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(F)
Abood P.

To: • Dr. R. B. Seligman

Date: March 21, 1980

From: • W. L. Dunn

Subject: • The Nicotine Receptor Program

In responding to your query I'm going to first address the more inclusive topic of the psychopharmacology of nicotine. Abood's nicotine receptor program is included, as is the internal nicotine analogue program and the internal animal behavior program. All three of these efforts are aimed at understanding that specific action of nicotine which causes the smoker to repeatedly introduce nicotine into his body.

The psychopharmacology of nicotine is a highly vexatious topic. It is where the action is for those doing fundamental research on smoking, and from where most likely will come significant scientific developments profoundly influencing the industry. Yet it is where our attorneys least want us to be, for two reasons. It is important to have these two reasons expressed and distinguished from one another. The first reason is the oldest and is implicit in the legal strategy employed over the years in defending corporations within the industry from the claims of heirs and estates of deceased smokers: "We within the industry are ignorant of any relationship between smoking and disease. Within our laboratories no work is being conducted on biological systems." That posture has moderated considerably as our attorneys have come to acknowledge that the original *carte blanche* avoidance of all biological research is not required in order to plead ignorance about any pathological relationship between smoke and smoker. There is an important distinction that has been made here which it is well to articulate: The acute, transient, short-lived effects of nicotine upon a physiological system (among which are those effects or that effect sought by the smoker) are wholly independent of those alleged, cumulative, long-term contributions of smoke compounds to disease processes.

We are now being allowed to conduct research on the immediate effects of nicotine because of this distinction. We can work with biological systems; we can inject nicotine in rats and we can perform the surgery required for implanting cannulae. But in doing so we are engaging in research on the pharmacological action of nicotine, which brings us to the second concern of our attorneys. This is a more recent concern arising from increasingly favorable prospects for the success of a legislative effort to transfer authority for the regulation of tobacco manufacture to a Federal agency (F.D.A.) known to have interests and powers antithetical to the interests of the industry. Any action on our part, such as research on the psychopharmacology of nicotine, which implicitly or explicitly treats nicotine as a drug could well be viewed as a tacit acknowledgement that nicotine is a drug. Such acknowledgement, contend our attorneys, would be untimely. Therefore, although permitted to continue the development of a three-pronged program to study the drug nicotine, we must not be visible about it.

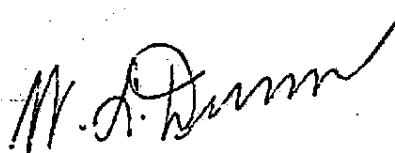
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I have made these observations not to ridicule but rather to emphasize the vexatiousness of the topic. Everybody is vexed. The Don Hoels and the Ed Jacobs and our corporate attorneys see their mission to be to save the Industry not only from litigative demise but also now from regulatory harassment. The Leo Aboods, the Gary Berntsons and the corporate research scientists see their mission to be to hold Philip Morris poised to respond to fast breaking opportunities or dangers on this very yeasty front.

Although our counselors have perhaps not been fully apprised of the relevance to the industry of the new developments in the neurosciences,¹ I am confident that were they so they would concur with us on the need to stay abreast of developments. And staying abreast requires a heavy commitment, a commitment best maintained by an active research program.

Our attorneys, however, will likely continue to insist upon a clandestine effort in order to keep nicotine the drug in low profile.²

Now I'm in a position to respond directly to your query about the Abood program. So long as we must be officially heedless of the drug properties of nicotine, and cannot openly communicate with our counterparts in other laboratories, and cannot aggressively institute a large-scale neurosciences program on site, then we must have a window to the outside world. Abood's laboratory is that window. Being himself on the forefront and knowledgeable of developments as they are occurring in other laboratories, he is our informant. We need him for that. And it is as simple as that. Whatever else falls out of the arrangement (a discovery in his lab!) will be a fringe benefit.



Jh
Attachment
cc: T. S. Osdene

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¹Perhaps they should be apprised (see attached box)

²Could the rationale for such a position be reviewed with them?