

Jury: Smokers didn't prove Marlboros have defective design

11 February 2016

A federal jury has rejected claims by a group of Massachusetts smokers who sued Philip Morris USA to try to force the cigarette maker to pay for lung cancer screenings.

The jury in its verdict Wednesday found that smokers in the class-action lawsuit didn't prove that Marlboro cigarettes were defectively designed.

The smokers were not seeking money. Instead, they wanted Philip Morris to pay for a medical-monitoring program, including 3-D chest scans that can detect signs of early-stage lung cancer.

Philip Morris says this is the third such medical-monitoring case to go to trial, and each time, the jury has ruled in the company's favor.

Attorneys for the smokers didn't immediately return calls.

The judge indicated she will decide whether there was a violation of Massachusetts [consumer protection laws](#).

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