

Philip Morris vows to fight a U.S. Department of Justice lawsuit filed against tobacco companies.

Washington, DC. September 22, 1999 - Today's announcement that the Clinton Administration will sue the country's tobacco manufacturers is a shameless act of politics that reaches the height of hypocrisy, according to Philip Morris officials.

"We have shown that we are willing to work with any and all responsible individuals to develop solutions for issues surrounding the manufacture, marketing and sale of tobacco products. That will not change. But, we do not believe that this kind of politically motivated lawsuit is in anyone's interest. We will mount a vigorous defense and will not settle this lawsuit," said Greg Little, associate general counsel for Philip Morris.

"We continue to agree with Attorney General Janet Reno's testimony before a Senate committee in 1997 when she said the federal government has no independent cause of action.

"For the federal government to come into court and say with a straight face that it has been misled by anything the industry did has absolutely no credibility. In fact, the government has profited from the sale of cigarettes for decades through collection of excise taxes.

"Indeed, since 1964, every U.S. Surgeon General has warned the American public of the risks of smoking, and since 1966, Congress has mandated that every pack of cigarettes sold in the United States carry a warning of the possible health effects of smoking.

"For the Clinton Administration to now say that Americans were somehow deceived, and the government ignorant, of the risks associated with smoking and health is beyond reason. This federal lawsuit is the product of politics, not of any real legal or factual analysis. We will be in court as soon as we can with a bountiful set of reasons why this case should be dismissed.

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"This is the same administration that in 1997, through its Department of Veterans Affairs, blocked claims for benefits to cover alleged smoking-related illnesses because it said the veterans had been well aware of the risks of smoking," Little added.

The federal lawsuit was actually announced by President Clinton at his State of the Union address in January. Since that time, the Justice Department has assembled an internal task force, augmented by retained private trial lawyers, to review the legal and factual basis for a suit.

Reports have continued to surface in the media that career government lawyers were uncomfortable that the White House made that announcement despite their opinions that a lawsuit should not be filed. Until then, Justice officials, including the attorney general, had maintained that the government did not have a legal basis to file suit.

Since President Clinton's address, a federal jury in Ohio has heard essentially the same case as that outlined by the Justice Department's complaint. That jury returned a unanimous verdict in favor of the tobacco companies.

"We believe that this case should be dismissed," Little said. "But if it does go to trial, we believe a jury will hear all the evidence - not just the highly prejudiced and

one-sided version contained in the Justice Department's announcement – and we believe it should return a verdict for the companies."

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