

Wilson Slashes Spending For Antismoking Effort

California's governor eviscerated a remarkable research and education program. Was his action legal?

WHY WOULD THE GOVERNOR OF THE NATION'S most populous state dismantle a remarkably effective public health program—unique in the nation and approved in a referendum by the citizens of his state—that combines campaigns in smoking prevention with social and biological research on tobacco? That's the question researchers and residents of California are asking themselves as they examine the recent behavior of Governor Pete Wilson.

In 1988, California voters approved a 25-cents-a-pack tax on cigarettes—earmarking a quarter of the proceeds to a combination of antismoking education and tobacco research. The annual total, \$115 million in 1991, dwarfs the tobacco-related research funding of any other state. Naturally, the tobacco companies hated the measure, and they waged a \$21 million campaign against it. But the initiative was too popular to stop: Approved by 58% of the voters, its programs were up and running by mid-1990. Then last month, Wilson announced plans to cancel the initiative's media and education programs and cut research funding in half, diverting the money to preventive health services. His opponents say the action is illegal, but the governor disagrees and has so far refused to back down.

Wilson's move clearly will affect California residents, but the significance of the governor's action crosses state borders, because federal money for tobacco research is scarce and growing scarcer. California's program is one of the few sources of funding for investigator-initiated tobacco research in the United States, and the research it funds, while based in California, has the potential to influence policy decisions nationwide. That's why tobacco researchers are mounting a legal battle to save it—a battle University of California, San Francisco, cardiologist and tobacco researcher Stanton Glantz predicts will be “amazingly bloody.”

The most visible—and publicly celebrated—element of California's multi-pronged attack on tobacco is the antismoking ad campaign, which has received high praise for its unique approach. “The messages in the ads are really cutting edge,” says Phil Wilbur, who watches tobacco issues for the Advocacy Institute in Washington, D.C. The television and print ads, many of which

portray smokers as being duped by the scheming of tobacco-industry con men, seem to be working: A survey done for the California Hospital Association found that half the Californians who quit smoking in 1990 cited the ads as a reason, and one-third said they were the main reason. “Everybody wants to know how they can do what California has done,” Wilbur says enthusiastically. And “everybody” includes a varied international audience. According to state senator Diane Watson, California has received inquiries about the campaign from Japan, England, Canada, Brazil, and Italy.

The research component of the program, administered by the University of California, has a broad charter, funding biomedical, sociological, and policy research. Among the underfunded types of research it has supported is work on passive smoking—studies that attempt, among other questions, to determine how to quantify a person's exposure to other people's smoke, and how that exposure influences health. “There are almost no funding sources outside the tobacco industry,” for that type of research, says James Repace of the Environmental Protection Agency's indoor air division.

Another group of researchers who were getting along on a shoestring until the California program came along are those who study smoking policy as it relates to people's decisions to start or stop smoking. According to David Burns, who does research in tobacco control at the University of California, San Diego (UCSD), medical school, “There are no current mechanisms for funding some of the policy and applied research on smoking that this program funds.” Supporting Burns' contention is the fact that the National Center for Health Statistics has been collecting information on the smoking habits of more than 400,000 Americans since 1965, but there has been insufficient money available to examine the data for the effects of health warnings or national advertising campaigns on smoking behavior. “I felt it was a scandal that we were collecting so much information on smoking, and so little of it was being analyzed,” says Ronald Davis, who ran the Office on Smoking and Health under former Surgeon General C. Everett Koop, and now serves as chief medical officer at the Michigan

Department of Health.

Thanks to California, the “scandal” is being addressed, according to John Pierce, who served under Davis as chief epidemiologist in the smoking and health office, and now directs the cancer prevention unit at UCSD medical school. Pierce and his UCSD colleague Burns have a 3-year, \$590,000 grant from California to do the long-overdue analysis of the national data. Says Pierce, the research will “help us define much better” how to design effective antismoking campaigns.

But these promising beginnings will be thwarted if Wilson has his way with the tobacco-project funds. Last month, the governor took \$16 million that had been appropriated for antismoking ads, halting the program in mid-stream and forcing the cancellation of ads that were already produced and scheduled to air this month. His budget for the next fiscal year would eliminate all funding for the statewide education and media campaign, cut research funds in half, and divert that money to preventive prenatal and child care for the poor. “These were difficult choices,” says the governor's health budget manager Diane Cummins. But, with the state facing a multibillion-dollar budget shortfall, she says “the feeling was that services should get priority over research or education.”

That explanation sounds noble, but some think it hides another agenda. “It is not an accident that the governor chose this part of the budget to cut,” insists UCSD's Burns. “I would be very surprised if the tobacco industry didn't have a lobbying effort directed right at this.” To Mark Pertschuk of Americans for Nonsmokers Rights, Burns' fears are supported by the

Off the charts. *California's spending on antismoking research and education dwarfs that of the other states. Figures are for states that spent at least \$100,000 in 1989-90.*



SOURCE: CENTERS FOR DISEASE CONTROL ILLUSTRATION: D. DEFRANCESCO

fact that Wilson was a speaker last summer in a series of \$5000-per-couple Republican fundraisers hosted by Philip Morris. Wilson, however, has repeatedly made public denials that he is beholden to the tobacco lobby.

But John Miller, an aide to state senator Diane Watson, points out that the one tobacco program Wilson spared was community-based smoking-cessation classes, which Miller says have been low on the tobacco industry hit-list because they are viewed as ineffective. "There are only two programs [in the proposition] that tobacco ever wanted killed, the research and media programs," Miller says. "There is no question they are happy today."

Moreover, Miller points out, Wilson has left intact the pool of cigarette-tax money that has the least to do with smoking. As a concession to environmentalists who supported the tobacco tax, authors of the initiative earmarked 5% of the money to environmental programs, including a fund to buy land for parks and a mountain lion protection plan. That money has not been touched. "Health education is more central to the initiative than the 5% that went to the environmental stuff," says Miller. The budget-makers, he says, "realized they could kick the hell out of the voluntary health organizations," because "they don't have the political clout of the Sierra Club."

Regardless of what the governor's motivations were, his opponents say the move was illegal. California's constitution guarantees that voter-approved initiatives cannot be altered by the governor or legislature in a way that violates their intent. And, since the initiative requires that 25% of the money go to tobacco education and research, diverting that money to another purpose is a violation, they say. Last week, the state's legislative analyst echoed that view. But the governor is standing firm. His aides argue that since the original initiative provided that 45% of the tax money go to health services for the poor, shifting more money into that pool is consistent with the initiative's intent.

Notably absent from those protesting the governor's actions are the state Department of Health Services and the University of California. The health department supports the governor's cancellation of the media program, and the University of California has declared that it has no position on the research cuts. Even without those allies, the American Lung Association is continuing to play David to the state's Goliath. It began legal action last month by filing a request with the Sacramento county superior court for a temporary hold on the diversion of funds—a request the court hasn't yet acted on. Meanwhile, the state legislature last week

approved the shutdown of the ad campaign.

Glantz is not surprised by that action—he has been documenting a dramatic rise in tobacco industry money pouring into the campaign coffers of California legislators, and last year published a report on the subject. Such investigative projects may seem outside the usual territory of a medical research scientist, but Glantz says they are

necessary to defend a field as threatened as tobacco research. And Glantz intends to continue to rally the troops to the cause. "If the tobacco control people are willing to fight like hell, I think they will win," he says. "If [the program] can be maintained, it will be a huge victory. It will say to the tobacco industry, 'The people have spoken.'"

■ MARCIA BARINAGA

Animal Rightists Trash MSU Lab

Michigan State University (MSU) became the latest target of animal rights terrorism on 28 February when members of the Animal Liberation Front (ALF) broke into a hall and set fire to the office of Richard Aulerich, who does toxicology and nutrition research using mink as experimental animals.

Aulerich—who, ironically, is the head of the university's Committee on Animal Use and Care—says data he had accumulated over 32 years went up in smoke. The contents of 14 file cabinets were mostly ruined. Now gone, says Aulerich, is "one of the best fur animal research libraries in the world." Next door, the fire melted computer disks in the office of toxicology expert Karen Chou, whose research includes efforts to use animal sperm as a substitute for whole animals in toxicity testing. The vandals also poured sulfuric acid on research equipment and spray-painted walls with threatening graffiti ("The otters are next," they wrote, referring to animals housed in the same area as the mink). The attack caused about \$75,000 worth of damage, according to a university spokesman.

People for the Ethical Treatment of Animals, which acts as a spokesman for ALF, issued a press release saying Aulerich "has killed thousands of minks in painful and scientifically worthless experiments." Aulerich countered that "animals are not allowed to suffer" and are euthanized when necessary to avoid pain. Mink are prized subjects for toxicology research, he says, because of their susceptibility to various environmental chemicals. Lately, Aulerich has been using them to assess levels of contaminants in carp from Lake Huron's Saginaw Bay. The Environmental Protection Agency has also used MSU research for developing water quality standards.

This past year has been the year of the mink for ALF—in line with animal activists' campaign against wearing fur. The MSU episode follows a raid at Oregon State University's mink research farm last June, where arsonists burned a barn, and at Washington State University in August, where offices were vandalized and a number of animals stolen. Aulerich says the activists have now attacked "the three institutions that are doing most of the fur animal research in the United States."

The FBI has been brought into the MSU case because Aulerich receives federal funding and the perpetrators apparently crossed state lines. But in less serious cases states have had to pursue justice on their own. The results have been very poor, says Barbara Rich of the National Association for Biomedical Research. Because of limits in both states' investigatory capacities and their jurisdiction, the 80 or so break-ins and other illegal episodes involving animal activists over the past decade have resulted in only "three little bitty convictions," says Rich.

Congress may be moving soon to remedy that situation. Last October the Senate passed a bill authored by Senator Howell Heflin (D-AL) making it a federal crime to break into an animal research facility. The House is considering a similar bill sponsored by Representative Charles W. Stenholm (D-TX) that would apply to all animal facilities including farms.

■ CONSTANCE HOLDEN



Up in smoke. Aulerich surveys the damage.