



PHILIP MORRIS PRODUCTS S.A.

To: [REDACTED]

April 23rd, 2021

Re: Ayers JW, Leas EC, Dredze M, Caputi TL, Zhu SH, Cohen JE. Philip Morris International used the e-cigarette, or vaping, product use associated lung injury (EVALI) outbreak to market IQOS heated tobacco. Tob Control. 2021 Apr 16

Dear Dr. Ayers, Prof. Cohen,

I write to inform you that the above noted article contains several serious errors.

A number of significant news events happened around the time period considered in your analysis: (1) on September 25th, 2019, Philip Morris International and Altria announced that they had called off merger talks; (2) on the same day, JUUL announced a leadership change; (3) on September 26th, 2019, PMI issued a press release announcing the launch of IQOS 3 DUO in Japan; (4) in the week of 24th September, 2019, Congressional Hearings on the topic of the EVALI crisis took place; and (5) on September 27th, 2019, U.S. CDC posted a Morbidity and Mortality Weekly Report Early Release on the EVALI outbreak, accompanied by a press release. These are clearly not “marketing” activities, instead being corporate, business, and public health news. These news events were not discussed in your paper despite offering the most plausible explanations for the media coverage observed.

We replicated your analysis and also added a search strategy that took into account concomitant news events to determine their potential impact on your conclusions (see attached Annex). As an example, our analysis demonstrates that >85% of the news articles during this time period were reporting on the PMI/Altria Announcement. In your paper, you attribute all these news stories to an article published on our website in response to confusion among consumers and journalists due to the conflation of IQOS and vaping in the coverage around the EVALI outbreak.

We believe that the points articulated in the Annex demonstrate that your paper is unreliable, that the title is demonstrably false and misleading, and that urgent substantial revision or retraction of the study is warranted to prevent other studies citing the currently published inaccuracies.

I remain at your disposal to discuss any of the details in the Annex and look forward to your prompt reply.

Sincerely,

[REDACTED]

Dr. Moira Gilchrist

VP Strategic and Scientific Communications



Annex

“Philip Morris International used the e-cigarette, or vaping, product use associated lung injury (EVALI) outbreak to market IQOS heated tobacco”

(the “EVALI/IQOS Article”)

[Philip Morris International used the e-cigarette, or vaping, product use associated lung injury \(EVALI\) outbreak to market IQOS heated tobacco | Tobacco Control \(bmj.com\)](#)

1. The authors report plotting *“trends in news stories mentioning ‘IQOS’ finding the largest number of stories mentioning IQOS occurred on 25th September 2019, with 261 articles, more than double the next highest day previously recorded.”* In that regard please note the following:
 - a. On the day in question, Philip Morris International (PMI) issued a press release via Business Wire¹ entitled “Philip Morris International Inc. and Altria Group, Inc. End Merger Discussions”. The release noted that “the companies have agreed to focus on launching IQOS in the U.S.” (the “**PMI/Altria Announcement**”)
 - b. PMI is listed on the New York Stock Exchange (“**NYSE**”) and is therefore subject to the rules of the NYSE and the Securities and Exchange Commission, including requirements for the disclosure of material events (such as the PMI/Altria Announcement). For instance, the PMI/Altria Announcement was submitted to the SEC under Form 8-K Item 7.01 (Regulation FD) Inline XBRL Viewer (sec.gov).²
 - c. On the day in question, we also note that JUUL announced a leadership change.³
 - d. In order to gain a more detailed understanding of the nature of the coverage during this time period, we used the TobaccoWatcher.org tool to conduct an analysis using various search terms.
 - e. We chose a date range from 19th September to 1st October 2019, since the authors did not indicate the date range that they used in their own analysis.
 - f. We used the authors’ search terms to confirm the comparability of our search with theirs.
 - g. The average number of stories per day matching these search terms was:
 - i. Authors’ search terms “IQOS” AND (“Vaping” OR “Illness”) – 11.64 articles/day vs the authors’ reported 11.3
 - ii. “ALTRIA” AND “IQOS” – 10 articles/day
 - iii. “Lung illnesses” AND “IQOS” – 1.11 articles/day
 - iv. “The CEO of JUUL” AND “IQOS” – 0.53 articles/day

¹ <https://philipmorrisinternational.gcs-web.com/static-files/78a6afb3-107d-4e8f-ad11-b66e94b8a4b8>

² <https://www.sec.gov/ix?doc=/Archives/edgar/data/0001413329/000141332919000062/a2019-09x258xk.htm>

³ <https://www.juullabs.com/juul-labs-names-new-leadership-outlines-changes-to-policy-and-marketing-efforts/>



- h. We estimate that during this period, of the total number of stories retrieved using the authors' search terms, >85% were reporting on the PMI/Altria Announcement.
 - i. **We request that the authors provide details of their TobaccoWatcher search strategy in order that others may accurately verify their work and assess their findings. The details should include inclusion/exclusion criteria in order to allow others to understand why they chose to omit discussion of the PMI/Altria Announcement in their article, given that it appears to be the most plausible explanation for the increase in news coverage and featured prominently in articles yielded from a search on TobaccoWatcher.**⁴
2. The authors report *"additional news coverage included several widely circulated outlets, such as the Associated Press, with these articles echoing if uncertainty about the safety of e-cigarettes will drive vapers to switch to IQOS."* No citation is provided by the authors. In that regard please note the following:
 - a. Using the TobaccoWatcher.org tool, we searched for this article⁵ (using the search terms "IQOS" AND "Associated" AND "Press" and limiting the search to 25th September, 2019) and found what appears to be the article mentioned by the authors.
 - b. Although we were not able to locate the original release from Associated Press bylined by Matthew Perrone and Michelle Chapman (the "**Perrone and Chapman Byline**"), we searched Factiva and note that on 25th September, 2019 Associated Press promoted this story in their top story advisory—sent out to newsrooms alerting them of the top stories available to buy—across three sectors (including business), along with a story about the PMI/Altria Announcement:
*"TOP STORIES: JUUL-VAPING _ Juul Labs will no longer promote its e-cigarettes in print, digital and TV advertisements and is replacing its CEO amid an escalating backlash against vaping nationwide. By Matthew Perrone and Michelle Chapman. SENT: 590 words, photos. With:
PHILIP MORRIS-ALTRIA _ The U.S. tobacco giants Philip Morris and Altria are calling off merger talks and Juul's CEO is stepping down with safety concerns over e-cigarettes intensifying. SENT: 130 words, photos."*
 - c. We could not find text within the articles produced from the Perrone and Chapman Byline that could be the basis for the authors' assertion that they were *"echoing if uncertainty about the safety of e-cigarettes will drive vapers to switch to IQOS"*.
 - d. **We request that the authors clarify the basis for their statement in (c).**

4

<https://tobaccowatcher.globaltobaccocontrol.org/articles/?covid=&st=09%2F25%2F2019&e=09%2F25%2F2019&lang=en§ion=keywords&dups=0&sort=-timestamp&t=IQOS>

5

<https://tobaccowatcher.globaltobaccocontrol.org/articles/?covid=&la=en&st=09%2F25%2F2019&e=09%2F25%2F2019&lang=en§ion=keywords&dups=1&sort=-timestamp&t=%22IQOS%22%20AND%20%22Associated%22%20AND%20%22Press%22>



3. The authors report that *“While investigating this anomaly we discovered an official PMI press release entitled ‘Lung illnesses associated with use of vaping products in the US’ was published the same day”* (the **“PMI News Article”**). In that regard please note the following:
 - a. This is incorrect. It was in fact a *“PMI News Article”* published on our website that was never issued via our press release distribution service—Business Wire—as our press releases routinely are.⁶
 - b. The PMI News Article was posted on 24th September 2019, not September 25th, 2019.
 - c. We posted the PMI News Article in response to significant confusion among consumers and journalists due to the conflation of IQOS and vaping in international coverage of the U.S. EVALI outbreak. This occurred even though IQOS was not available to purchase in the U.S. at the time news coverage of EVALI first gained prominence. An example of this conflation has been reported in the scientific literature.⁷
 - d. Using the analysis outlined in (1) above, we estimate that a maximum of 9.5% or 1.11 articles/day over the search period could potentially be solely attributed to the PMI News Article *“Lung illnesses in the U.S. associated with the use of vaping products: The facts”*
 - e. This level of coverage is in line with what the authors report as *“the 30 days average prior to this publication.”*
 - f. Our analysis demonstrates that there was no incremental news coverage for PMI as a result of the PMI News Article.
 - g. **We request that the authors correct the inaccuracies noted in (a) and (b) and also explain how they came to their conclusion that all the retrieved articles from their search terms could be attributed to the PMI News Article.**

4. The authors go on to note that *“the original PMI press release (sic) was republished (including editing or revisions to make the republication consistent with the publisher’s format) in 14 additional news outlets.”* In that regard please note the following:
 - a. We attempted to review these 14 news pieces⁸, sourcing them through the TobaccoWatcher.org tool. Of the total, 5 were no longer accessible at the time of review (20th April 2021). We reviewed each of the remaining 9 articles in detail and noted that none of them mentioned IQOS. All of them were reporting on the EVALI outbreak and flavor ban proposals, mainly in the U.S.
 - b. Of note, 2 of the articles were in Iranian news outlets, a country in which we do not sell products due to various trade restrictions imposed by the U.S. and other countries in which we do business.

⁶ <https://www.pmi.com/media-center/all-categories>

⁷ <https://onlinelibrary.wiley.com/doi/full/10.1111/dar.13024>

⁸ <https://tobacowatcher.globaltobaccocontrol.org/articles/1c5887ce-d3b0-3643-ad32-9f8c2885624d/#additional-coverage>



- c. We request that the authors provide justification for their assertion that these news articles were republications of a “PMI press release”.**
5. The authors allege that *“PMI engaged an earned news media strategy to market their IQOS brand of heated tobacco for free across scores of news outlets that reached millions of readers”*. In that regard please note the following:
- This is false – there was no press release on this topic and the purpose of the PMI News Article was as stated above.
 - Our replication analyses show that this conclusion cannot be reached when a thorough and fully contextualized review of all the data is completed.
 - We request that the authors explain their conclusion considering the findings outlined in sections (1), (2), (3) and (4) above.**
6. The authors state that *“even with this order there may be violations as tobacco companies are also prohibited by the US Tobacco Control Act from stating that the FDA has in any way approved or endorsed IQOS—for example, because of FDA’s Premarket Tobacco Product Application order for IQOS. See 21 USC 331(tt).”* Please note the following:
- PMI is aware that U.S. law expressly prohibits making any express or implied statement or representation directed to consumers with respect to a tobacco product, in a label or labeling or through the media or advertising, that either conveys, or misleads or would mislead consumers into believing, that:
 - the product is approved by the Food and Drug Administration; or that
 - the product is endorsed by the Food and Drug Administration for use by consumers [See FDCA § 301(tt)(1), (3)].
 - Consistent with U.S. law, and the MRTP and PMTA marketing orders, PMI has not and does not make claims that FDA endorses or approves IQOS.
7. The authors state that *“In the case of PMI and IQOS, one news article published in the days following the release said ‘Philip Morris claims these [IQOS] products are safer than cigarettes’”,* including reference to an article published on the website ETFTrends.com⁹ which appears to be a specialist website for the investor community. The authors also state that *“Another said ‘IQOS seems to be a safer alternative than vapes’”,* including reference to an article published on the website Mic.com¹⁰, which appears to be aimed at providing news to millennials. In that regard please note:
- References 9, 10 and 11 in the EVALI/IQOS Article are mislabeled.
 - The article in ETFTrends.com was published on 9th September 2019, not “in the days following” publication of the PMI News Article.

⁹ <https://www.etftrends.com/heated-tobacco-may-replace-vaping-amidst-consumer-issues/>

¹⁰ <https://www.mic.com/p/what-is-iqos-how-is-it-different-from-a-vape-19196319>



PHILIP MORRIS PRODUCTS S.A.

- c. Please note that PMI did not interact with the journalist Ian Young in the preparation of his article and therefore did not provide comment to him that would justify the sentence quoted by the authors. This fact can easily be verified by contacting the journalist.
 - d. The article Mic.com was published on 9th October 2019 and appears to be summarizing and providing opinion on other news articles related to the launch of IQOS in Atlanta, U.S on 4th October 2019.
 - e. Please note that PMI did not interact with the journalist Melissa Pandika in the preparation of her article and therefore did not provide comment to her that would justify the sentence quoted by the authors. This fact can easily be verified by contacting the journalist.
 - f. **We request that the authors correct the inaccuracy noted in (b) and clarify that PMI had no involvement in these articles.**
8. The authors state “Should PMI be as diligent to snuff out potential misimpressions as they were to promote them?” In that regard please note the following:
- a. PMI can reassure the authors that we regularly ask journalists to correct their stories, particularly when we have provided comment to them. It is at the discretion of the journalist and editorial team as to whether corrections are implemented.
 - b. One recent example of a successful correction request was an article published in the LA Times¹¹ following an interview with a senior executive from PMI.
 - c. One recent example of an unsuccessful correction request was an article published in Bloomberg News following our Q3 2020 Earnings Report¹² (subscription required).
 - d. We also regularly make correction requests to organizations funded by Bloomberg Philanthropies¹³, however all these requests have been unsuccessful.
 - e. **We request that the authors clarify that journalists and editors are primarily responsible for the accuracy of the content they publish and also have a role to play to “snuff out potential misimpressions”.**
9. The authors state that “the PMI release was rarely referenced in news reports, despite news coverage of EVALI and IQOS increasing 10-fold after its publication”. In that regard please note the following:
- a. In addition to the points noted in 1-5 above, we note that on September 26th, 2019, PMI issued a press release announcing the launch of IQOS 3 DUO in Japan.¹⁴

¹¹ <https://www.latimes.com/business/story/2021-04-16/q-a-with-the-ceo-of-philip-morris-international-america>

¹² <https://www.bgov.com/core/news/#!/articles/QICCKCT0G1KW>

¹³ <https://www.pmi.com/our-initiatives/prohibition-at-any-cost>

¹⁴ <https://www.pmi.com/investor-relations/press-releases-and-events/press-releases-overview/press-release-details/?newsId=21536>



PHILIP MORRIS PRODUCTS S.A.

- b. We also note that in the week of 24th September, Congressional Hearings on the topic of the EVALI crisis took place and were heavily covered in the news media.¹⁵
 - c. Additionally, on September 27th, 2019, U.S. CDC posted a Morbidity and Mortality Weekly Report Early Release on the EVALI outbreak¹⁶ which was accompanied by a press release.¹⁷
 - d. **We request that the authors explain why they discounted these plausible reasons for the news coverage on both IQOS and EVALI to increase after September 24th, 2019 and decided instead to assign responsibility to the PMI News Article which they mistakenly characterized as a “press release”.**
10. The EVALI/IQOS Article cites 6 references by some of the same authors as the EVALI/IQOS Article. One citation¹⁸ —a “*Brief Report*”—was submitted to Tobacco Control on 11th January 2021 and accepted on 15th January 2021 and is titled “*Google shopping queries for vaping products, JUUL and IQOS during the E-cigarette, or Vaping, product use Associated Lung Injury (EVALI) outbreak.*”¹⁹ (the “**Google Article**”). In that regard please note the following:
- a. We note that much of the content of the EVALI/IQOS Article overlaps with the Google Article.
 - b. We also note the BMJ guidance on “salami slicing”: “Studies that share significant similarities in the hypotheses, population, and methods should usually be presented to the readers in a single paper”²⁰.
 - c. The Google Article incorrectly uses the term “Philip Morris” instead of “Philip Morris International” throughout.
 - d. The Google Article states that: “*We have also shown that news articles began to discuss Philip Morris’ novel ‘heated tobacco’ product IQOS as a potentially less harmful alternative to both vaping and traditional cigarettes following press releases from the manufacturer, even though at the time they did not have authorisation from the FDA to market IQOS in such a manner.*”
 - e. The Google Article also states that “*The results also suggest that the EVALI outbreak may have been a boon for Philip Morris’ new heated tobacco product IQOS. The observed increase in shopping queries for IQOS coincides with a Philip Morris’ press release and subsequent news coverage positioning IQOS as a safe alternative to vaping and traditional tobacco.*”

¹⁵ <https://oversight.house.gov/legislation/hearings/don-t-vape-examining-the-outbreak-of-lung-disease-and-cdc-s-urgent-warning-not>

¹⁶ <https://www.cdc.gov/mmwr/volumes/68/wr/mm6839e2.htm>

¹⁷ <https://www.cdc.gov/media/releases/2019/p0927-thc-vaping.html>

¹⁸ <https://tobaccocontrol.bmj.com/content/early/2021/02/18/tobaccocontrol-2021-056481>

¹⁹ <https://pubmed.ncbi.nlm.nih.gov/33608466/>

²⁰ <https://authors.bmj.com/policies/scientific-misconduct/>



PHILIP MORRIS PRODUCTS S.A.

- f. A reference (the **Reference**) in the Google Article entitled "*Caputi T, Legasse L, Leas E. Philip Morris used the vaping-induced pulmonary disease outbreak to market IQOS as a safer alternative to e-cigarettes, 2020*" is used as a citation for the statements in (d) and (e).
 - g. We note that the Reference title bears a remarkable similarity to the EVALI/IQOS Article but with a different group of authors.
 - h. We have been unable to locate the content of the Reference on PubMed or other literature search services.
 - i. **Are the authors able to provide an explanation for these apparent anomalies?**
 - j. **We request that the authors correct the inaccuracy noted in (c)**
11. The Google Article goes on to note that "*However, the timing of this advertising push also coincided with the launch of Philip Morris' (sic) new Atlanta store on 4 October, making it difficult to disentangle whether the increase in queries was an effect of any health concerns surrounding EVALI or just a response to increased exposure to advertising and product availability*". In that regard, please note the following:
- a. The "Atlanta store" is not owned or operated by PMI.
 - b. We note that the authors of the Google Article chose to contextualize their findings in the Discussion section with other important news events.
 - c. We also note that the authors of the EVALI/IQOS Article chose not to do this, instead attributing their findings to one single event.
 - d. **Can the authors of the EVALI/IQOS Article explain the rationale for omitting contextualizing information in their article?**
 - e. **We request that the authors correct the inaccuracy noted in (a).**

In summary, the conclusion that "*Philip Morris International used the e-cigarette, or vaping, product use associated lung injury (EVALI) outbreak to market IQOS heated tobacco*" can be disproven using the authors' own tool and an analysis method that actually takes into account concomitant news events. The entire premise of the EVALI/IQOS Article is patently invalid and substantial revision or retraction of this paper is warranted.