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NEWARK, N.J. (UPI) — The recent U.S. surgeon general's report calling cigarettes addictive like cocaine or heroin can be introduced as evidence in a landmark smoking liability suit, a judge ruled Wednesday.

U.S. District Judge H. Lee Sarokin, rejecting objections from the three cigarette companies that are defendants in the case, delivered his ruling on the final day of testimony in the four-month trial.

Portions of the 1987 Surgeon General's Report on Smoking and Health are to be read to the jury Thursday. Lawyers are scheduled to begin closing arguments June 1 or 2.

Lawyers for Antonio Cipollone, who is suing over his wife's death from lung cancer after 40 years of smoking, said the report bears out the contention that Rose Cipollone did not make a free choice to continue smoking.

"If it's addictive now, it was addictive 30 or 40 years ago," lawyer Marc Z. Edell said.

The surgeon general's report, released May 16, described nicotine as an addictive drug and recommended banning cigarette vending machines and other measures to prevent teenagers from becoming smokers.

Lawyers for the tobacco companies argued that the report does not go beyond testimony earlier in the trial from Dr. Jerome Jaffe, who testified for Cipollone as an expert on addiction.

Charles Wall, a lawyer for Lorillard Inc. and Phillip Morris Inc., described the report as a "politically motivated document." He also described Surgeon General C. Everett Koop as "anti-cigarette smoking."

"The fact that the surgeon general lends his name to a report does not make it any more right or wrong than the evidence already testified to by Dr. Jaffe," Wall said.

Cigarette companies have never lost a smoking liability case, but the Cipollone case is considered historic because lawyers for the plaintiff have uncovered and used hundreds of internal tobacco industry documents.

Cipollone's suit charges that Liggett Group Inc., Lorillard and Philip Morris, makers of the brands his wife smoked before her death in 1984, conspired to mislead smokers on the risks involved.

Liggett also faces damages for failing to warn smokers on health risks, but the other companies are now exempt from that claim because Rose Cipollone did not use their product until after Congress mandated health warnings on cigarette packs in 1966.

The cigarette manufacturers argue that Rose Cipollone suffered from a rare type of lung cancer that is not associated with smoking. They also say that she was well aware of news stories on the dangers of cigarettes, especially since her husband wanted her to quit and pointed them out to her. They say she refused to quit despite those warning and her own concern.

Dr. Jeffrey Harris, a professor at Harvard Medical School who was the trial's first witness in February, was also the final witness, attempting to rebut cigarette company testimony.

Harris, who has degrees in medicine and economics, testified as an expert on tobacco industry research on smoking and health after reviewing thousands of internal company documents.

During their last cross-examination, lawyers for the defendants attempted to pick holes in Harris's testimony that the cigarette companies agreed not to perform biological research into smoking and health and failed to publish the results of the research they did perform.

Harris acknowledged that the reference to a "gentleman's agreement" occurred in only one rough draft of a letter he examined and that, if an agreement existed, several companies violated it.

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