

Known smoking dangers said no defense

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The Massachusetts Supreme Judicial Court says cigarette makers cannot use known dangers as defense in personal injury suits.

The court said cigarettes are so dangerous they cannot be used safely by anyone. The claim that smokers should know the health risks and thus is responsible for harming themselves is no defense, the court said.

The Boston Globe said the ruling was believed to be the first of its kind by a top state court. The rejected defense is one tobacco companies have successfully used in wrongful death suits across the country.

The court said that Philip Morris cannot shield itself with that claim from a lawsuit by the wife of a Douglas, Mass., man who died of lung cancer.

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