



Industry Shenanigans

The Fight Against Big Tobacco and Other Influential Industries

Corporatocracy 101

- The Amoral Imperative
- Return on investment – shareholders must make \$\$



Corporatocracy 202

- Corporations are (due to a controversial ruling in the late 1800s) granted constitutional protections
 - As collections of individuals
 - Granted protections in Bill of Rights intended for individuals



The Big Three

- Litigate
- Legislate
- Market



Litigation

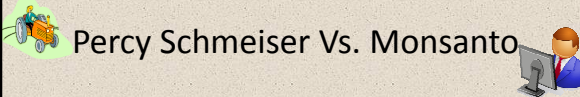
- Powerful tool for change
- Corporations treated as individuals with rights – they can sue to enforce those rights
- Works to delay regulation, declaw opposition, ensure profits
 - Investigations
 - Out-of-court settlements
 - Active litigation



Monsanto vs. US Farmers

- Patent protection
 - Genetically Modified Organisms
 - Industry FAQs - <http://www.monsanto.com/food-inc/Pages/FAQs.aspx>
 - Monsanto pursues hundreds of new investigative leads every year






Percy Schmeiser Vs. Monsanto


- 1) GMO seeds drift into Schmeiser's fields
- 2) Monsanto sues Schmeiser for patent infringement – goes to Canadian Supreme Ct.
- 3) GMO seeds drift into Schmeiser's fields – again
- 4) Schmeiser sues Monsanto for removal - \$640

On a positive note.....

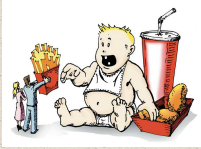
- Litigation can work for public health
 - Whistle-blower, class action lawsuits against tobacco companies
 - Sea change of public perception
 - Lawsuits by states against tobacco companies
 - Unveiled industry documents through discovery
 - Gave us the "Truth" campaign
 - Resulted in the Master Settlement Agreement
 - DOJ lawsuit against tobacco companies
 - Guilty of racketeering; exhaustive evaluation of TI bad acting



Legislation

- Educates the public about the issue
- Can change social norms
- Sustainable over time
- We aren't the only ones who know this 



Laws Favorable to Industry


- Laws limiting liability of corporations
 - Pharmaceuticals
 - Big Food 
- Pre-emption

Laws, Policies Favorable to Public Health

- Smokefree Workplace laws
- Taxes on tobacco
- School lunch food
- Provision of breastfeeding room
- Menu labeling
- Landlord disclosure of smoking policies
- FDA regulation

Lobbying and Front Groups


- Global Climate Coalition  
 - Oil and gas companies
- Center for Consumer Freedom
 - Represents agribusiness, tobacco, restaurant and alcohol industries
- The Advancement of Sound Science Coalition
 - Tobacco – now defunct – purpose was to discredit science on secondhand smoke




Lobbyists, cont.

- Action America
 - Tobacco – contributed to Huckabee’s campaign – paid him directly for speeches, traveling expenses
- American Council on Science and Health
 - Chemical and Food Industries – defends sugar, pesticides and chemical additives – yum!
 - Does not, however, defend tobacco....gotta draw the line somewhere!

Influence

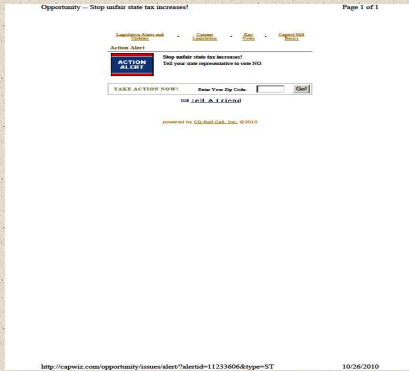
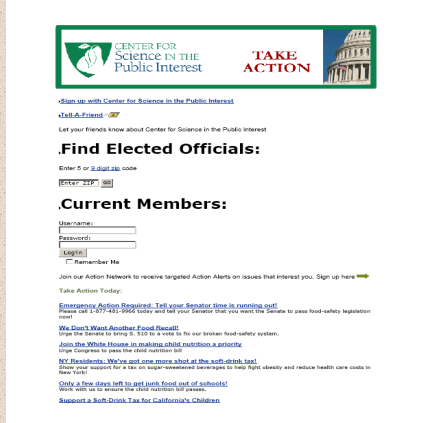


Bad Science




NOCIGTAX.com

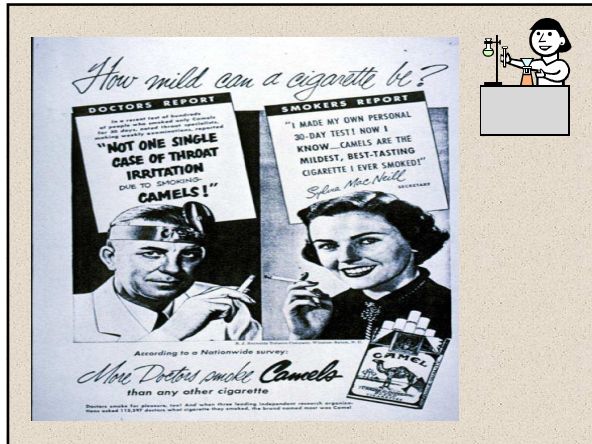
- NoCigTax.com is sponsored by R.J. Reynolds Tobacco Company, ©2010.
- Taxes mean:
- Mom and Pop lose \$\$
- Theft of cigarette trucks
- Organized crime
- SCARY!!!

Bad science.....

- Ahhh....the long and difficult history of bad science.....








Bad Science, cont.....



- Center for Consumer Freedom
<http://www.consumerfreedom.com/>

Self-Regulation

- Voluntary, "good-faith" measures to improve
- Tobacco Industry 
- School Beverage Guidelines 
- Voluntary marketing restrictions 

Which Leads us to Marketing.....



Marketing Opportunities

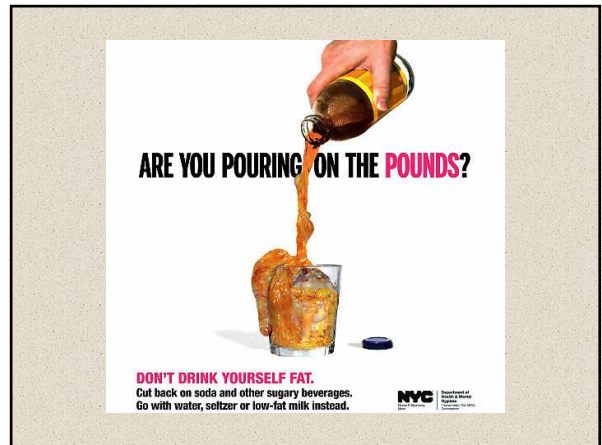
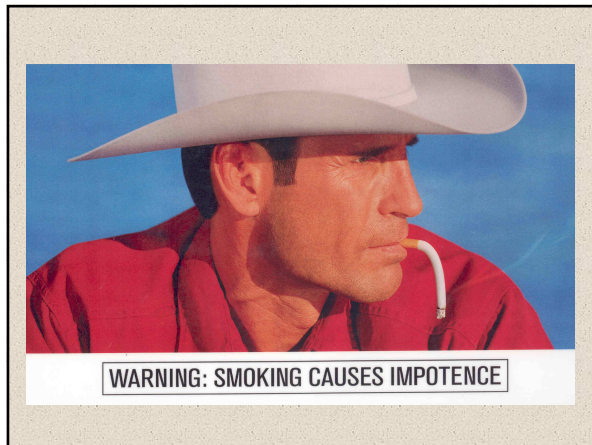
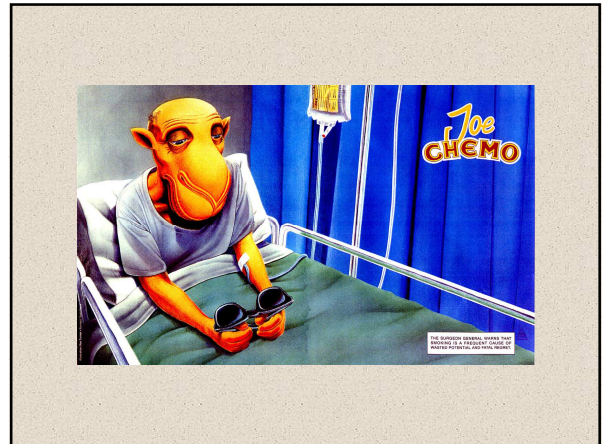
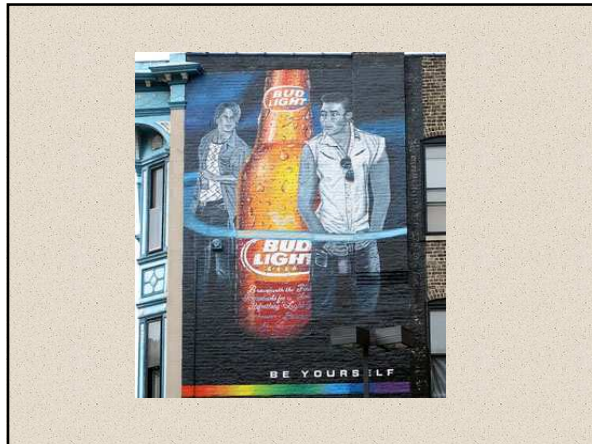
- Direct advertising
- Promotion 
- P.R., Media Relations (Self-Regulation, Good-Guy campaigns)

Advertising

- Lessons about advertising:
 - 1) Advertising works
 - 2) Advertising works because people think it doesn't

\$130 million plus.....

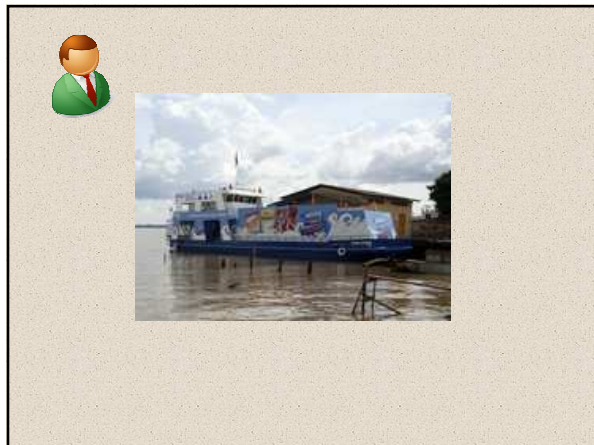
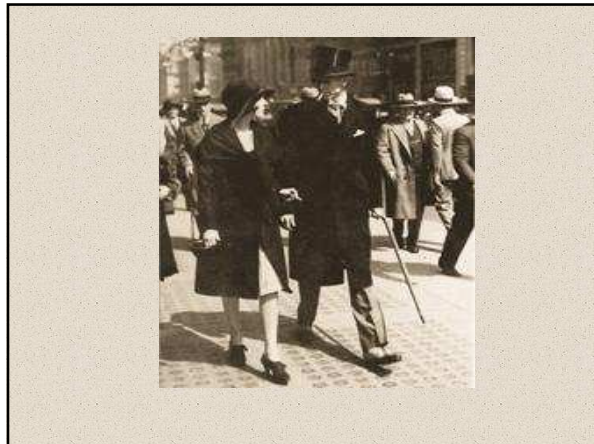
We know advertising works because industry spends billions of dollars on it.



Promotion/Sponsorship

- Promotions get products into the hands of users, or the users' siblings.....
- Promotions position product with the desired demographic
- Sponsorships, promotions cause brand association





Good guy campaigns

- Generate good will
- Provide promotional and marketing opportunities
- Create brand loyalty among targeted consumers

September is: Childhood Obesity Awareness Month

Supporters include:

- Micky D.'s
- American Beverage Association
- Obesity is a symptom of the issue, like lung cancer is a symptom of tobacco use (the issue). (Michelle Simon)

Pepsi Refresh

In 2010, the Pepsi Refresh Project will give away more than \$20 million to refresh the world, one idea at a time. Each month, Pepsi will award up to \$1.3 million in grants to the ideas with the most votes. Pepsi will accept up to 1,000 new ideas every month and the public decides who wins. Vote for your favorite ideas now at www.refresheverything.com.

The Belleville Farmer's Market plans to use a \$25,000 Refresh Grant to grow fresh produce to help fight childhood obesity in southern Illinois schools.



"What we want to do with our 'fun for you' products is to make them the healthiest 'fun for you' products," said PepsiCo chairman Indra Nooyi, emphasizing PepsiCo's dual commitment to health and to providing a nonstop party in your mouth.



PepsiCo successfully altered the molecular structure of salt crystals into a shape that dissolves more efficiently on the tongue

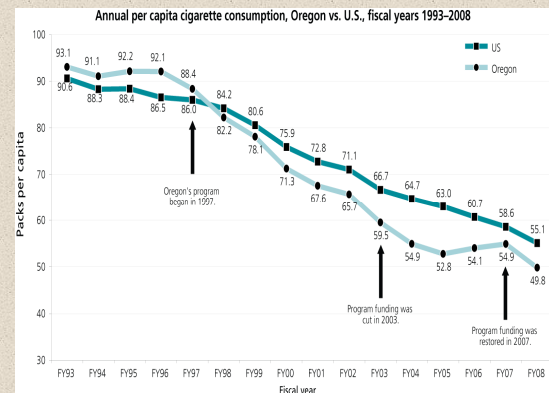
Corporations use litigation, legislation and marketing to.....



But what about Public Health?

- We have:
 - Good science
 - Right on our side
 - Passion and persistence

- We have the power to:
 - Influence policy for the public good
 - Change public perception
 - Influence social norms



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