

## GE shelled out \$122M to fight PCB clean-up

By Kevin McCauley

General Electric spent more than \$122M for PR, lobbying and lawyer fees from '90 to '05 in its effort to fight demands that it clean up three contaminated polychlorinated biphenyls (PCBs) sites.

The company released that information "in response to a shareholder request," and in an apparent effort to sidestep a messy showdown with environmental activists at its annual meeting.

The Tri-State Coalition for Responsible Investment had planned to sponsor a shareholder resolution asking for the PR numbers at that meeting. The group on Jan. 10 agreed to drop

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Potential eco-friendly revenue streams have GE CEO Jeff Immelt seeing green.  
photo: www.ge.com

**O'Dwyer Award winners for public comms. excellence Pg. 19**



## Caplan, M+R, Porter Novelli win first O'Dwyer Awards

By Kevin McCauley

Caplan Communications, M+R Strategic Services and Porter Novelli are the first winners of the "O'Dwyer Award for Public Communications." They are honored for work in the public affairs/environmental PR categories.

O'Dwyer's PR Report created its awards program to highlight PR campaigns that show a high level of creativity in increasing public understanding of a product, service or issue.

The awards recognize interactive communications in which members of the public and press have the opportunity to question client and PR firm representatives to learn more about the subject at hand.

The O'Dwyer Award honors campaigns that are based on transparency and accountability. The winners submitted a summary of media placements including audience reached. They described tangible actions

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Porter Novelli earned an "O'Dwyer Award for Public Communications" for reframing the debate over class action lawsuit reform. President Bush, with solid support from Democrats, signed the Class Action Fairness Act.

White House photo by Eric Draper

## Global warming: how PR pros must deal with the century's biggest issue

By E. Bruce Harrison

Global warming is one of those curious public issues that set up a cold calculus between data and deeds.

Climate protection advocates hold to predictive data and to the environmental precautionary principle, to posit that future life (human, animal and plant) is imperiled by carbon emissions, and that cutting airborne carbon generated by economic enterprise is the good deed sacrifice required of nations, firms and individuals.

An opposite view, citing data more empirical than modeled, holds that climate change is a perpetual phenomenon, cycling from cooling to warming, affected by human as well as natural factors,

the extent of neither being clearly determinable. The assumed nobility of self-limits on economic success is compared with the general good that is served by that success.

This clash of positions makes global warming the environmental political issue of the new century, with a half-life stretched by the fact that any atmospheric effect of cutting carbon today in the Western industrialized nations must be eval-

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taken such as special events, fund-raising drives, coalitions created and legislative actions won.

**Campaigns described**

Caplan, on behalf of the Natural Resources Defense Council, orchestrated a grassroots campaign to prevent the Environmental Protection Agency from relaxing safeguards to prohibit the dumping of largely untreated sewage into the nation's rivers, streams and lakes.

M+R earned its O'Dwyer Award for representing the Keep Antibiotics Working coalition. That group, which includes Environmental Defense, Union of Concerned Scientists, Sierra Club and Physicians for Social Responsibility, is fighting to keep antibiotics out of the food chain.

The misuse and overuse of antibiotics in animal agriculture has been linked to human bacterial infections that are resistant to antibiotics.

Porter Novelli is cited for clinching

support for the Class Action Fairness Act.

Working for the U.S. Chamber of Commerce Institute for Legal Reform, the Omnicom unit reframed the long-running debate over class action lawsuit reform from a business issue to primarily a consumer one. The payoff: a surprising eighteen Democratic Senators broke from the party line and voted for the bill that was signed into law by President Bush.

**Upcoming awards**

The specialized areas for the O'Dwyer Award and the months they will be covered are: food & beverage (March); broadcast media (April); research (May); international (June); financial (July); travel (August); beauty/fashion (September); healthcare (October); technology (November) and sports/celebrities (December).

Entries should include a one-page description of the problem presented and the actions taken to achieve a client's goal. Size of budget should be given if allowed by the client.

A summary of media placements including audience reached should be included. Also requested are several photos for use in the magazine and website

and a half dozen or so clippings or VNR story boards for use in a montage.

Entries will be limited to three per PR firm per issue. A \$75 fee must accompany each entry. Materials are to be retained by the O'Dwyer Co. Winners will receive an award certificate.

Materials should be sent to Awards Desk; O'Dwyer Co., 271 Madison Ave., New York, N.Y. 10016. They may also be e-mailed to Associate Editor Jon Gingerich (jon.gingerich@odwyerpr.com; 646/843-2080).

**M&R warns humans at risk from misuse of animal antibiotics**



M+R Strategic Services achieved major breakthroughs last year in its five-year effort to curb the use of antibiotics in animal agriculture, earning the Washington, D.C.-based

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firm an "O'Dwyer Award for Public Communications."

McDonald's said it wouldn't buy chickens from suppliers that stuff their chickens with antibiotics. Compass USA, the No. 2 food distribution outfit, did the same.

The Food and Drug Administration, for the first time, banned a chicken antibiotic over concerns of its impact on humans.

M+R's "Keep Antibiotics Working" campaign's basic message is that the misuse of antibiotics in animals is dangerous to human health because those drugs ultimately enter the human food supply. The fear is that the overuse of antibiotics in animals will reduce the effectiveness of various medicines on humans.



**"We are talking about basic measures that would mean you don't have to feed animals antibiotics every day of their life to keep them from getting sick."**

--Karen Florina, attorney with Environmental Defense, a Keep Antibiotics Working coalition member

breeds strains of bacteria that are resistant to them, eroding their ability to cure infections in humans. The risk is greatest with germs that pass from animals to humans, to salmonella."

The Globe was one of the more than 1,500 print, radio and TV placements that M+R's Sean Crowley helped engineer during the past year for the Keep Antibiotics Working coalition.

Denver Post columnist Diane Carman ran a piece called "Time bombs lace most U.S. meat," linking a potentially deadly

cause of food poisoning in humans to animals eating antibiotics on the farm.

The *Wall Street Journal* interviewed Karen Florina, an attorney with Environmental Defense, a KAW coalition member. She told the Journal: "We are talking about basic measures that would mean you don't have to feed animals antibiotics every day of their life to keep them from getting sick."

**VNR hits ag belt**

Florina was part of an ED VNR that aired in livestock states such as Iowa, Nebraska, Colorado, Maryland and North Carolina. Most stations incorporated the B-roll footage of chicken, hogs and beef cattle on industrial farms.

Local newscasters told of an ED study that people living in areas with the intensive use of antibiotics run a high risk of contracting resistant infections.

Ellen Silbergeld, Professor of Environmental Science at Johns Hopkins Bloomberg School of Public Health, explained that risk comes from consuming animals loaded with antibiotics or contacted antibiotics through "environmental pathways."

M&R says it got word out about antibiotics in animals to more than 49 million people. The campaign's budget was \$225K.

**Results highlighted**

*USA Today*, reported last month, that four of the nation's top 10 chicken producers have ended the practice of feeding broiler chickens antibiotics to make them grow faster and stay healthy. The paper credited KAW for "loudly" calling for an end to the practice.

Those chicken companies include Tyson Foods, Gold Kist, Perdue Farms and Foster Farms. The article included a quote from Margaret Mellon, Director of the Union of Concern-

ed Scientists, a KAW member. She said: "It is the first time that these companies have admitted to major quantitative reductions in antibiotic use. And it's not just one company but a tier of companies."

Mellon estimated that the companies have stopped using more than two million pounds of antibiotics medically

important to humans a year.

USA Today quoted another KAW member, Michael Jacobson of the Center for Science in the Public Interest. He said the chicken producers and companies like McDonald's should be applauded.

Others members of the KAW coalition are Food Animal Concerns Trust, Global Resource Action Center for the Environment, Humane Society of the U.S., Institute for Agriculture and Trade Policy, National Catholic Rural Life Conference, Natural Resource Defense Council, Physicians for Social Responsibility, Safe Tables Our Priority, Sierra Club and Waterkeeper Alliance. ■

**Caplan helps NRDC defeat EPA's proposed sewage 'blending' rule**



Caplan Communications received an "O'Dwyer Award for Public Communications" for its campaign for the Natural Resources Defense Council to overturn a controversial proposal by the Environmental Protection Agency to allow the dumping of partially treated sewage into the nation's waterways after heavy rains or snow melts.

The EPA had proposed that change to the Clean Water Act's National Pollutant Discharge Elimination System in November '03.

Aging sewer systems are designed to overflow from rain, each year discharging more than a trillion gallons of untreated waste into the waterways, according to the Associated Press. Researchers at Johns Hopkins University say that more half the waterborne disease outbreaks in the U.S. during the last half century followed a period of extreme rainfall.

Federal law requires sewage to be treated via a three-step process: solids removal, biological treatment and disinfection. The proposed EPA rule would have allowed treatment plants to bypass the second step and "blend" partially treated sewage with fully treated wastewater before discharging it into waterways.

The new rule would have saved the nation's sewage plants an estimated \$90 billion that is needed for upgraded equipment to handle waste following heavy rains.

The NRDC contends that the biological treatment process removes most of the

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Sean Crowley, M+R Senior VP, Media Relations, helped engineer more than 1,500 radio, TV and print placements for the KAW coalition

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pathogenic organisms and other pollutants from wastewater. In addition, the higher levels of chlorine needed to kill bacteria without biological treatment create cancer-causing disinfection byproducts that have been linked to miscarriages, birth defects and reproductive problems.

The environmental group attacked the proposed rule as "upside down." The EPA, said Nancy Stoner, Director of the NRDC's Clean Water Project, "should require treatment plants to upgrade their aging sewer systems and help them out with more federal funding. Instead, it cut funding and now is proposing to allow facilities to discharge viruses and bacteria into our water."

**'Rapid response radio tour'**

Aric Caplan put the NRDC at the forefront of the blending controversy. As the EPA was considering the final ruling on blending, Caplan launched a "rapid



Aric Caplan

response radio tour" that featured Stoner. She conducted 21 drive time radio interviews between May 11 and 18 to raise awareness of the blending proposal.

She cast the EPA's proposal as a reckless sewage pollution plan that would pose an immense public health risk. Stoner told how the plan would result in more waterborne disease-related illnesses, higher drinking water treatment cost, contaminated shellfish beds, beach closures and significant harm to fish and other aquatic wildlife.

The NRDC also received support in the House of Representative as a bipartisan group of 135 Members of Congress opposed the blending plan.

The EPA dropped its blending proposal on May 19 after receiving more than 98,000 public comments and the passing of a Congressional amendment to an appropriations bill that banned blending.

"Faced with the prospect of an embarrassing defeat in the House, the EPA and its congressional allies had no choice but to wake up and smell the sewage," said Stoner. "They finally got the message that people want less, not more sewage in the water they drink, the rivers where they fish and the beaches and lakes

**"The EPA and its congressional allies had no choice but to wake up and smell the sewage."**

*Nancy Stoner, Natural Resources Defense Council*

where they swim."

An EPA statement from Benjamin Grumbles, Assistant Administrator for the Office of Water, said "blending is not a long-term solution. Our goal is to reduce overflows and increase treatment of wastewater to protect human health and the environment."

The EPA will continue to review policy and regulatory alternatives to develop the most feasible approaches to treat wastewater and protect communities, upstream and downstream.

"When the time came for a public showdown over EPA's sewage dumping policy, the agency blinked," said Stoner. ■

**PN scores breakthrough in class action reform**



Porter Novelli helped Big Business achieve one of its most cherished goals—class action lawsuit reform. The firm succeeded by reframing the debate over class action lawsuit reform from a business issue to primarily a consumer one. PN's campaign won an "O'Dwyer Award for Public Communications."

The U.S. Chamber of Commerce Institute for Legal Reform hired PN for the class action reform effort, which had a budget of \$500K.

Legislation to move large class actions from state to federal courts had been languishing in Congress for years. The bill was opposed by Democrats, consumer groups, labor unions and trial lawyers.

The PN team led by Carolyn Tieger, Director of PN's Public Affairs Practice, and Joan Gartlan, Senior VP-Media Relations, broke through the Congressional logjam by highlighting abusive class action settlements that had resulted from "venue shopping." These were state court settlements in which the plaintiffs received coupons or something else of little value, while the

class action lawyers received millions in fees.

**Suits abound in Madison County**

PN's strategy called for differentiating class action reform from other legal reform measures, pointing out that the campaign was "court reform" not "tort reform."

The firm held Madison County, Ill., as a prime example of venue abuse. The county has more per capita suits than any other in the country. In '03, a Madison County judge ordered Philip Morris to pay \$10.1 billion for allegedly misleading smokers who purchased light cigarettes. Intel was sued there for allegedly misleading the public about the power of its Pentium 4 microprocessors. Madison County was rated the worst "judicial hellhole" by the American Tort Reform Foundation.

Working with polling firm Penn, Schoen & Berland Assocs., PN conducted a survey to measure public opinion about class action suits. It found that most people believed lawyers were the big winners in class action suits.



Joan Gartlan

PN compiled an extensive list of state court class action settlements. It used this research to identify people who would be willing to speak up against class action suits. It found a plaintiff from an action

against a bank who won the suit, but ending up losing money to pay legal fees.

PN also used a pharmacist in Mississippi who was named in more than 100 suits because she lived in a plaintiff-friendly county, which class action lawyers used to sue large national drug companies.

**Friend in White House**

PN's media outreach included White House events at which recruited members from abusive class action settlements appeared with President Bush.

The campaign got play on "NBC Nightly News," "60 Minutes," "20/20," and "Newsnight with Aaron Brown."

The firm was responsible for more

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than 125 editorials in support of the "Class Action Fairness Act."

The *Washington Post* praised the "long-pending bill to rein in class action lawsuits." While class actions are an important mechanism for corporate accountability, the Post noted they are ripe for abuse. "Trial lawyers effectively invent their own clients and then bring claims in jurisdictions of their choice, extorting settlements that enrich them while giving coupons to 'clients' who may not even have known they had lawyers."

The *Orlando Sentinel* called the class action bill a "needed crackdown." It noted that "some lawyers have been filing class action lawsuits with national implications in the friendliest state courts they can find. Those courts are more likely to approve settlements that pay millions to the lawyers but peanuts to the people they claim to represent."

**According to research compiled by Porter Novelli most people believe lawyers are the big winners in class action suits.**

The *Wall Street Journal* said "after a decade of trying, business is grateful for small favors." The bill's "main feature is a venue change to federal courts from state courts for most class actions above \$5 million. This should prevent much of the 'forum shopping' that has had lawsuits heard in such notorious plaintiff nirvanas as Madison County, Ill."

The PN-driven PR campaign received a slap on the back from the WSJ and *Legal Times*.

"To a remarkable debate, the business lobby was able to set the tone of the debate with a steady drumbeat of anecdotes portraying wealthy trial lawyers making off with large settlements at the expense of not only corporations but their customers," wrote David Rogers and Monica Langley in the WSJ.

"The Association of Trial Lawyers of America's current woes are due in part to the power of its opponents' lobbying and public relations efforts," wrote Jonathan Groner, in LT.

The President signed the Class Action Fairness Act into law on Feb. 18. House Minority Leader Nancy Pelosi called the bill a "belated Valentine" to corporate America.

Despite Pelosi's bitterness, the bill received backing from 50 Democrats in the House and 18 in the Senate. ■



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