

The New York Times

THE NEW SMOKE

Dire Warnings by Big Tobacco on E-Smoking

By MATT RICHTEL, SEPTEMBER 28, 2014

Tobacco companies, long considered public health enemy No. 1, have suddenly positioned themselves as protectors of consumer well-being in the digital age.

They are putting out among the strongest health warnings in the fledgling e-cigarette industry, going further even than the familiar ones on actual cigarettes, a leading cause of death. It has left the industry's critics scratching their heads and deeply skeptical.

One warning, from [Altria](#), maker of Marlboros, reads in part: “[Nicotine](#) is addictive and habit forming, and is very toxic by inhalation, in contact with the skin, or if swallowed.”

Another, from [Reynolds American](#), maker of Camels, says the product is not intended for persons “who have an unstable heart condition, [high blood pressure](#), or [diabetes](#); or persons who are at risk for heart disease or are taking medicine for depression or [asthma](#).”

They appear on the packaging for the companies' e-cigarettes, which are part of a fast-growing industry that the tobacco companies are maneuvering to dominate.

The warnings, which are entirely voluntary and are seen by some as attempts to reduce legal liability or burnish corporate reputations, generally exceed what amounts to modest cautions, silence or even positive health claims from

smaller e-cigarette makers.

One on a pack of nicotine cartridges for MarkTen e-cigarettes, for instance, the brand Altria is introducing nationwide, runs more than 100 words. People with heart disease, high blood pressure and diabetes should not use the product, the label says. Neither should children. It goes on to say that nicotine can cause [dizziness](#), nausea and stomach pains, and may worsen asthma.

“When I saw it, I nearly fell off my chair,” said Dr. Robert K. Jackler, a professor at the Stanford School of Medicine where he leads research into cigarette and e-cigarette advertising. MarkTen also warns that e-cigarettes are not a [smoking cessation](#) product, a warning that also appears on Vuse from Reynolds.

“Is this part of a noble effort for the betterment of public health, or a cynical business strategy? I suspect the latter,” Dr. Jackler said.

Experts with years studying tobacco company behavior say they strongly suspect several motives, but, chiefly, that the e-cigarette warnings are a very low-risk way for the companies to insulate themselves from future lawsuits and, even more broadly, to appear responsible, open and frank. By doing so, the experts said, big tobacco curries favor with consumers and regulators, earning a kind of legitimacy that they crave and have sought for decades. Plus, they get to appear more responsible than the smaller e-cigarette companies that seek to unseat them.

The reason the strategy is low risk, experts said, is that many people don’t read the warnings anyway.

But the companies say their reasoning is straightforward.

William Phelps, a spokesman for Altria, said the warnings on MarkTen, made by the subsidiary NuMark, reflect “a goal to openly and honestly communicate about health effects” and that the warnings are based on “scientific research” and “previously developed warnings” on nicotine products. As part of a new national rollout, the MarkTen is in 60,000 stores in the western half of the United States and will be nationwide by year’s end, the company said.

The R. J. Reynolds Vapor Company, which makes Vuse, had less to say about the origin of its e-cigarette warnings, which note, among other things, that nicotine is addictive and the product should not be used by people with heart conditions or high blood pressure. A company spokesman said the warning reflected the fact that Vuse did not contain tobacco leaf and did not undergo “combustion,” like tobacco in cigarettes.

In a previous interview with The New York Times, the president of R. J. Reynolds Vapor Company, Stephanie Cordisco, said that her e-cigarette division aimed to make a break with the negative reputation of the cigarette industry. “We’re here to make sure we can put this industry on the right side of history,” she said in the interview. Reynolds is one of the companies that has sued, successfully, to stop more graphic warnings on cigarette packages.

The fact these companies are voluntarily warning about e-cigarettes is “totally Orwellian,” said Robert N. Proctor, a Stanford history professor who studies the tobacco industry. He added, “They do everything for legal reasons, otherwise they’d stop making the world’s deadliest consumer products,” he said of tobacco companies.

When it comes to e-cigarettes, public health experts and regulators are struggling with deep contradictions and

questions, the most fundamental of which is whether e-cigarettes will lure thousands of cigarette smokers away from a deadly habit or actually lead to a new generation of nicotine addicts.

In a report issued last month, the [World Health Organization](#) urged stronger restrictions on e-cigarettes, including indoor smoking bans, and also expressed “grave concern” at the growing role of tobacco companies in the industry.

Smaller e-cigarette companies are skeptical too. “To the uninitiated, it looks like they are responsible corporate citizens,” said Cynthia Cabrera, executive director of the Smoke-Free Alternatives Trade Association, an e-cigarette industry group. She considers the warnings “disingenuous,” particularly the MarkTen claim that nicotine is “very toxic” when inhaled, swallowed or brought into contact with the skin. That is not true of the doses in e-cigarettes, she said.

Ms. Cabrera said she believed that the big tobacco companies had an ulterior motive, perhaps to appear to regulators and lawmakers as more credible than the small e-cigarette companies. She speculated that big tobacco companies would then be able to lobby for rules and laws that would favor them. She said some lobbyists were telling legislators that prepackaged, uniform e-cigarettes had lesser health risks than the ones sold, sometimes in made-to-order fashion, in independent vapor shops. In terms of warnings, Ms. Cabrera’s group has called for childproof packaging on e-liquids, which are used to fill e-cigarettes, and they favor warnings calling nicotine addictive and listing other ingredients.

For now, there are hundreds of smaller e-cigarette companies, many selling online, and their claims and warnings run the gamut. Some make health claims that Dr.

Jackler said were wild and unsubstantiated, claiming to be sex stimulants, beneficial for insomniacs or even a way to promote weight loss. Dr. Jackler speculated that one motivation for Big Tobacco could be discouraging smokers from using a competing product.

Mr. Phelps, from Altria, dismissed that idea. “We want that category to be successful, and NuMark has taken a number of steps to be a leader,” he said.

The warnings on the MarkTen are far more elaborate than those on a pack of Marlboros, which note, for instance, that “smoking by pregnant women may result in fetal injury, premature birth and low birth weight.” The warning does not include other risks, like the addictive nature of cigarettes, which are known to cause [cancer](#) and other deadly diseases. Mr. Phelps said that Altria was putting out cigarette warnings mandated by the government. The government mandate does not, however, preclude stronger warnings from appearing on Marlboros.

Dr. Jackler asked: “Why wouldn’t you warn about ‘very toxic’ nicotine on your cigarettes when you do so on e-cigarettes?”

Whatever the warnings say, they are typically disregarded by consumers, according to Allan M. Brandt, professor of the history of medicine and science at Harvard University and an expert in the tobacco industry.

Big tobacco companies “know that even these types of very serious warnings have generally not put significant dents in their sales,” he said. But, he said, the warnings do appear to be part of an age-old practice by the industry: creating scientific gray areas. That tactic, he said, lets them forestall decisive action by consumers and regulators, as it did with cigarettes. “It’s an incredibly effective and duplicitous

practice in inventing additional new uncertainties and, at the same time, appearing to be cooperative,” Mr. Brandt said. “They’ve done this before,” he added. “It buys them time. It bought them 40 years with traditional tobacco products.”

<http://mobile.nytimes.com/2014/09/29/business/dire-warnings-by-big-tobacco-on-e-smoking.html?smid=nytcore-ipad-share&smprod=nytcore-ipad&r=1&referrer=>