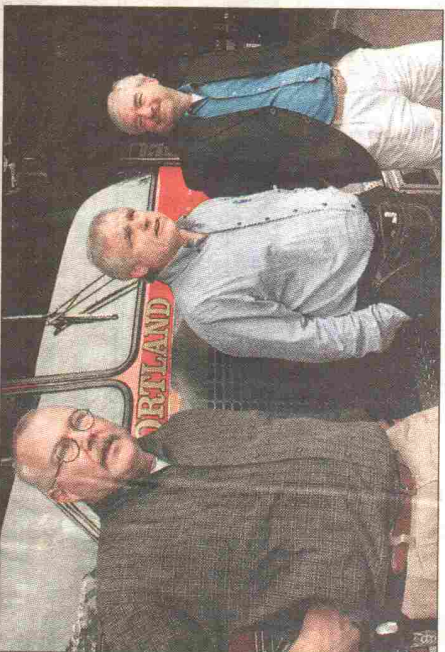


# Firefighters campaign to snuff smoldering cigarettes

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JOEL DAVIS/THE OREGONIAN  
**Retired firefighters Tim Birr (left) and Tom Whelan, along with anti-tobacco attorney Chuck Tauman (right) are pushing for a state law that would require Oregon stores to sell only "fire-safe" cigarettes that stop burning once the smoker stops puffing.**

*The two fire veterans push a bill all the way to the Senate floor to forbid the sale of cigarettes that don't self-extinguish*

BY HARRY ESTEVE  
 THE OREGONIAN

Two retired firefighters have mounted a crusade to rid Oregon of cigarettes that continue to burn after they've been discarded or neglected, and replace them with safer, self-extinguishing brands. They're up against some formidable opposition. Tobacco lobbyists, who say they can't tailor cigarettes to suit each state, have close ties to some of Oregon's most powerful lawmakers.

But the firefighters boast some street cred of their own. One is a former state legislator, astute in the ways of Salem. The other is a former fire department public information officer, a publicity pro who spent years in front of TV news cameras in Eugene and the Portland area.

With help from anti-tobacco attorney Chuck Tauman, they achieved a milestone Friday when a bill to require Oregon stores to sell only "fire-safe" cigarettes passed out of a state Senate committee and headed to the floor for a vote. Although that's only half the battle, it's the furthest such legislation has gone in Oregon in 20 years.

"To me, it's really a moral issue," said Tim Birr, who recently hung up his helmet and gear as the main spokesman for the Tualatin Valley Fire & Rescue in Washington County. "If we know something is causing fires and killing people, it makes sense to try to correct that."

The issue has been percolating since the late 1970s, and cigarette companies have had the ability to make self-extinguishing, or low-ignition, cigarettes since the mid-1980s, Birr said.

Birr and former Rep. Tom Whelan, a retired captain with the Salem Fire Department, expect the bill to make it through the Democrat-controlled Senate. But they face a much harder time in the House,

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## Cigarettes: Bill's creators aiming for accountability

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where Republicans hold a majority and where tobacco lobbyists enjoy a friendly relationship with House Speaker Karen Minnis, R-Wood Village.

Neither plans to back off. Both have witnessed up close the tragic effects of cigarettes that burn after being dropped or forgotten by a smoker.

Birr said he had just been promoted to public information officer for the Eugene Fire Department when he got called to a fatal fire at a University of Oregon fraternity house. A young woman lay dead, victim of a lighted cigarette that had fallen unnoticed into an overstuffed chair during a party and had started a fire.

"I was one of the guys who did the body removal," Birr said. "I put her in a bag and carried her out."

That was 25 years ago. More recently, he was called out of retirement to talk to reporters about the apartment fire last January that killed West Linn resident Pamela Hernandez. The cause: an unintended cigarette.

Cigarettes are the leading cause of fire deaths in the United States, responsible for 800 to 1,000 fatalities each year, according to statistics from the Consumer Product Safety Commission. Supporters of fire-safe cigarettes say those deaths would go down dramatically if manufacturers used a paper that causes the cigarette to stop burning once the smoker stops puffing.

Tobacco companies have been reluctant to change the way they make cigarettes, citing concerns by consumers who don't like the way the cigarette performs. The manufacturers say it's unfair to expect them to make cigarettes a certain way for one or a handful of states.

"We need a national standard," said Mark Nelson, a longtime Salem lobbyist who represents RJ Reynolds, among other clients. "We can't design and manufacture cigarettes based on 50 states' fire marshals coming up with different standards."

Richard Kosesan, who lobbies for convenience stores, says customers who don't like the fire-safe cigarettes will look elsewhere for their favorite brands. He said that could cost Oregon \$5 million or more a year in lost taxes, by some estimates.

Whelan, who has collected reams of paperwork on the issue, said those arguments come apart under scrutiny.

The tobacco industry for years has lobbied against such standards whenever Congress has taken up the issue, he said. And New York adopted a statewide fire-safe cigarette requirement that has been in place for a year, and cigarette sales there continue unabated.

"They're running out of rational excuses," Whelan said about the tobacco industry. He said technical reasons for blocking the proposed law pale when compared with the death, injury and property losses associated with cigarettes, particularly in a state where entire forests have burned after a cigarette was tossed on a roadside.

But Nelson said lawmakers should look beyond emotional arguments.

"There are things we do every day that cause terrible accidents and terrible tragedies," he said. "Every state coming up with separate standards for this product or any product sets a dangerous precedent."

Birr said he has heard that Nelson already has been lobbying House members hard on the bill in anticipation of it coming out of the Senate. "We can't control the politics, or what goes on behind closed doors," Birr said. But they can point fingers the next time a neglected cigarette causes a fatal fire, he said. "We want to create enough public awareness that if someone kills this bill, at least the fingerprints will be on the knife."

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