

TOM DAVIS, VIRGINIA,  
CHAIRMAN

DAN BURTON, INDIANA  
CHRISTOPHER SHAYS, CONNECTICUT  
ILEANA ROS-LEHTINEN, FLORIDA  
JOHN M. MCHUGH, NEW YORK  
JOHN L. MICA, FLORIDA  
MARK E. SOUDER, INDIANA  
STEVEN C. LATOURETTE, OHIO  
DOUG OSE, CALIFORNIA  
RON LEWIS, KENTUCKY  
JO ANN DAVIS, VIRGINIA  
TODD RUSSELL PLATTIS, PENNSYLVANIA  
CHRIS CANNON, UTAH  
ADAM H. PUTNAM, FLORIDA  
EDWARD L. SCHROCK, VIRGINIA  
JOHN J. DUNCAN, JR., TENNESSEE  
JOHN SULLIVAN, OKLAHOMA  
NATHAN DEAL, GEORGIA  
CANDICE MILLER, MICHIGAN  
TIM MURPHY, PENNSYLVANIA  
MICHAEL R. TURNER, OHIO  
JOHN R. CARTER, TEXAS  
WILLIAM J. JANKLOW, SOUTH DAKOTA  
MARSHA BLACKBURN, TENNESSEE

ONE HUNDRED EIGHTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074  
FACSIMILE (202) 225-3974  
MINORITY (202) 225-5051  
TTY (202) 225-6852

[www.house.gov/reform](http://www.house.gov/reform)

HENRY A. WAXMAN, CALIFORNIA,  
RANKING MINORITY MEMBER

TOM LANTOS, CALIFORNIA  
MAJOR R. OWENS, NEW YORK  
EDOLPHUS TOWNS, NEW YORK  
PAUL E. KANJORSKI, PENNSYLVANIA  
CAROLYN B. MALONEY, NEW YORK  
ELIJAH E. CUMMINGS, MARYLAND  
DENNIS J. KUCINICH, OHIO  
DANNY K. DAVIS, ILLINOIS  
JOHN F. TIERNEY, MASSACHUSETTS  
WM. LACY CLAY, MISSOURI  
DIANE E. WATSON, CALIFORNIA  
STEPHEN F. LYNCH, MASSACHUSETTS  
CHRIS VAN HOLLEN, MARYLAND  
LINDA T. SANCHEZ, CALIFORNIA  
C. A. DUTCH RUPPERSBERGER,  
MARYLAND  
ELEANOR HOLMES NORTON,  
DISTRICT OF COLUMBIA  
JIM COOPER, TENNESSEE  
CHRIS BELL, TEXAS

BERNARD SANDERS, VERMONT,  
INDEPENDENT

June 17, 2003

Mr. Murray S. Kessler  
President  
U.S. Smokeless Tobacco Company  
100 West Putnam Avenue  
Greenwich, CT 06830

Dear Mr. Kessler:

We are writing about U.S. Smokeless Tobacco Company's recent distribution of free samples of cancer-causing and addictive smokeless tobacco products to members of the United States Marine Corps in Iraq and the company's subsequent marketing of this donation in a full-page May 27 advertisement in *USA Today*. This "gift" is irresponsible in both its disregard for the health of American servicemen and women and its apparent violation of Marine Corps policy, which states that all tobacco products have an "adverse impact upon the health and readiness of our forces" and prohibits the distribution of free samples.

Your actions recall tobacco companies' distribution of free cigarettes to soldiers in World War II, which caused hundreds of thousands of servicemen to become addicted and die of tobacco-related disease. We request a full explanation and documentation of the shipments of smokeless tobacco to Marines in Iraq.

### The Military and Tobacco

The U.S. tobacco industry has a long and disgraceful history of distributing free tobacco products to servicemembers. During World War II, tobacco companies regularly sent free cigarettes to the troops. According to Pulitzer-Prize winning historian Richard Kluger, the war "guaranteed a vastly expanded consumer base, as millions of previously nonsmoking youngsters in the service sampled the product, either free as part of their combat ration or for a few pennies a pack at commissaries behind the lines, and became addicted to it."<sup>1</sup> The results were

---

<sup>1</sup> Richard Kluger, *Ashes to Ashes*, 113 (1997).

Mr. Murray S. Kessler  
June 17, 2003  
Page 2

catastrophic: the Walter Reed Army Medical Center says that tobacco use in World War II “hooked an entire generation into nicotine addiction.”<sup>2</sup>

The pattern of soldiers becoming addicted to tobacco products continued through the ensuing decades. As Rep. Janklow said at a Committee hearing on June 3: “I am an individual who never smoked a cigarette in his life until he went in the United States Marine Corps and was given free cigarettes in my C rations and my K rations, and that is how I started smoking. . . . And only because of serious medical problems that I had at one time was I able to quit. The hardest thing I have ever done in my life was to quit smoking. The addiction was the most difficult thing that I ever dealt with.”<sup>3</sup>

The government later came to recognize that the deleterious health effects of lifelong tobacco use called for a new policy. In 1975, the armed forces discontinued the provision of cigarettes in soldiers’ ration kits.<sup>4</sup>

Because of this shameful history, today’s military strongly discourages tobacco use. In August 2002, the Secretary of the Navy issued a directive covering tobacco and applying to both the Navy and the U.S. Marine Corps. The policy defines “tobacco use” to include smokeless tobacco and asserts that “tobacco use and ETS exposure has an adverse impact upon the health and readiness of our forces.”<sup>5</sup> The section on smokeless tobacco finds that smokeless tobacco “causes oral cancer and is highly addictive,” and “damages gums, teeth, and oral soft tissue.”<sup>6</sup> Furthermore, the directive states, “[Navy and Marine] policy is to provide tobacco users with encouragement and professional assistance to stop.”<sup>7</sup>

This directive specifically forbids the distribution of free samples of tobacco products to Navy and Marine personnel on property controlled by the Navy or the Marines:

---

<sup>2</sup> Walter Reed Army Medical Center, *A Brief History of Tobacco Use and Abuse* (online at <http://www.wrampc.amedd.army.mil/education/tobaccohistory.htm>).

<sup>3</sup> Statement of Rep. William J. Janklow, House Committee on Government Reform, *Potential Reduced Exposure/Reduced Risk Tobacco Products: An Examination of the Possible Public Health Impact and Regulatory Challenges* (June 3, 2003).

<sup>4</sup> Centers for Disease Control, *The Surgeon General’s Report on Reducing Tobacco Use: Historical Fact Sheet* (online at [http://www.cdc.gov/tobacco/sgr/sgr\\_2000/Historical.pdf](http://www.cdc.gov/tobacco/sgr/sgr_2000/Historical.pdf)).

<sup>5</sup> Department of the Navy, *Navy and Marine Corps Tobacco Policy*, 2 (Aug. 2, 2002) (SECNAV Instruction 5100.13C) (online at [http://neds.nebt.daps.mil/Directives/5100\\_13c.pdf](http://neds.nebt.daps.mil/Directives/5100_13c.pdf)).

<sup>6</sup> *Id.* at 5–6.

<sup>7</sup> *Id.* at 3.

Cigarette Sales to Minors and Sampling of Tobacco Products. . . [T]he sale of tobacco products in vending machines is prohibited, tobacco products shall not be sold to minors and *distribution of free samples of tobacco products are prohibited*.<sup>8</sup>

### **U.S. Smokeless Tobacco's Recent Actions**

Despite this history and the explicit policy barring the distribution of free samples, it appears that U.S. Smokeless Tobacco distributed free tobacco products to Marines during the recent Iraq war. In fact, not only did U.S. Smokeless Tobacco distribute free tobacco products, the company boasted about its actions in a full-page advertisement in the sports section of the May 27 issue of *USA Today*.

The ad in question contains a photograph of three letters from Marines thanking the company for shipments of smokeless tobacco. Scattered across the letters are snapshots of grinning soldiers, some holding cans of your product. In one letter, a Marine wrote:

I am writing this letter to say thank you for sending the Marines in my command smokeless tobacco. I wrote you a letter from ship and since that time I have received and handed out close to 1000 cans of tobacco.<sup>9</sup>

Another letter thanks the company for their contributions of products to a Marine Wing Support Group Unit.<sup>10</sup>

As the letters themselves make clear, your company was not simply providing a limited supply of smokeless tobacco for personal consumption in response to the requests of established users. Instead, as the letter quoted above indicates, you gave nearly 1,000 cans to one service member, who then redistributed them to others. This appears to be a blatant violation of the Marine Corps' policy prohibiting the distribution of free samples.

### **Conclusion**

It appears that U.S. Smokeless Tobacco is seeking to revive the disastrous policy of distributing free tobacco products to men and women in the armed services. This is a

---

<sup>8</sup> *Id.* at 5 (emphasis added).

<sup>9</sup> *Advertisement for U.S. Smokeless Tobacco Company*, USA Today, 12C (May 27, 2003).

<sup>10</sup> *Id.*

Mr. Murray S. Kessler  
June 17, 2003  
Page 4

reprehensible practice that puts your profits ahead of the welfare of American servicemen and women.


As part of our investigation into this issue, we ask that you provide responses to the following questions:

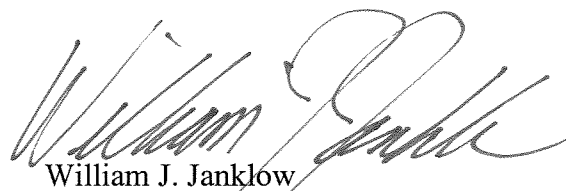
- How many free samples of U.S. Smokeless Tobacco product have been shipped to Marines overseas in 2003?
- What outreach did you do to publicize your distribution of free samples? Please include any contacts with news media, families, and other parties.
- What information, if any, was provided to troops about the health risks of smokeless tobacco consumption?
- Did you inform the Marines Corps of your shipment of tobacco to individuals and groups of Marines?
- Who was your intended audience with the *USA Today* advertisement? Why did you place it in the sports section?

Please also include all correspondence, e-mail messages, phone records, and meeting minutes related to any contact with the Marines Corps or individual squadrons about these donations.

We request a reply by July 1, 2003.

Sincerely,

  
Henry A. Waxman  
Ranking Minority Member

  
William J. Janklow  
Member of Congress

Enclosure



UNITED STATES MARINE CORPS  
MARINE WING SUPPORT SQUADRON  
MARINE WING SUPPORT GROUP

6 Apr 2003

USSTC  
PO BOX 5205  
Greenwich, CT  
06831



FREE MAIL

US SMOKELESS TOBACCO Co.  
100 W. PUTNAM AVE.  
GREENWICH, CT 06830

Dear Employees of U.S. Smokeless Tobacco Co.:

It is with great pride and pleasure to be writing this letter in response to your support of the United States Marine Corps. The contributions of your products to our unit were a huge boost to the Morale and Welfare of all the Marines. It is your company's support of the Marine Corps that makes us realize what we are here fighting for, the freedoms and liberties we have back in the United States of America.

It is not only the personnel that enjoy your products but also those that look at your contributions as support for all of us over here. Every day I have Marines come up to me and tell me thank you. It is not me who they should be thanking however; it is all of the employees at your company and all the Americans that have supported our efforts one way or another.

All of us at this Marine Wing Support Squadron deployed to Marine Air Station Jalibah, Iraq thank every one of the employees at U.S. Smokeless Tobacco Co. for all the support you have given us.

SEMPER PAR!

IF YOU WOULD PASS THIS THANK YOU ON TO YOUR COLLEAGUES WHO HAVE SENT LETTERS AND TOBACCO TO US, I WOULD APPRECIATE IT.

FOR WHAT IT IS WORTH, I WROTE LETTERS TO YOUR COMPANY AS WELL AS A FEW OTHER COMPANIES. THUS FAR, YOURS IS THE ONLY COMPANY THAT HAS REPLIED. WE ARE ALL VERY GRATEFUL.

WITH GREAT THANKS FOR THE INCREASE IN MORALE,

LT. W

LT. WILL HEI  
USMC



I am writing this letter to say Thank You for sending the Marines in my command Smokeless tobacco. I wrote you a letter from ship and since that time I have received and handed out close to 1000 cans of tobacco. The first shipment arrived the night before we left for Iraq, the subsequent shipment found us while we were defending Al Nazimyah. I, on behalf of Echo Company and the entire Battalion wish to submit our most sincere thanks to you and everyone at US Smokeless Tobacco.



# No... We Thank YOU.

U.S. Smokeless Tobacco Company, proud manufacturer of Copenhagen® and Skoal® moist smokeless tobacco products, salutes all the men and women of the U.S. Armed Forces.

