



# Tobacco Public Policy Center

## at Capital University Law School

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### **BRIEF TIMELINE OF U.S. TOBACCO CONTROL EVENTS**

#### **1950s:**



1950-51: First large-scale scientific studies published in the U.S and the U.K. confirming a link between smoking and lung cancer.

1953: Tobacco company executives meet in New York to determine a strategy to deal with the mounting evidence of death and disease caused by cigarette use.

1954: Tobacco industry publishes a nationwide ad entitled "[A Frank Statement to Cigarette Smokers](#)." Industry denies any link between cigarettes and lung cancer and claims that "[w]e accept an interest in people's health as a basic responsibility, paramount to every other consideration in our businesses. Industry announces formation of the Tobacco Industry Research Committee (TIRC), later renamed the Council for Tobacco Research (CTR). Though represented to be a research entity, TIRC/CTR becomes the hub of the industry's public relations effort to cast doubt on the link between smoking and disease.

#### **1960s:**

1964: Publication of [first Surgeon General's Report linking smoking and lung cancer: \*Smoking and Health: Report of the Advisory Committee to the Surgeon General of the Public Health Service\*](#).

1965: Congress passes the [Federal Cigarette Labeling and Advertising Act](#) requiring the following Surgeon General's Warning on the side of cigarette packs: "Caution: Cigarette Smoking May Be Hazardous to Your Health."

1966: Attorney John Banzhaf asks the Federal Communication Commission to apply the Fairness Doctrine to require broadcasters to provide free airtime for anti-smoking messages if they broadcast cigarette advertisements. The [FCC rules in 1967](#) that the Fairness Doctrine applies to cigarette advertisements, leading tobacco companies to agree to a prohibition on television advertising.

#### **1970s:**

1970: Congress enacts the Public Health Cigarette Smoking Act of 1969. Introduced in 1969, the legislation amends the 1965 Federal Cigarette Labeling and Advertising Act to strengthen warning labels and prohibit cigarette advertising on public airwaves. The 1969 act also includes a provision stating that "[n]o requirement or prohibition based on smoking and health shall be imposed under State law with respect to the advertising or promotion of any cigarettes the packages of which are labeled in conformity with the provisions of this Act." This provision severely limits state and local efforts to limit tobacco promotion and advertising. In its 1992 decision [Cipollone v. Liggett Group, Inc.](#), the U.S. Supreme Court ruled that this provision also bars lawsuits against the tobacco industry based on negligent failure to warn.

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1971: Surgeon General proposes a government ban on smoking in public places.

1971: [Cigarette ads are taken off TV and radio as Public Health Cigarette Smoking Act of 1969 takes effect.](#)

1972: Tobacco advertisements, direct mail and point-of-sale material are all required to carry health warnings.

1972: Surgeon General's Report identifies secondhand smoke as a health risk for the first time.

1973: Nixon Administration Surgeon General Dr. Jesse Steinfeld is fired after angering tobacco companies by urging restrictions on secondhand smoke.

1973: Civil Aeronautics Board (CAB) requires all airlines to create nonsmoking sections. This is the first federal restriction on smoking in public places.



1973: Arizona becomes the first state to pass a law restricting smoking in public places. The law forbids smoking in a limited number of public places including elevators, libraries, indoor theaters and concert halls, and buses.

1975: Minnesota enacts the nation's first law requiring either separate smoking areas or no smoking in most public places, including restaurants.

1976: In *Shimp v. Bell Telephone Company*, a New Jersey judge issues an injunction ordering telephone company to provide a smoke-free workplace. Judge writes that “[t]he right of an individual to risk his or her health does not include the right to jeopardize the health of those who must remain around him or her in order to properly perform the duties of their jobs.”

1978: Tobacco companies fight a California referendum on statewide smoking restrictions, using a front group called “Californians for Common Sense.” The tobacco industry spends \$6.6 million to defeat the referendum.

1978: Report prepared for the tobacco industry concludes that movement for smoke-free public places is “the most dangerous development to the viability of the tobacco industry that has yet occurred.”

1979: [Tobacco Control Resource Center](#) and the Tobacco Products Liability Project formed in Boston. Founded to provide legal and policy support for tobacco control efforts and litigation against the tobacco industry.

## 1980s:

1981: Congress increases the federal excise tax on cigarettes to sixteen cents per pack. First increase since 1951.

1981: Health groups interested in tobacco control form the Coalition on Smoking OR Health to coordinate efforts.

1984: FDA approves nicotine gum smoking cessation aid.

1985: Minnesota enacts first law dedicating a portion of tobacco tax revenue to tobacco control efforts.

1986: [Surgeon General's Report, \*The Health Consequences of Involuntary Smoking, A Report of the Surgeon General\*](#), focuses on the dangers of secondhand smoke. Concludes that “[i]nvoluntary smoking is a cause of disease, including lung cancer, in healthy nonsmokers.”

1986: [Special Report of the Surgeon General](#) concludes that smokeless tobacco is carcinogenic and addictive. Congress enacts the Comprehensive Smokeless Tobacco Health Education Act requiring health warnings on smokeless tobacco products and banning the advertisement of smokeless tobacco products on public airwaves.

1986: [Americans for Nonsmokers' Rights](#) formed in California to advocate for protection from the harms of secondhand smoke.

1987: Congress bans smoking on domestic flights of less than two hours. Takes effect in 1988.

1988: California passes referendum raising cigarette excise tax by 25 cents per pack and dedicating 20 percent of the revenues to tobacco control.

## 1990s:

1990: San Luis Obispo, California becomes the first city in the world to prohibit smoking in all indoor public places including bars and restaurants.

1992: “Synar Amendment” passed by Congress requiring states to adopt and enforce restrictions on tobacco sales to minors.

1992: Nicotine patch approved for use as a smoking cessation aid.

1992: [Joint Commission on Accreditation of Healthcare Organizations \(JCAHO\)](#) requires hospitals to prohibit all indoor smoking by 1994.

1993: [Environmental Protection Agency \(EPA\)](#) declares secondhand smoke to be a Class A carcinogen, meaning that there is no safe level of exposure. Tobacco industry files lawsuit challenging findings, but federal appeals court ultimately rejects challenge.

1993: Vermont becomes the first state to enact a smoke-free law prohibiting smoking in most indoor public places.

1994: In response to lawsuit claiming that permitting smoking in restaurants denies access to disabled individuals in violation of the Americans with Disabilities Act (ADA), McDonald’s prohibits smoking in all of its 11,000 corporate-owned restaurants.

1994: Congress passes [Pro-Children Act of 1994](#), prohibiting smoking in public schools and other facilities where federally funded children’s services are provided.



1994: Mississippi becomes the first state to sue tobacco industry to recover costs of treating tobacco-related diseases.

1994: [The Robert Wood Johnson Foundation](#) and [the American Medical Association](#) create the “[Smokeless States Initiative](#)” to fund local tobacco control efforts.

1995: [Food and Drug Administration \(FDA\)](#) declares nicotine to be a drug and cigarettes to be “drug delivery devices” subject to FDA regulation. The FDA proposes regulations governing tobacco promotion, labeling, and distribution.

Tobacco companies challenge FDA authority in court. After multi-year court battle, the U.S. Supreme Court rules in [FDA v. Brown & Williamson Tobacco Corp.](#) that the FDA lacks authority to regulate cigarettes.

1995: Journal of the American Medical Association (JAMA) publishes internal documents from Brown & Williamson Tobacco Company showing that the industry had long known about the addictiveness of nicotine and the harm caused by tobacco use.

1996: [National Center for Tobacco-Free Kids](#) established with support from the [American Cancer Society](#), [the Robert Wood Johnson Foundation](#), and others.

1997: Florida and Mississippi settle cost-recovery lawsuits against the tobacco industry for total of total of \$14.9 Billion.

**SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.**

1997: Attorneys General and tobacco industry announce proposed settlement agreement that would require industry to pay \$360 billion over 25 years, use bold health warning on packs, change advertising practices, and face fines if youth smoking did not drop to specified levels. Proposed agreement would also provide the

industry with immunity from class action lawsuits. The agreement died when Congress refused to approve the deal.

1997: President Clinton signs [executive order](#) mandating smoke-free government workplaces.

1997: Tobacco industry settles class action lawsuit brought by flight attendants exposed to secondhand smoke in *Broin v. Philip Morris*. Tobacco companies agree to pay \$300 million to fund research on tobacco-related disease.

1998: Attorneys General of 46 states and 5 territories sign [Master Settlement Agreement \(MSA\)](#) with tobacco companies to settle cost-recovery lawsuits. Cigarette manufacturers agree to pay the states more than \$206 billion over 25 years and to abide by certain advertising and marketing restrictions. Ohio used a portion of the resulting funds to create [the Ohio Tobacco Prevention Foundation](#).

1998: California becomes the first state to enact a smoke-free law that prohibits smoking in all public places including bars.

1999: [American Legacy Foundation](#) established as part of the MSA to develop educational campaigns to reduce smoking. In 2000, the Foundation launches the “[truth](#)” counter-advertising campaign geared towards youth.

1999: U.S. Department of Justice sues tobacco industry alleging a decades-long racketeering conspiracy to deceive the public about the harms of smoking and secondhand smoke. Lawsuit also sought recovery for treatment of tobacco-related diseases, but that portion of the lawsuit was later dismissed.

## **2000s:**

2000: Florida jury awards smokers \$145 in punitive damages in *Engle v. Liggett Group*. Award was overturned by the Florida Supreme Court in 2006.

2002: Oregon jury in *Schwarz. Philip Morris* finds that tobacco companies lied about dangers of “light” cigarettes and awards \$150 million in damages.

2002: Ohio Supreme Court rules in [DABE v. Toledo-Lucas County Board of Health](#) that boards of health lack the authority to regulate smoking in public places. Decision affirms that local city councils could pass smoke-free ordinances for their communities.

2002: New York City approves comprehensive smoke-free law that takes effect in 2003. In 2002 and 2003, comprehensive statewide smoke-free laws are passed in Delaware, New York and Maine. Trend accelerates in coming years and hundreds of municipalities approve smoke-free laws. For a map of state and local smoke-free laws, click [here](#).

2003: [Framework Convention on Tobacco Control](#) approved by 192 nations attending the World Health Organization’s World Health Assembly. The Framework Convention is the first international treaty that addresses tobacco control efforts.

2003: Toledo approves local smoke-free ordinance. Challenge to law rejected by federal appeals court in *DABE v. City of Toledo*. Toledo ordinance later weakened by 2004 vote to add some exemptions. In following years, more than 20 Ohio communities, including [Columbus](#), pass comprehensive smoke-free ordinances.

2006: In [U.S. Department of Justice’s lawsuit](#) against the tobacco industry, Judge Gladys Kessler finds that tobacco companies engaged in decades-long conspiracy to mislead the public, in violation of federal racketeering law.

## **Additional Links:**

[Tobacco Atlas: World Timeline of Tobacco Control](#)

[Tobacco.Org Tobacco Control Timeline](#)