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## Deep Look: Author's book delves into 'unholy alliance' between Philip Morris, FDA

By Richard Craver | Journal Reporter

Patrick Basham has taken on one of the most intriguing deals in Washington -- how Philip Morris USA came to support Food and Drug Administration oversight -- in a new book titled *Butt Out! How Philip Morris Burned Ted Kennedy, the FDA & the Anti-Tobacco Movement*.

Basham is a director at the Democracy Institute, a Libertarian public-policy research group in Washington. He is an adjunct scholar at the Cato Institute and an adjunct lecturer at Johns Hopkins University. He also co-wrote *Diet Nation: Exposing the Obesity Crusade*.

Basham's book focuses on how Philip Morris has worked with anti-tobacco groups to create potential FDA regulations that would cement it as the dominant U.S. manufacturer and stifle smokeless innovation being developed by R.J. Reynolds Tobacco Co.

Both Philip Morris and the anti-tobacco groups, mostly prominently the Campaign for Tobacco-Free Kids, have denied those allegations for years.

The Senate has taken up Sen. Kennedy's bill for consideration, with Sen. Richard Burr of North Carolina threatening a filibuster.

Basham took time out to talk about his book and the possibility of FDA oversight. An edited version follows:

**Q. What do you think the chances are of the FDA regulation bill passing this year?**

A. 99.9 percent. Given that there is some Republican support in the Senate, the possibility of a successful filibuster is, sadly, quite remote.

**Q. Your book addresses the connection between the pending FDA legislation over the tobacco industry and an alliance between Philip Morris USA and the Campaign for Tobacco-Free Kids. Both groups have denied such an alliance, but some analysts consider the alliance as one of the worse-kept secrets in corporate America.**

**How do you think your book will change that scenario?**

A. Though the alliance between anti-tobacco activists and the nation's largest tobacco company has been probed by some journalists, the public denials have tended to convince those who have not dug deeply enough. As I provide chapter and verse on how this unholy alliance has developed and worked, perhaps this will galvanize opposition to this travesty of public-health legislation.

**Q. What do you think is the biggest revelation to come from your book?**

A. That Philip Morris is really smart at pursuing its corporate interest and that Sen. Ted Kennedy, Rep. Henry Waxman, and their anti-tobacco partners are really dumb at pursuing the public's interest.

As I show in my "scorecard of who won and lost," Philip Morris got virtually everything it wanted, while the anti-tobacco leadership in Washington struck out.

**Q. Do you agree or disagree that FDA regulation would give Philip Morris permanent top market share in the tobacco industry? If so, is that why it is backing the proposed FDA regulation despite its recent purchase of smokeless tobacco manufacturer UST?**

**A.** Yes, on both counts. That's why it is really the "Philip Morris Tobacco Monopoly Act." The bill makes it impossible to enter the tobacco market and puts all of Philip Morris' domestic rivals at a considerable competitive disadvantage.

Philip Morris had two goals here: to dominate the U.S. market; and to orchestrate the regulation to best serve its, not the public, interest.

**Q. Where do you stand on tobacco regulation, and if you do, who should have oversight?**

**A.** I support tobacco regulation. There should be a special agency, not the overburdened and incompetent FDA, to regulate tobacco. But the agency's emphasis should be on the things that really matter -- encouraging the development of safer cigarettes and designing smoking prevention policies that actually work -- rather than useless grandstanding, such as banning tobacco ads.

Moreover, the tobacco industry, as the regulated party, deserves a role in the regulatory process, as is the case in other regulated industries.

**Q. What role is there for smokeless tobacco products in society?**

**A.** I'm finishing a second book on the smokeless tobacco issue.

Scientific evidence suggests it can be a very safe and viable alternative for those who need nicotine but don't want the risks associated with smoking.

It's unfortunate that both the federal government and the anti-smoking movement won't provide truthful information to smokers about smokeless products, instead leading smokers to believe that all tobacco products are equally dangerous, which is simply untrue.

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