CHAPTER 1

Looking through a Keyhole at the Tobacco Industry

> [The documents] may be evidence supporting a "whistle-blower's" claim that the tobacco company concealed from its customers and the American public the truth regarding the health hazards of tobacco products.
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> *Federal Judge Harold Greene*
> *[*Maddox v Williams *855 Fed. Supp. 406, at 414, 415 (D.D.C. 1994)]*

INTRODUCTION

Tobacco has been controversial at least since its introduction into Europe shortly after Columbus reported that North American natives used its dried leaves for pleasure (1, 2). The first medical report of tobacco's ill effects dates to 1665, when Samuel Pepys witnessed a Royal Society experiment in which a cat quickly expired when fed "a drop of distilled oil of tobacco." In 1791 the London physician John Hill reported cases in which use of snuff caused nasal cancers. Not until the late 1940s, however, did the modern scientific case that tobacco causes disease begin to accumulate rapidly. Epidemiological and experimental evidence that smoking causes cancer led to the "cancer scares" in the 1950s and, ultimately, to the 1964 Surgeon General's report on smoking and health, which concluded that smoking causes lung cancer (3). By responding to these challenges from the scientific community with aggressive legal, public relations, and political strategies, the tobacco industry has been largely successful in protecting its profits in spite of overwhelming scientific and medical evidence that tobacco products kill and disable hundreds of thousands of smokers and nonsmokers every year (1, 4).

What did the tobacco industry actually know about the addictive nature of nicotine and the dangers of smoking? How did the industry develop its successful legal, public relations, and political programs? Until now, the public's understanding of these questions has been based largely

on observation of the industry's behavior and suppositions by a few journalists and public health professionals. This situation changed abruptly in mid-1994, when several thousand pages of internal documents from the Brown and Williamson Tobacco Corporation (B&W) and its parent, BAT Industries (formerly British American Tobacco) of the United Kingdom, became public. These documents reveal that the tobacco industry's public position on smoking and health has diverged dramatically not only from the generally accepted position of the scientific community but also from the results of its own internal research (see table 1.1, p. 15). While even these documents do not provide a complete picture, they offer a candid look at the tobacco industry's internal workings during the smoking and health "controversy" during the last half of the twentieth century.

BAT is the second-largest private cigarette manufacturer in the world. In 1992 the company sold 578 billion cigarettes (5), 10.7 percent of the total world output and more than were consumed in the entire US market that year (6). Its wholly owned US subsidiary, B&W, is now the third-largest cigarette maker in this country. Its US sales increased from about 10 percent of the market during the 1960s to about 18 percent in the 1970s, then fell back to about 10 percent in the 1980s (7). In 1994 it had an 18 percent share of the $48 billion US market, including the domestic cigarette business of American Brands, which B&W purchased in 1995 (8). B&W's domestic brands (before buying American Brands) include Kool, Viceroy, Raleigh, Barclay, Belair, Capri, Fact, and Richland, as well as GPC generic cigarettes.

The tobacco industry has used three primary arguments to prevent government regulation of its products and to defend itself in products liability lawsuits. First, tobacco companies have consistently claimed that there is no conclusive proof that smoking causes diseases such as cancer and heart disease. Second, tobacco companies have claimed that smoking is not addictive and that anyone who smokes makes a free choice to do so. And, finally, tobacco companies have claimed that they are committed to determining the scientific truth about the health effects of tobacco, both by conducting internal research and by funding external research.

These arguments have been essential to the industry's success in claiming that its products should not be subject to further government regulation and that it should not be held legally responsible for the health effects of its products. By refusing to admit that tobacco is addictive and that it causes disease, the tobacco industry has been able (so far) to

resist efforts to regulate its products. In addition, the industry has been able to argue that cigarette smoking is a matter of "individual choice," thereby essentially blaming its customers for the diseases they contract by using tobacco products. Finally, the industry's stated willingness to support health-related research has added credibility to its claim that the health effects of smoking have not been scientifically proven, thus helping to allay public fears about its products.

This book analyzes internal documents from the files of Brown and Williamson—documents that were delivered to us, as well as other related documents that have been released to the public during the past year. The documents consist primarily of internal memoranda, letters, and research reports related to B&W and BAT. Many of them are marked "confidential" or "attorney work product," suggesting that the authors never expected them to be released outside the corporation, not even for legal proceedings. These documents demonstrate that the tobacco industry in general, and Brown and Williamson in particular, has engaged in deception of the public for at least thirty years. They show that other cigarette manufacturers participated in some of these activities. The documents are listed at the back of the book under the heading "List of Available Documents" and are cited in the text in curly braces (e.g., {1234.56}). Copies of the actual documents are deposited in the Archives and Special Collections Department of the Library at the University of California, San Francisco, where they are available to the public. They are also available over the Internet at World Wide Web address http://www.library.ucsf.edu/tobacco. The library also has a CD-ROM version of the Documents for sale.

In the documents nicotine is routinely seen as addicting and is always treated as the pharmacologically active agent in tobacco. There is no question that B&W and BAT regarded nicotine's pharmacological (drug) effects as key to the intended smoking experience. The documents also demonstrate that the tobacco industry's professed public-spirited approach to pursuing the truth about smoking and health has been a sham. Its purported willingness to engage in and disseminate health-related research was, in reality, always subservient to commercial and litigation considerations. Initially, the companies' researchers tried to discover the toxic elements in cigarette smoke so that a "safe" cigarette, which would deliver nicotine without also delivering the toxic substances, could be developed. When that objective proved to be unattainable, largely because of the number of toxins involved, decisions about health-related research passed almost exclusively to lawyers. The documents show that

lawyers from B&W and other tobacco companies played a central role in research decisions, both within B&W and BAT and also in industry-sponsored research organizations.

The principal aim of this lawyer-controlled research effort was not to improve existing scientific or public understanding of the effects of smoking on health but, rather, to minimize the industry's exposure to litigation liability and additional government regulation. Where the goals of determining and disseminating the truth conflicted with the goal of minimizing B&W's liability, the latter consistently won out. In particular, even after BAT's research had shown that cigarettes cause disease and are addictive, under its lawyers' direction B&W sought to avoid generating any new results reconfirming that smoking causes disease or that nicotine is addictive. B&W sought to avoid affiliation with, or even knowledge of, such research results, for fear they could be used to show that B&W believed that smoking causes disease or that nicotine is addictive. B&W also sought to prevent the dissemination or disclosure of such results, either in court or in any public forum—apparently to the point of removing some relevant documents from its files and shipping them offshore.

Many of the documents are correspondence among company lawyers. In addition to providing insight into B&W and BAT's legal thinking, the lawyers effectively serve as candid witnesses for what the company actually believed at any particular time about disease causation and addiction. The lawyers appear to have accepted the causation and addiction hypotheses about smoking. The 1970s–1980s documents from lawyers specifying what could and could not be claimed in company public relations and advertising show that some lawyers regarded those hypotheses as so well established that they could not be denied directly without risking liability.

The documents show that by the 1960s the tobacco industry in general, and B&W and BAT in particular, had proven in its own laboratories that cigarette tar causes cancer in animals. In addition, by the early 1960s BAT's scientists (and B&W's lawyers) were acting on the assumption that nicotine is addictive. BAT responded by secretly attempting to create a "safe" cigarette that would minimize dangerous elements in the smoke while still delivering nicotine. Publicly, however, it maintained that cigarettes are neither harmful nor addictive. The tobacco industry's primary goal has been to continue as a large commercial enterprise by protecting itself from litigation and government regulation. To this day, despite overwhelming scientific evidence and official govern-

ment reports, the tobacco industry contends that tobacco products are not addictive and do not cause any disease whatsoever.

B&W'S AND BAT'S CORPORATE STRUCTURE

Brown and Williamson and its parent company, BAT Industries, have a close corporate relationship that has evolved over the years. The Brown and Williamson Tobacco Company was formed in 1906. It was purchased in 1927 by the British American Tobacco Company (BATCo), and its name was changed to the Brown and Williamson Tobacco Corporation {1006.01}. In 1976 BATCo merged with Tobacco Securities Trust to form BAT Industries.

BAT Industries is the parent company of many cigarette manufacturers throughout the world, including Brown and Williamson (US), BAT Cigarettenfabriken (Germany), Souza Cruz (Brazil), and British American Tobacco (which produces cigarettes in more than forty-five countries for domestic and export markets in Europe, Australia, Latin America, Asia, and Africa). In addition, BAT Industries is associated with Imasco in Canada, which is the parent company for Imperial Tobacco. BAT is also the parent company of several insurance and financial services, including Farmers Group (US), Eagle Star (UK), and Allied Dunbar (UK) (9).

Given B&W's status as a subsidiary of BAT, it was natural that the two companies would share information, not only about product development and sales and marketing strategies but also about their scientific research on the health dangers of cigarettes. As we discuss in chapter 2, B&W and the other domestic tobacco companies jointly formed an organization to study smoking and health issues in the mid-1950s, and British tobacco companies formed a similar group in England. In addition, as we discuss in chapter 3, BAT established research facilities (both internally and through contract laboratories) in Europe (England, Germany, and Switzerland) to study the health effects of smoking. The documents are replete with examples of information from all these research efforts, which was shared between B&W and BAT.

This sharing of information, although obviously of mutual benefit, also caused problems. As the evidence of the health dangers of smoking accumulated, B&W realized that it might become a defendant in products liability lawsuits by plaintiffs who claimed that their illnesses had been caused by cigarettes. Tobacco industry lawyers began to realize that the scientific research results that the companies were sharing could be

extremely damaging if they became accessible to plaintiffs through discovery procedures. Tobacco companies in the United States were particularly concerned about the potential for lawsuits because products liability laws had been significantly strengthened during the 1960s. B&W therefore began to explore ways to avoid receiving unwanted information (i.e., information useful to a plaintiff) or to protect such information from discovery. In the United Kingdom, on the other hand, products liability laws have not historically been as strong as in the United States. BAT has therefore been more concerned about being dragged into a US lawsuit, because of its status as B&W's parent company, than about products liability suits in the United Kingdom (see chapter 7). A further problem for both companies was the possibility that statements attributable to subsidiary companies, including nontobacco companies, might be harmful to them in products liability litigation.

HISTORY OF THE B&W DOCUMENTS

On May 12, 1994, an unsolicited box of what appeared to be tobacco company documents was delivered to Professor Stanton Glantz at the University of California, San Francisco (UCSF). The documents in the box dated from the early 1950s to the early 1980s. They consisted primarily of confidential internal memoranda related to B&W and BAT. Many of the documents contained internal discussions of the tobacco industry's public relations and legal strategies over the years, and they were often labeled "confidential" or "privileged." The return address on the box was simply "Mr. Butts."

A few days earlier, US news media had started running stories based on what they said were internal documents from Brown and Williamson. In addition, internal documents related to Brown and Williamson were the subject of hearings held on June 23, 1994, before the US House of Representatives Subcommittee on Health and the Environment. The chairman and CEO of B&W, Thomas Sandefur, testified at these hearings and provided additional B&W documents to the subcommittee. In this book we analyze the documents delivered to Professor Glantz as well as the documents provided to the subcommittee, which were later released to the public, documents on nicotine research that B&W released to the press in May 1994 following a story in the *New York Times* (10), and documents obtained from the estate of a former BAT chief scientist.

Brown and Williamson has claimed that some of the documents were stolen from the law firm of Wyatt, Tarrant and Combs in Louisville, Kentucky, by a former paralegal, Dr. Merrell Williams (11, 12). B&W had hired the Wyatt firm to sort and analyze millions of pages of B&W's internal communications, and Williams was one of the paralegals working on the project. This project involved reviewing about 8,600,000 pages of documents, 70,000 pages of which had been identified as "critical" {1002.01} (figure 1.1). Our analysis is based on roughly 10,000 pages, which represent only about 0.1 percent of the documents that were being reviewed.

Williams was hired by the Wyatt firm in 1988 but was laid off in 1992. The following year, Williams, a smoker, underwent major heart surgery. On July 9, 1993, he informed the Wyatt firm through an attorney that he had possession of some of the documents he had been hired to analyze. He returned the documents with a letter stating that his heart condition had been caused by the stress of reviewing the documents as well

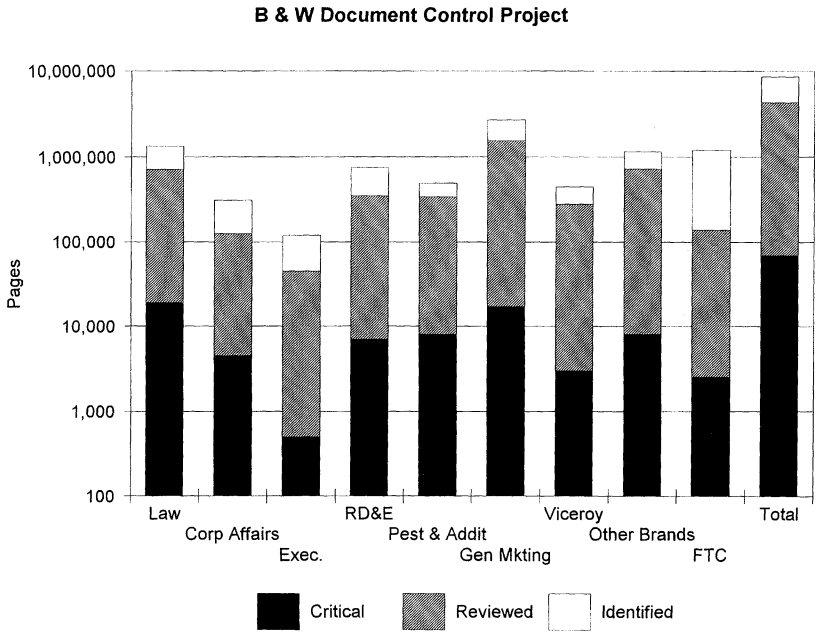

Figure 1.1. The B&W document control project involved screening millions of pages of documents {1002.01}. Our analysis is based on about 0.1 percent of the screened documents.

as a lifetime of smoking Brown and Williamson brands of cigarettes, and he threatened to sue unless the Wyatt firm settled his claim (13). The Wyatt firm responded by filing a civil suit in the Circuit Court for Jefferson County, Kentucky, accusing Williams of stealing the documents. On January 7, 1994, Judge Thomas Wine issued an order prohibiting Williams from discussing or disseminating any of the information contained in the documents [*Maddox v Williams*, Jefferson Cir. Ct., Case No. 93CI04806]. (On April 3, 1995, Judge Wine modified the order so that Williams could speak with his lawyer about the case. The modification was necessary, according to Judge Wine, because the documents in question were apparently part of the public domain in California, the Congress, and numerous news media, and because B&W had moved for contempt sanctions against Williams.)

On May 17, 1994, the Superior Court for the District of Columbia, at the request of B&W, issued subpoenas against several news agencies that had published or aired articles on some Brown and Williamson documents. The agencies receiving subpoenas were ABC, CBS, National Public Radio, the *New York Times*, the *Washington Post,* the *Louisville Courier-Journal, USA Today,* and the *National Law Review*. Subpoenas were also issued against Congressmen Henry Waxman (D-CA) and Ron Wyden (D-OR), who were members of the House Subcommittee on Health and the Environment. The purpose of the subpoenas, according to B&W, was to obtain copies of the documents so that B&W could determine whether they had been obtained in violation of the Kentucky court order against Merrell Williams.

The news organizations refused to turn over the documents in their possession on the grounds that they did not want to reveal the identity of a confidential source. The matter relating to the subpoenas issued against Congressmen Waxman and Wyden was removed to the US District Court for the District of Columbia on May 19, 1994. In a decision dated June 6, 1994, Judge Harold H. Greene quashed the subpoenas. Because the congressmen were using the documents in connection with a congressional investigation of B&W, the judge concluded, they were protected from the subpoenas under the Speech or Debate Clause of the US Constitution (Article I, Section 6) [*Maddox v Williams*, 855 F. Supp. 406 (D.D.C. 1994)]. That clause, which was designed to preserve legislative independence, provides that senators and representatives may not be questioned in any other place regarding speech or debate in either house of Congress. Despite this provision of the US Constitution, the subpoenas issued against Waxman and Wyden had directed them to submit in

person to depositions in the law offices of Brown and Williamson's attorneys and to provide documents or copies to B&W from among the documents in the possession of Congress. According to Judge Greene, "It would be difficult to find orders that more directly impede the official responsibilities of the Congress and are thus in direct violation of the Speech or Debate Clause" [at 410, 411].

Following this decision, subpoenas issued by B&W were also quashed in three separate state court proceedings. On July 22, 1994 [in *Maddox v Williams*, No. 94-202], the Circuit Court for Arlington County, Virginia, quashed subpoenas issued to *USA Today* and one of its reporters. In November 1994 a Massachusetts court, citing "the public interest in the free flow of information," refused to enforce a subpoena issued by B&W against Professor Richard Daynard of Northeastern University School of Law [*Robert J. Maddox v Merrell Williams*, Civil Action No. 94-3389D]. Finally, on April 3, 1995, the Jefferson Circuit Court in Kentucky quashed subpoenas issued to the *Louisville Courier-Journal* and *USA Today*, stating that

> despite B&W's contentions to the contrary, the production of the documents is to identify the source. While the attorney-client privilege may well be a bedrock of our judicial system, freedom of the press and its ability to protect sources of information is a pillar of our Federal Constitution [*Maddox v Williams*, Case No. 93C104806].

In addition to the quashing of the subpoenas, other courts in other contexts have blocked B&W's attempts to suppress the documents. Thus, in April 1995 in an action by the state of Florida against several tobacco companies, the plaintiff introduced a set of B&W documents and the court denied defendants' motion to have the documents sealed, reasoning that

> most, if not all, of the over 800 "stolen" documents filed with the Court as part of Plaintiffs' Request for Admissions were part of the public domain prior to being filed in this Court. These documents have been the subject of newspaper articles, television programs and Congressional hearings. . . . To now seal the court files to protect the confidentiality of these documents would be futile [*State of Florida v American Tobacco Co.* (Cir. Ct. of 15th Judicial District for Palm Beach County, Florida, No. CL95-1466AO)].

During the summer of 1994 Professor Glantz placed the documents in the Archives and Special Collections Department of the UCSF Library, where they were made available to the public. On January 6, 1995, attorneys for a nonsmoker who had developed lung cancer and was suing Philip Morris Tobacco Company for damages attempted to convince a

Mississippi judge to accept these documents into evidence [*Butler v Philip Morris*, Civil Action No. 94-5-53, Cir. Ct., Jones County, Mississippi]. Twenty-five days later, on February 3, 1995, Brown and Williamson demanded that the University of California return the documents on the grounds that they were stolen. B&W also sent private investigators to the library to stake out the archives and to photograph people reading the documents. On February 14, 1995, B&W sued the University of California, demanding return of the documents and access to the library circulation records to learn who had read the documents [*Brown & Williamson Tobacco Corp. v Regents of the University of California* (Super. Ct. for County of San Francisco, No. 967298)].

At a hearing on May 25, 1995, San Francisco Superior Court Judge Stuart Pollak denied B&W's attempt to "recover" the documents from the UCSF Library (11, 14). In reaching his decision, the judge noted the First Amendment concerns raised by B&W's request that the university be prevented from retaining or using the documents:

> But the nature of what is being requested would in fact impinge upon public discussion, public study of this information, which has a bearing on all kinds of issues of public health, public law, documents which may be taken to suggest the advisability of legislation in all kinds of areas.
>
> So, there is . . . a very strong public interest in permitting this particular information, judging from what has been shown in the papers, as to what it concerns, permitting this information to remain available for use by the university or by others who may obtain it from the university [transcript of hearing, at 58, 59].

Again, as the Florida court had done, the San Francisco court noted that much, if not all, of the information in the documents had already been made available to the news media. "The genie is out of the bottle. These documents are out" [at 61].

The San Francisco court stayed its ruling for twenty days to give B&W time to appeal, thus leaving in effect a temporary restraining order against the university, which prevented it from allowing public access to the documents. B&W appealed to California's Court of Appeal and requested that the temporary restraining order be kept in force; the Court of Appeal denied this request without comment on June 22, 1995, as did the California Supreme Court on June 29, 1995. Thus, all the B&W documents used in the preparation of this book have been declared to be in the public domain, either by Congress or by the courts, and, in the case of some of the documents, by two or more authorities. At 12:01 A.M. PST on July 1, 1995, the University of California San Francisco Library

and Center for Knowledge Management posted the documents on the Internet (http://www.library.ucsf.edu/tobacco).

Meanwhile, the authors of this book were working on their analysis of the documents and submitted a series of five related articles (which represent about 15 percent of the material in this book) to the *Journal of the American Medical Association* (*JAMA*). After an extensive peer review, the editors of *JAMA* decided to devote most of the July 19, 1995, issue to these papers (15–19), together with an article detailing Brown and Williamson's reaction to the papers (11). In addition, *JAMA* took the unprecedented step of publishing an editorial, signed by the editors of *JAMA* and all the members of the Board of Trustees of the American Medical Association, demanding strong action to control the tobacco industry (20).

Publication of these papers attracted international attention, including that of President Bill Clinton, who read the papers and used them as part of his decision-making process to ask the federal Food and Drug Administration (FDA) to propose regulations of nicotine as an addictive drug and cigarettes and smokeless tobacco products as drug delivery devices (21). The fact that nicotine was in the product to affect the function of the body and that cigarettes could be engineered to control the dose of nicotine delivered got to the core of the issue of FDA jurisdiction to regulate cigarettes.

LIMITATIONS OF THE EVIDENCE

As noted above, the documents provide our first look—through a keyhole—at the inner workings of the tobacco industry during the crucial period in which the scientific case that smoking was addicting smokers and killing them solidified. Our view, however, is a limited one. One of its limitations has to do with the possibility of selection bias; that is, the documents may have been picked by a whistle-blower with an eye toward smoking guns. Another limitation, which shows up particularly in the legal and public relations aspects, is that we cannot always determine from the discussion in the documents whether particular ideas were actually carried out. In some cases the public record clearly shows that the contemplated actions were taken. In others—particularly when the industry's more sub rosa activities are being discussed—it is not obvious where the line between contemplated and actual action lies. As part of our analysis, we have tried to indicate which of these situtions existed.

In particular, the attorneys often discuss proposed courses of action, but the documents do not always clearly indicate which course of action the company ultimately chose. Lawyers by nature are asked to evaluate the legal risks of proposed courses of action, but their advice is not always followed. Nonetheless, we were struck by the active role the lawyers played, not just as advisers but also as managers; they often decided which research would be done or not done, who would be funded, and what public relations and political actions would be pursued. Generally speaking, the documents authored by attorneys did not outline possible courses of action or recommend which course to follow; instead, they strongly advocated that certain policies or actions be taken, some of which appear to raise serious ethical questions.

Another possible limitation is that the documents came from a single tobacco company and primarily reflect only the plans and actions of that company. Nevertheless, the documents include correspondence between B&W and other tobacco companies and trade organizations, as well as discussions of the actions of other companies and the industry in general. Many of the documents relate to industry-wide cooperation and reflect the views of participants, including lawyers, representing other companies and trade groups. In addition, other evidence—such as that presented in the *Haines* case, discussed in chapter 7—paints a similar picture of the actions of other tobacco companies. In any event, in our analysis of the documents, we have attempted to keep clear the distinction between the actions of B&W alone and the actions of the tobacco industry generally.

Despite these limitations, we are confident about the conclusions we draw from the documents. When lawyers are shown steering away from projects on the addictiveness or health effects of tobacco, we believe we can reasonably conclude that B&W and BAT knew that tobacco is addictive and causes disease; if it had been genuinely unconvinced of the dangers of smoking, then it would have had no concern that new research would provide ammunition for the enemy. The analogy would be to a criminal defense lawyer who doesn't ask the defendant whether he actually committed the crime because he does not want to be hampered in making his defense by embarrassing knowledge of the defendant's guilt. It will be easier to claim that the defendant is innocent, or even to put the defendant on the stand to testify to his innocence, if the lawyer does not ask the hard questions. The lawyers and scientists who wrote many of the documents were unusually candid in their remarks—possi-

bly because they believed that the documents would be protected by the work product rule or attorney-client privilege, and therefore would never become public.

CONCLUSION

Although, as noted, this book analyzes only a tiny fraction of the documents that B&W had selected for review, the material in that small sample contains overwhelming evidence of the irresponsible and deceptive manner in which B&W has conducted its tobacco business. As will be seen in the following chapters, for more than thirty years B&W has been well aware of the addictive nature of cigarettes, and in the course of those years it has also learned of numerous health dangers of smoking. Yet, throughout this period, it chose to protect its business interests instead of the public health by consistently denying any such knowledge and by hiding adverse scientific evidence from the government and the public, using a wide assortment of scientific, legal, and political techniques.

The documents also demonstrate that B&W's conduct was representative of the tobacco industry generally. B&W acted in concert with the other domestic tobacco companies on numerous projects, the most important of which were specifically designed to prevent, or at least delay, public knowledge of the health dangers of smoking and to protect the tobacco companies from liability if that knowledge became public.

In his opinion quashing B&W subpoenas against Congressmen Waxman and Wyden, Judge Greene stated that it would be inappropriate to withhold the information in the documents from public scrutiny:

> [The documents] may be evidence supporting a "whistle-blower's" claim that the tobacco company concealed from its customers and the American public the truth regarding the health hazards of tobacco products, and that he was merely bringing them to the attention of those who could deal with this menace. With the situation in that posture, to accept blindly the B&W "stolen goods" argument would be to set a precedent at odds with the law, with equity, and with the public interest.
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> If the B&W strategy were accepted, those seeking to bury their unlawful or potentially unlawful acts from consumers, from other members of the public, and from law enforcement or regulatory authorities could achieve that objective by a simple yet ingenious strategy: all that would need to be done would be to delay or confuse any charges of health hazard, fraud, corruption, overcharge, nuclear or chemical contamination, bribery, or other misdeeds, by focussing instead on inconvenient documentary evidence and labelling it

> as the product of theft, violation of proprietary information, interference with contracts, and the like. The result would be that even the most severe public health and safety dangers would be subordinated in litigation and in the public mind to the malefactor's tort or contract claims, real or fictitious.
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> The law does not support such a strategy or inversion of values. There is a constitutional right to inform the government of violations of federal laws—a right which under [United States Constitution] Article VI supersedes local tort or contract rights and protects the "informer" from retaliation [*Maddox v Williams*, 855 F. Supp. 406, at 414, 415 (D.D.C. 1994)].

In this spirit, we will describe in detail the contents of the Brown and Williamson documents and the story that they tell. There is little doubt that, had the information contained in the documents come to light at an earlier time, the history of tobacco control in the United States would have been vastly different.