobbyist also lobbies for the tobacco industry?" "Don't you think this might be ethically inconsistent and conflicts with your mission?"
- 3) **Copy this list**. Give it to people who associate with these groups or businesses. Send it to friends and other organizations. Urge them to contact members, directors, and officers to express their concerns.
- 4) **Consider withdrawing your support or business until the conflict is resolved**. Write a letter to the Corporate officer or Director and send a copy to a few members of the Board directors explaining your decision.
- 5) **Share your experiences** and send copies of all written correspondence to GASP of Colorado.

GASP's Unethical Bedfellows Campaign

GASP will be focusing on six groups every two months (current focus underlined). If you'd like to be a part of the campaign, call us at 303-444-9799 or e-mail us at gaspco@aol.com.

A public service of
The Group To Alleviate Smoking Pollution
(GASP of Colorado)
2885 Aurora Suite 37
Boulder CO 80303
(303) 444-9799

Promoting smoke-free policies and
exposing the tobacco industry since 1977.

Secondhand Smoke Hikes Stroke Risk

by Emma Ross, Associated Press Writer
August 17, 1999

LONDON (AP) -- Breathing in other people's cigarette smoke makes nonsmokers 82 percent more likely to suffer a stroke, a new study suggested Tuesday -- indicating the dangers of so-called passive smoking are much worse than originally believed.

Two previous studies have linked stroke with secondhand smoke. Studies also show passive smoking increases the risk of heart disease, heart attack, lung and breast cancer, and breathing-related diseases.

The study examined 521 stroke patients in Auckland and compared them with 1,851 randomly selected healthy people matched by sex and age to see the effect of smoking and secondhand smoke on the chances of suffering a stroke. None of the subjects was older than 74.

The fewer cigarettes people smoked each day, and the longer ex-smokers had abstained, the better off they were, but the difference between them and nonsmokers was not as dramatic once secondhand smoke was taken into account.

Secondhand Smoke Tied To Breast Cancer Risk

Reuters, Feb. 25, 1999

Exposure to cigarette smoke — passive smoking — may trigger cell changes that lead to breast cancer, report US researchers. The risk of these cell changes is highest in those exposed to passive smoking during childhood, before breast tissue matures, according to the study published in the American Journal of Epidemiology.

"Our results showed that passive exposure to cigarette smoke increases risk, and many earlier studies didn't take that into account, which dilutes their results," says Dr. Timothy Lash, who is a research associate at the Boston University School of Public Health in Massachusetts.

The theory underlying Lash's approach is that breast tissue is vulnerable to genetic damage when the cells are dividing. This occurs at puberty and again during pregnancy. Among passive smokers, the risk of breast cancer diminished with increasing age at first exposure to smoking.

American Journal of Epidemiology 1999;149:5-12.

Environmental Tobacco Smoke Harms Non-Smoking Children for Years

April 2, 1999, By Pam Frost

The negative effects of environmental tobacco smoke on a child who lives with parents who smoke continue to linger long after that child has left home, a new Ohio State University study suggests.

In tests, college students who were exposed to high levels of environmental tobacco smoke (ETS) as children maintained higher blood pressure, mean arterial pressure, and heart rate at rest and during psychological stress compared to students who grew up with low levels of ETS.

"We've learned that children who grow up in a smoking household will have small but long-lasting negative effects on their health," said Catherine Stoney, co-author of the study and associate professor of psychology at Ohio State. "You don't have to be the one smoking, but you can still vicariously suffer some of the effects," said Lisa Manzi Lentino, psychology graduate student.

International Journal of Behavioral Medicine

Tobacco By-Products Passed to Fetuses, Researchers Say

New York Times, August 24, 1998

Researchers have found the first direct evidence that a cancer-causing substance from tobacco is transmitted to fetuses by pregnant smokers.

Stephen Hecht of the University of Minnesota Cancer Center said his findings established that the nicotine-derived chemical NNK is not only received by the fetus but processed by the body. The chemical is the only known lung carcinogen found solely in tobacco smoke.

The articles on this page have been condensed. If you would like to receive a complete version, call us at 303-444-9799 or e-mail us at GASP@aol.com. You can also find a number of other research and educational articles at our website <http://gasp.somedec.com>.

JOIN GASP and together we will all breathe easier

- ☐ Yes, I support GASP's efforts to promote smoke-free air. Here is my contribution of _____ \$100 _____ \$75 _____ \$50 _____ \$25 _____
(GASP's annual membership dues start at \$25)

- ☐ I support your efforts, but I do not want to become a member.

Name _____
Address _____
City-State-Zip _____
Phone _____

Mail and make checks payable to:

GASP OF COLORADO
2885 Aurora Avenue, Suite 37
Boulder CO 80303-2252

GASP in Action

Restaurant Guide

GASP of Colorado has distributed more than 5,400 copies of the 1999 *Colorado Guide to Smoke-Free Dining*. The guides have gone to our sponsors, individuals, companies, restaurants, and to the general public. This includes: Colorado ASSIST Alliance (1,750), general distribution (800), GASP members (700), Media (512), Public Libraries (248), Jefferson County Health Dept. (250), Poudre Valley Foundation (250), Coalition for a Tobacco-Free Colorado (200), companies that are smoke-free (190), foundations (180), Chambers of Commerce and AAA (155), Denver Public Health (125), state legislators and the Governor (109), and Colorado Action for Healthy People (100).

Some of the media mentioning the guide include: *Aurora Sentinel*, *Boulder Business Report*, *Boulder Daily Camera*, *Breckenridge Journal*, *Colorado PTA Bulletin*, *Colorado Springs Gazette*, *Denver Post*, Fox 31, *Glenwood Post*, *Greeley Tribune*, KCNC Channel 4, KMGH Channel 7, KRMA Channel 2, KUSA, KVOD, *Montrose Daily Sentinel*, *Parkhill newsletter*, *Pueblo West Journal*, a number of radio public service announcements, *Rocky Mountain News*, and TCI.

The restaurant guide continues to be GASP's most popular program. To date we have spent \$25,936 on printing, distribution, and promotion. We raised \$19,539 from sponsors and donations. The cost of each guide is running at more than \$4.00 each.

Internet and List-Serve

GASP surveyed the 125 subscribers to *GASPAActionLine* and *GASPNewsLine* regarding our e-mail educational services. We created a new "Urgent Service" for people who want to get a minimal amount of e-mail and have more than 300 people signed up for this new service. We added educational articles to our Website as well as a search engine that allows you to locate information about your state and federal legislators (name, address, phone, etc.).

GASP Website
<http://gasp.somedec.com>

Media Campaigns

GASP of Colorado has produced a 15-second and a 30-second TV spot to promote the 1999 *Colorado Guide to Smoke-Free Dining*. The TV spots were sent to nine major TV stations in Colorado as a public service announcement. Channel 2, TCI, and Fox 31 have played the PSAs. In addition, GASP was able to buy time on Channel 7 (KMGH), Channel 9 (KUSA), and TCI Cable using our ad fund and with a \$5,000 grant from the Colorado ASSIST Alliance. The TV spots have yielded more than 250 calls.

GASP has also placed small newspaper ads that deal with the dangers of secondhand smoke, smoke-free dining, exposing the tobacco industry, and offering free educational articles. GASP received a small grant from the Colorado Alliance for Tobacco Education & Prevention to assist us in some of these endeavors.

GASP of Colorado allocates 10% of all donations into our ad fund. We use these funds to sponsor media messages on tobacco smoke and to expose the tobacco industry.

Local Campaigns

GASP helped pass a youth access law in Boulder with the Alliance of Boulder County on Tobacco and Health. We helped defeat a "pro-tobacco industry" clean-indoor-air resolution in Aurora by sending out action alerts to more than 800 people.

Education

GASP sent copies of the recent report about how secondhand smoke increases the risk of strokes to all state legislators, Chambers of Commerce, and the Board of Directors of the Colorado Restaurant Association. We also sent them a recent tourism study (see page 8).

GASP distributed many educational materials. They include: the "Secondhand Smoke and GASP" brochure (2,000), the "Welcome, Smoke-Free Restaurant" sign (1,900), the "Welcome, Smoke-Free Home" sign (1,700), the "Welcome, Smoke-Free Environment" sign (800), the *Consumer Reports* article on secondhand smoke and teenage smoking (470), and the "Cancer Country" bumper sticker (400) and six-foot poster (25).

Cancer Country Poster Clearance Sale

GASP of Colorado has further reduced the price of the large 6' x 19" cancer country poster. The signs are a replica of the ads that ran on RTD buses and are printed on a durable plastic laminate. The poster is red-white and black and features a skeleton in place of the Marlboro Man. "Cancer Country" replaces the words "Marlboro Country," and the warning message says "Warning: Smoking Harms Everyone." **The price of the poster is now \$18 per poster, including shipping and handling (a savings of \$10 off the original price).**

To order the large poster, please send a check and a note about the number wanted to:

The GASP Ad Fund
2885 Aurora Suite 37
Boulder CO 80303

Cooperation & Collaboration

GASP of Colorado works with many other groups on tobacco issues. We are the fiscal sponsors of the Boulder county SHOUT project (Stay Healthy Oppose Using Tobacco), advisors to the Alliance of Boulder County on Tobacco and Health, and members of the Coalition for a Tobacco-Free Colorado (now Colorado Alliance for Tobacco Education & Prevention). GASP President Pete Bialick, members of GASP's Board, and other GASP members are actively involved working with a number of committees in the statewide alliance. These include public affairs, the tobacco settlement group, local policy group, and the grassroots group. Locally, GASP has been advising people on clean-indoor-air efforts in Aurora, Montrose, Superior, and other places.

Research

GASP has been researching the tobacco industry's activities in Colorado by reviewing internal documents posted on websites run by various tobacco companies. A number of these documents have been shared with other activists throughout the U.S.

Board of Directors

GASP welcomes to the Board of Directors Carol Betson, PhD. Carol ran a nonsmokers' rights group in Hong Kong and has been actively working on tobacco issues for a number of years.

Board members serve in an advisory capacity and play a role in the decision-making process. The Board meets in the evening in Denver every two months. Board meetings are open to all GASP members. Applicants to the Board must be dues-paying members of GASP and must attend at least one Board meeting before applying. Call Pete Bialick at 303-444-9799 for an application or information about the next Board meeting.

GASP's Office Hours and Administration

GASP's office hours are Monday through Friday 9:30-12:30 and 1:30-5:30. We are located at 2885 Aurora, Suite 37, in Boulder. Most of our work is done over the phone and by mail (regular and e-mail).

Pete Bialick, President (and this newsletter editor) is the only "paid" employee. Pete also donates 20 or more hours a week advocating for smoke-free air.

GASP's Smoke-Free Policies for the Millenium

Effective January 1, 2000, GASP of Colorado is establishing tougher guidelines for listing smoke-free restaurants, cafes, and bars on our web page and in our printed directory. On January 1, 2000, we will list only those establishments that are 100% smoke-free inside, even if they have a "fully enclosed separately ventilated" bar that allows smoking. GASP notified about 60 restaurants listed in the guide that would be affected by the policy change. These restaurants have an asterisk by them in our current dining guide.

GASP's Smoke-Free Dining Guidelines For The Year 2,000

- 1) The inside area of the entire restaurant (or bar) must be 100% smoke-free at all times. Restaurants that allow smoking outside are listed, as long as the inside is 100% smoke-free.
- 2) Carry-out or drive-in-only restaurants without seating areas are not listed. We list all sit-down eateries including ice-cream and frozen yogurt places, coffee places, bakeries, donut stores, juice bars, and bars that meet our guidelines. All listings are posted to our Website and in our printed directory.

Why GASP Is Making This Change Now

- We continue to receive complaints about seeping smoke from "enclosed smoking bars" when adjoining doors are opened and closed. People who are severely affected by secondhand smoke, such as asthmatics, may become ill when this occurs, while they and others are exposed to an unsafe class A carcinogen.
- Secondhand smoke is a known human carcinogen for which there is no safe exposure level, according to the Centers for Disease Control. Food workers have a 50-90% increased risk of lung cancer that is most likely caused by exposure to tobacco smoke in restaurants (JAMA, 1993). Recent studies show that people exposed to others' cigarette smoke were 82 percent more likely to have strokes.
- It is more consistent with the name of the list: *The Colorado Guide to Smoke-Free Dining*.
- It meets with Surgeon General C. Everett Koop's call for a smoke-free society by the year 2,000.
- Allowing smoking in an establishment denies access to people with breathing difficulties and other health conditions and may violate the Americans With Disabilities Act.
- When the guide was first published in 1992, GASP of Colorado allowed an exemption for fully enclosed bars that allow smoking within restaurants because there were only 300 smoke-free eateries in Colorado. There are now more than 3,800 smoke-free dining places, so this is an appropriate time to make the change.

Tobacco Industry's Local Tactics Exposed

by Pete Bialick, President, GASP of Colorado (Group to Alleviate Smoking Pollution)

An internal document formulates the tobacco industry's strategy for countering the success of health advocates to obtain smoke-free policies at the local level, the expansion of ASSIST, and other anti-smoking groups. The 13-page document shows how Big Tobacco employs these strategies in more and more localities and will probably continue to employ it in a much more coordinated way. Big tobacco's efforts are intense, organized, and it is often tough to prove that the industry is behind it. According to *Mother Jones*, industry allies are instructed to deny industry involvement. This is necessary because once the industry is exposed, the plan will most likely fail. This document exposes the tobacco industry's efforts to hide behind front groups.

Memorandum November 30, 1992
Bates #202396875 (Philip Morris site)
To: Samuel D. Chicote
From: Kurt L. Malmgram
RE: Expanded Local Program

"As a result the industry is prepared to deliver direct mail, run phone bank operators and otherwise attack local proposals with our business allies in a generally coordinated and productive fashion."

Using strategies formulated in California and Massachusetts this memo indicates that the industry began to formulate a strategy to use surrogates to oppose local restrictions and hide industry involvement.

The document also talks about establishing Regional Managers in Boston, Seattle, Washington, Denver, and Sacramento. The document contains attachments showing job descriptions, maps of territory, and recommended budgets.

"Clearly there is a well-orchestrated effort among the anti-smoking leadership to strike where it perceives the tobacco industry to be the most vulnerable: the local level."

Kurt L. Malmgram

Goals and Tactics:

A: Develop effective monitoring systems to ensure that the industry learns of the introduction of unfair local anti-tobacco proposals in a timely fashion. *(This section has additional notes and specific suggestions).*

B: Employ effective local advocates as necessary in the targeted states and regions of the country.

1. Identifying and deploying the local person who can "make the sale"

before local government entities on our arguments for reasonable approaches accounts for an extremely large portion of the reason the industry achieves its goals. This is the single most important non-managerial element of the program. In many cases the advocate will be part of a given local umbrella group or a person close to a member of our local team.

2. In other cases, local legislative advocates may have to be retained on a contract basis. In these cases, local representatives must have a thorough knowledge of local legislative procedures, be willing and able to travel extensively, and be able to work closely with a range of consultants.

3. In some instances, The Institute's and the companies' current local legislative representatives are capable of being a part of the proposed operation.

4. As noted, local advocates will be identified and deployed in several ways. Where possible — and we believe in most cases — local persons will lead the program. In others, we will either prepare annual contracts or engage local advocates on a single project basis.

C: Implement mechanisms necessary to provide solid foundation for coalition development and deployment. *(This section has additional notes on using local allies and front groups, sponsoring local economic analyses, polls, and organizing letter writing campaigns).*

D: Deployment of necessary support activities in a timely and effective manner. *(This section has additional notes on database and phone bank operations).*

E: Expand T.I. Public Affairs Divisions programs to meet anticipated additional demands likely to emerge as a result of this plan. *(This section includes expanded use of local media, expanding ETS expert witness program, expanding and reviewing the list of youth-related allies).*

The California Attack

"To slow the local hemorrhaging in California, The (Tobacco) Institute and member company representatives, through umbrella organizations began to coordinate resources and stem the success of the anti-tobacco leaders. Under this team approach, most of the key components necessary to wage a campaign to address local concerns in California are in place. Primary among the crucial elements are following:

- * Sophisticated monitoring of local ordinance introductions;
- * Ability to respond quickly with locally-based advocates;
- * Local consultants who can go door-to-door to educate restaurateurs, business leaders, minority group leaders, representatives from organized labor, and other potential allies;
- * The ability to rightfully project a local concern about a given anti-tobacco ordinance, making it more difficult for anti-tobacco leaders to say, "The only people who oppose this ordinance are the out-of-state tobacco companies"; and
- * Reasonably coordinated and effective means to trigger direct mail campaigns, phone bank operations and other contacts.

The Massachusetts Attack

"Earlier this year the industry established a formal, solid working relationship with the New England Convenience Store Association to develop a better coordination of their existing resources. Through weekly conference calls, all elements of the industry are afforded an opportunity to have input into legislative strategies and tactics. Together the Massachusetts team has streamlined and coordinated the entire process."

"For monitoring purposes, we fund our allies in the convenience store group to regularly report on ordinance introductions and assist in campaigns to stop unreasonable measures. That reporting is complemented by other reporting mechanisms and channels such as member company sales representatives and other allied groups. Promotion of The Institute's 'It's the law' program and other industry programs play a helpful role as well."

The Boulder Documents

Internal documents indicate that Russell, Karsh & Hagan Public Relations (which represents Philip Morris) actively assisted the opponents of the 1995 Boulder no-smoking ballot issue from July through November 1995. Documents indicate that the consulting firm received a monthly retainer of \$3,500 monthly plus 15% OOP reimbursement (Bates #2048226946). Other documents indicate the firm also received \$50,000 for special projects.

Most of the memos described come from the Philip Morris documents site and deal with Russell, Karsh & Hagan Public Relations -- one of their 21 paid consulting firms. This is a sampling of the information in some of the documents.

Media Affairs Consultants Activity Report July 1995 (Bates #2047870025)

Pitches in Progress:

"Op-ed piece and LTEs to *Boulder Daily Camera*, *Boulder County Business Review* and the *Colorado Daily* on the impact of smoking ban to restaurant and bar business (drafted by RK&H for director of POGO -- People Opposed to Government Overregulation and on behalf of Boulder restaurant and bar owners/managers."

Media Affairs Consultants Activity Report September 1995 (Bates #2044420888)

"Ongoing agency-developed LTEs on behalf of Boulder coalition, People Opposed to Government Overregulation, in regards to opposing smoking ban/ballot initiative slated for November 7 Boulder city ballot. Distribute to *Boulder Daily Camera*, *Boulder County Business Review*, and the *Colorado Daily* on impact of smoking ban to restaurant and bar business and overall opposition to recent decision by City Council."

"Agency assistance in pitching Boulder restaurant manager and spokesperson for citizens' coalition opposing the smoking ban, People Opposed to Government Overregulation to Denver's #1 talk radio station, KOA and the "Mike Rosen Show." An interview will be scheduled for spokesperson and a City Council member in the near future, closer to the election. Agency will assist in securing interview, supplying background materials to radio station, as well as media train and rehearse spokesperson for interview."

Denver Survey Shows Majority Support Smoke-Free Restaurants

By Karen Santos, *The Denver Post*, July 29, 99

Two-thirds of Denver-area residents prefer restaurants that are smoke-free, according to a study released Tuesday by an anti-tobacco group. And an even greater number - 69 percent - prefer restaurants where smoking areas are enclosed and separately ventilated, the study says.

The survey, which polled 607 metro residents, was conducted by the Coalition for a Tobacco-Free Colorado. The organization has allied with a number of other anti-smoking groups to push for an ordinance in Aurora that would require restaurants with smoking areas to keep them enclosed and separately ventilated to prevent nonsmokers from inhaling secondhand smoke.

Barbara Melin of the American Cancer Society said that an ordinance would help restaurant servers, since restaurant employees have a higher incidence of lung cancer than the general population. She also noted that employees who develop respiratory problems due to a smoky workplace can sue for worker's compensation, and that employers can protect themselves from these types of claims by going smoke-free.

The study also found that about 40 percent of people would travel outside of their hometown to patronize a smoke-free restaurant, and about three-fourths of smokers said they don't mind not smoking where smoking is restricted.

Media Affairs Consultants Activity Report October 1995 (Bates 2044270540)

"Ongoing LTEs in Boulder's newspapers about the continued smoking ban issue slated for the Nov. 7 ballot."

"Agency inspired 'Letters from Gil Spencer' column from former editor Gil Spencer, *Denver Post*, on the excessiveness of the proposed Boulder smoking ordinance."

"Vote No on 2C proactive media strategies -- Assistance with Boulder coalition and proactive media activities for Ballot Issue 2C including arranging editorial board meetings, conducting radio interviews and preparation for the press conference. In addition, ongoing assistance with the development of messages, press releases, LTEs and op-ed pieces opposing the issue."

— Submission of op-ed in *Boulder Daily Camera*.

— Lengthy Letter to the Editor in the *Boulder Business Report*.

— Press release on complaint filed against Boulder city council for usurping the petition process."

October/November 1995 MAN Activity Report (Bates #2044270225)

Denver (Russell, Karsh & Hagan):

"Continued media assistance and development of ongoing media materials on behalf of Boulder coalition, People Opposed to Government Overregulation"

Colorado Springs Ballot Issue 1985 (RJR site #50509 6825)

To Hurst Marshall from Stan Bowman
(*The Tobacco Institute Representative in Colorado*)

"A major factor to be considered when formulating plans to combat the Colorado Springs ballot issue is the public attitude toward the tobacco industry in general and The Tobacco Institute in particular. Experience with the recent Fort Collins election demonstrated 'anti-smoking groups' success at distilling the public smoking issue to an 'us against big tobacco' matter."

"A frontal assault by the Institute against the ordinance is probably not advisable. Instead, TI should assume a 'low profile' policy in this instance, and quietly utilize what resources are available."

Weld County Bans Smoking Near Building Entrances

On June 2, 1999, the Weld County Board of County Commissioners unanimously passed a resolution prohibiting smoking within 50 feet of any entrance to any government-owned buildings. The county currently prohibits smoking in all county buildings and vehicles. The commissioners made the move due to complaints of employees and citizens having to enter buildings through smoke-filled areas when smokers congregate near buildings entrances.

Weld County is the first place in Colorado to prohibit smoking near the entrances of public buildings. Other communities have addressed the issue by prohibiting smoking within a certain distance from all public buildings. There are currently 40 different clean-indoor-air ordinances in Colorado.

Smoke-Free Laws Don't Hurt Tourism

Despite claims by the tobacco industry and its allies that smoke-free restaurant ordinances discourage tourism, a new study shows that cities and states that barred smoking in restaurants experienced no drop in hotel visitors, and in some cases registered increases after the smoke-free laws went into effect.

The study by researchers at the University of California San Francisco appears in the May 26 issue of the *Journal of the American Medical Association (JAMA)*.

The three-state, six-city analysis is the first to systematically examine tourist volume in a number of localities before and after smoke-free ordinances were enacted. Research focused on tourism in California, Utah and Vermont as well as in the cities of Los Angeles, San Francisco, New York, Boulder, Flagstaff and Mesa, Arizona.

The results starkly contradict predictions that smoke-free laws would reduce business. Such claims include those by Vermont business and restaurant associations that revenues would drop as much as 30 percent, and warnings by the Tobacco Institute and restaurant and tavern associations in New York City that passage of a smoke-free restaurant ordinance would mean "tourists will steer clear of a city so harshly intolerant of smokers."

In constant 1997 dollars, passage of the smoke-free restaurant ordinance was associated with a statistically significant increase in the rate of change of hotel revenues in four localities; no significant change in four others, and a significant slowing of an upward trend — but not a decline — in one locality, the *JAMA* paper reports.

The researchers compared pre- and post-ordinance hotel room revenues with hotel revenues for the entire country. In addition, since the issue of smoke-free ordinances on international tourism had been raised in California, Utah and New York City, they obtained data on the numbers of international tourists for these localities.

Utah and the cities of Mesa, New York and Los Angeles each showed a statistically significant increase in the rate of tourism after the smoke-free ordinance went into effect. California, Vermont, San Francisco and Boulder showed no significant change, and Flagstaff experienced a significant slowing in its rate of increase, but no loss.

In terms of international tourism, California experienced an increase in tourists from Japan, and New York City logged a similar increase in European visitors after their smoke-free ordinances were in place, dispelling the claim that international tourism would suffer. The Utah data showed no significant change either way.

"This study debunks the tobacco industry allegation that smoke-free restaurant laws adversely affect tourism," write Stanton Glantz, PhD, professor of medicine at UCSF and Annemarie Charlesworth, MA, both members of UCSF's Institute for Health Policy Studies.

"Legislators and government officials can enact such health and safety requirements to protect patrons and employees in restaurants from the toxins in secondhand smoke without the fear of adverse effects on tourism," Glantz adds. "Indeed, these ordinances may even be good for business."

In their study, Glantz and Charlesworth used newspaper databases, publications by tobacco industry groups and contacted tobacco control advocacy groups to identify cities and states in which the issue of effect on tourism had been raised in the debate over indoor air ordinances. They then identified those local ordinances and state laws that required 100 percent smoke-free restaurants.

After confirming this information with local health departments, they came up with the three states and six cities that met the criteria. Glantz is a tobacco industry scholar and a longtime advocate of smoke-free ordinances.

The research was supported by the National Cancer Institute and a gift from Edith and Henry Everett.

Footnote: GASP of Colorado helped provide sales tax data for this study.