

CAMPAIGN for TOBACCO-FREE Kids

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National Center for Tobacco-Free Kids

A new, privately-funded, national organization has been established to focus the nation's attention and energies on reducing tobacco use among children. The National Center for Tobacco-Free Kids is the country's most significant non-governmental initiative ever launched to protect children from tobacco addiction.

The center's mandate is to change the social environment and public policies to decrease youth tobacco use, to limit the marketing and sales of tobacco to children and to serve as a counter force to the tobacco industry and its special interests.

The Center will work with a broad range of health, education and community organizations, private industry and a bipartisan coalition of political leaders to: serve as a communications center to disseminate information and develop media campaigns and events; provide assistance to state and community-level tobacco control programs; conduct outreach to broaden the base of organizations involved; undertake research and analysis; coordinate with federal, state and local governments; and engage in advocacy for supportive public policies.

Long-term investments in the Center have been made by the Robert Wood Johnson Foundation and the American Cancer Society. Other funders to date are the Annie B. Casey Foundation, the Conrad Hilton Foundation, and the Kaiser family Foundation. The Henry Ford Health System is also assisting.

The Center grew out of the CAMPAIGN FOR TOBACCO-FREE KIDS, a national initiative to stop the illegal sale and unethical marketing of tobacco to children. A toll-free number (1-800-284-KIDS) is being utilized to encourage the public and interested organizations to get involved.

Organizations playing key partnership roles in the new Center include the American Cancer Society, American Lung Association, American Heart Association, American Academy of Pediatrics, American Medical Association, the National PTA and the Robert Wood Johnson Foundation. Other organizations are also participating.

The Center is a free-standing institution, based in Washington, D.C., with its own board and staff. It will be fully operational in June, 1996, at which time the CAMPAIGN FOR TOBACCO-FREE KIDS will be incorporated into the Center.

For More information on the National Center for Tobacco-Free Kids and the CAMPAIGN FOR TOBACCO-FREE KIDS, call (202)296-5469.

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CAMPAIGN For TOBACCO-FREE Kids

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CONTACT: Brian Ruberry
Campaign For Tobacco-Free Kids
202-705-3355 x233

Joe Marx
Robert Wood Johnson Foundation
609-243-5948/5937

Steve Dickinson
American Cancer Society
404-329-5739

MULTI-MILLION DOLLAR CENTER FOUNDED TO CURB TOBACCO USE BY CHILDREN

Washington, Feb. 12--A new, privately-funded, national organization is opening here to focus the nation's attention and action on reducing tobacco use among children. With more than \$30 million in start-up funds, The National Center for Tobacco-Free Kids is the country's most significant non-governmental initiative ever launched to decrease youth tobacco use.

The Center's mandate is to change the social environment and public policies to reduce tobacco use by children, and serve as a counter force to the tobacco industry and its special interests.

The Center will work with a broad range of health, education and community organizations, private industry, and a bipartisan coalition of political leaders to: 1) serve as a communications and media center to counter the tobacco industry's marketing and sales practices that appeal to children; 2) provide technical assistance to state and community-level tobacco control education efforts; 3) conduct outreach to broaden the base and depth of national support to reduce tobacco use by children and; 4) engage in advocacy for supportive public policies.

The Center grew out of the Campaign For Tobacco-Free Kids, a national initiative to stop the illegal sale and the unethical marketing of tobacco to children. Organizations playing key partnership roles in the new enterprise include the American Cancer Society, American Heart Association, American Academy of Pediatrics, American Lung Association, American Medical Association, National PTA, and the Robert Wood Johnson Foundation. Other organizations are also participating.

William D. Novelli, Director of the Campaign For Tobacco-Free Kids, has been appointed the Center's president. Novelli was president of Porter/Novelli, one of the nation's largest public relations agencies, and executive vice president of CARE.

"For decades our families and communities have been manipulated by the tobacco industry, a powerful force that spends billions to attract kids, to control special interest politics and to protect

COORDINATING COMMITTEE TO PREVENT TOBACCO USE BY YOUTH
1707 L STREET, NW • SUITE 400 • WASHINGTON, DC 20036
PHONE 202 296 5469 • FAX 202 296 5427 • EMAIL: al0022@advinst.org

its profits," says Novelli, who noted that the tobacco industry's marketing budget doubled to more than \$6 billion in the past 10 years. "We'll never match them dollar for dollar, but this bold initiative will have the resources to keep tobacco companies from addicting new generations of smokers."

Matthew L. Myers, partner in the law firm of Asbill, Junkin & Myers and a prominent tobacco-control advocate, is joining the Center to direct public policy and as general counsel.

Long-term investments in the Center have been made by The Robert Wood Johnson Foundation, which has contributed an initial \$20 million, and The American Cancer Society, which has committed up to \$10 million. Other funders to date are the Annie B. Casey Foundation, the Conrad Hilton Foundation, the Kaiser Family Foundation, the American Heart Association and the American Medical Association. The Henry Ford Health System is also participating in the Center.

"We envision the Center becoming the centerpiece of the nation's efforts to prevent kids from starting to smoke—one of our country's highest health priorities," says Steven A. Schroeder, MD, president of The Robert Wood Johnson Foundation.

John Seffrin, Ph.D., the American Cancer Society's chief executive officer, says "Since tobacco is the number one avoidable cause of cancer, we intend to put more resources than ever into helping children avoid smoking. Our goal is to make major progress in reducing the enormous burden of tobacco-related disease in our country."

Tobacco is the nation's most significant cause of premature death and disease. More than 4.1 million American children and youth smoke an estimated 500 million packs of cigarettes a year; 25 percent of this country's smokeless tobacco users are under 18. Of the 3,000 young people who begin smoking every day, one third will die tobacco-related deaths.

While adult smoking has declined in the last 25 years, teenage smoking has risen sharply in recent years. A University of Michigan study released last year showed smoking among teens has increased to the highest level in 16 years. The increase is greatest among 8th and 10th graders where current smokers rose 34 percent between 1991 and 1995.

Fran DuMelle, chairman of the Coalition on Smoking OR Health (American Cancer Society, American Heart Association, American Lung Association) said, "The Center will add urgently needed resources to fight the tobacco industry and its allies at the federal, state and local levels."

The Center will be a free-standing institution with its own board and staff. It will become operational in June 1996, at which time the Campaign for Tobacco-Free Kids will be incorporated into the Center.

The Center's mission is built on the dedication of parents, teachers, civic leaders and others across the country who work every day to educate youth about the dangers of smoking and who have pledged to stop the marketing practices that make tobacco attractive to children.

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CAMPAIGN for TOBACCO-FREE Kids

CAMPAIGN FOR TOBACCO-FREE KIDS BRIEFING BOOK

NOVEMBER 17, 1995

DETERMINED TO BE AN ADMINISTRATIVE
MARKING: u' DATE: 4/25/94

7024-02675

The CAMPAIGN FOR TOBACCO-FREE KIDS began in mid-September to support the proposal by President Clinton and the Food and Drug Administration (FDA) to reduce the access and appeal (industry marketing) of tobacco to children.

Two coalition organizations, the Coalition on Smoking OR Health and the Coordinating Committee to Prevent Tobacco Use by Youth, are staffing the CAMPAIGN. Funding and assistance is provided by a number of organizations and individuals, including the Robert Wood Johnson Foundation, the American Cancer Society, the American Heart Association, the American Lung Association, the American Medical Association, and the Advocacy Institute.

The American Medical Association, American Academy of Pediatrics, National PTA, American Nurses Association, American Public Health Association, The HMO Group, National Coalition of Hispanic Health and Human Services Organization (COSSMHO), National Association of Secondary School Principals, National Association of Elementary School Principals, InterHealth/Protestant Health Alliance, Congress of National Black Churches, Secondhand Smoke Awareness Program/National Medical Association and others are involved in and support the CAMPAIGN.

The Campaign is undertaking initiatives in three main areas in order to influence public opinion and the policy debate on the President's proposal: media activities (paid advertising and public relations), organizational outreach, and advocating to the U.S. Congress. Activities are being undertaken both nationally and in key states.

A toll-free number (1-800-284-KIDS) is being used in CAMPAIGN messages to encourage the public and interested organizations to become involved.

This briefing book provides a status report on the CAMPAIGN's activities and our assessment of the issue over the first two months of our work.

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Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

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Divider Title: _____

CAMPAIGN for TOBACCO-FREE Kids

MEDIA RELATIONS

Since the CAMPAIGN's inception, we have been conducting an aggressive media relations program, based on the placement of stories, features, editorials, and op-ed pieces in major publications and broadcast outlets, a news conference to announce the findings of Pierce, et. al. concerning the effects of tobacco marketing on children's behavior, support for the INFACT "Face the Faces" event (a display of the victims of tobacco-related disease with good media attendance and pick up), a 50-market radio tour, editorial-board meetings with representatives of the Smoke Free Class of the Year 2000, and response to frequent media inquiries.

Approximately 70 spokespersons around the country have been recruited and have received speaker's kits, and are being involved in media opportunities.

A negative response to the tobacco industry's advocacy advertising, the industry documents being disclosed by the media, and other tobacco-related controversies have helped the CAMPAIGN generate media coverage.

To date, media placement has been excellent. Major placements include editorials in the *New York Times*, *San Francisco Chronicle*, and *Dallas Morning News* (as well as others), three stories in *USA Today*, plus stories in the *Miami Herald* (front page), *Chicago Tribune*, *Chicago Sun Times*, *Raleigh News & Observer*, and *Los Angeles Times*. Also, stories placed with national columnists have included Ellen Goodman and Don Feder. Broadcast placement has included Fox Network's "A Current Affair," CNN, CBS "This Morning," and ABC, NBC, CBS national news broadcasts, as well as stories on local stations.

In addition, CAMPAIGN media initiatives have stimulated media coverage not directly placed or responded to by our staff. We are working with the media on a large number of stories in progress, and therefore it is expected that media coverage of the tobacco/children and Clinton/FDA proposal will continue.

Plans are underway to conduct national and state-level news conferences early in the new year (based on priorities from our key states plan), to continue major media placement efforts, to offer op-eds and other materials for local placement by organizations participating in the CAMPAIGN, and in other ways to continue the momentum that has been built.

To take advantage of the synergy between our media placement work and the CAMPAIGN advertising, we are issuing a news release about the industry's ads and the CAMPAIGN's ads, and conversely, planning to run an advertisement which excerpts key comments from the media coverage we have stimulated.

Two public relations agencies (Burness Communications and PR Solutions), two in-house staff, plus the CAMPAIGN Director of Media Relations constitute the team creating these initiatives. Media professionals from participating organizations are also undertaking placement activities.

In addition to planned media activities, the tobacco and children issue is volatile enough so that a high level of flexibility is necessary in order to take advantage of breaking news and story opportunities as they arise.

Following are a number of CAMPAIGN media placements, as well as other important coverage, to indicate the quality and nature of the media coverage on the issue.

Selected Media Coverage

1. "Group Slams Campaign Contributions By Tobacco Firms," *National Journal's CongressDaily/A.M.*, November 14, 1995.
2. Leslie Savan, "Cigarettes, Death, & Taxes," *Village Voice*, November 14, 1995.
3. "Self-Censorship at CBS," *New York Times*, November 12, 1995.
4. A Current Affair, November 3, 1995.
5. Vincent Bufalino, "Up In Smoke: Exposing the Tobacco Industry's Deadly Hook," *Chicago Tribune*, October 31, 1995.
6. Rance Crain, "Don't Let Advertising Go Up In Smoke," *Advertising Age*, October 30, 1995.
7. Bob Williams, "Burdened By Image, Joe Camel Packs It In For Now," (Raleigh) *News & Observer*, October 26, 1995.
8. Don Feder, "Teens: Smoke Gets In Their Eyes," *Boston Herald*, October 25, 1995.
9. "Hooking Teen-Age Smokers," *New York Times*, October 24, 1995.
10. Richard Cohen, "Tobacco Hypocrites," *Washington Post*, October 20, 1995, p. A19.
11. "Youth Smoking," *Dallas Morning News*, October 20, 1995.
12. "Squelch Tobacco Ads," *San Francisco Chronicle*, October 19, 1995.
13. Yumiko Omo, "Ads Do Push Kids to Smoke, Study Suggests," *Wall Street Journal*, October 18, 1995.
14. Associated Press, "Ads Called Key Factor Behind Kids' Smoking," *Chicago Sun-Times*, October 18, 1995.
15. Philip Hilts, "Ads Linked To Smoking By Children," *New York Times*, October 18, 1995.
16. Associated Press, "Youngsters Find Ads For Tobacco Persuasive," *Washington Post*, October 18, 1995.
17. Anthony Lewis, "Just Say No," *New York Times*, October 16, 1995.
18. Martin Merzer, "Keeping Kids Off Cigarettes," *Miami Herald*, October 15, 1995.
19. Ellen Goodman, "Tobacco: Teenager's Friend," *Washington Post*, October 14, 1995.

20. "Face Values," *Washington Post*, October 5, 1995.
21. "New Studies Trace The Impact Of Tobacco Advertising," *Science*, October 1995.
22. "Tobacco Bill," *Dallas Morning News*, September 28, 1995.
23. "So Long, Joe. You Gotta Go," (Raleigh) *News & Observer*, September 28, 1995.
24. "Eighth-Graders Say They'll Stay Smoke-Free," *USA Today*, September 20, 1995.

NATIONAL JOURNAL'S Congress Daily/A.M.

TUESDAY, NOVEMBER 14, 1995

Group Slams Campaign Contributions By Tobacco Firms

A coalition of health and religious groups are accusing tobacco companies of using campaign contributions to buy congressional opposition to restrictions on tobacco advertising and marketing to children.

HEALTH

The Campaign for Tobacco-Free Kids is running an ad in today's *Washington Post* that says that the tobacco industry has become the largest donor to the Republican Party in 1995 — and links the donations to efforts by the Clinton administration to prohibit tobacco-marketing that reaches children.

The ad says contributions by the

tobacco industry to political parties has increased 400 percent in 1995 — with \$1.6 million going to the parties, \$1.5 million of which went to the GOP.

Joy Epstein of Action on Smoking OR Health said the figure was a comparison with the previous two years.

A Clinton proposal would restrict tobacco advertising, ban tobacco company sponsorship of sporting events and restrict the distribution of cigarette-related promotional items.

The coalition ran the ad Monday in the *New York Times*, and plans to run it Wednesday in *USA Today* and Thursday in *Roll Call*, said a spokeswoman.

The advertisement claims that 85 percent of voters support restrictions on tobacco product marketing that reaches children.

However, Walker Merryman of the Tobacco Institute said that, according to an Aug. 22 *Associated Press* poll, 58 percent of Americans reject banning tobacco logos at sporting events, and 53 percent oppose a ban on the use of color and illustrations in outdoor tobacco ads.

Merryman challenged the 400 percent figure used in the ad, and said the tobacco industry would not be able to get away with advertising that obscures facts.

MEDIA

The Sell

November 14, 1995 VILLAGE VOICE

*Nicoteen Meets the
Memoboro Man at the Tombstone Ad*

Cigarettes, Death, & Taxes

BY LESLIE SAVAN

Some of you probably noticed the odd placement three weeks ago of a full-page ad for Moonlight Tobacco Co.: it faced my column, which smoked Moonlight for, among other things, not mentioning its R. J. Reynolds parentage. The placement was an accident—the computer did it! (Ad pages are assigned by computer and not necessarily checked for opposing ideas on opposite pages.) But, ad clout being what it is, you're no more likely to see a repeat this week than you are to see cigarette ads that feature black lungs. "Every cigarette account we have called us very upset," says *Voice* ad director Kathy Thornton, but so far not even RJR has pulled its very substantial buy, including the weekly "Camel Page" of club listings.

Anyway, RJR has bigger embarrassments to dodge. Like the recently revealed 1973 and 1976 in-house memos that urge the creation of new cigarette brands for "the pre-smoker or 'learner,'" "the 14-to-18-year group." The psychographically sordid marketing plan could have been drafted today: "... [a] new brand aimed at the young smoker must somehow become the 'in' brand and its promotion should emphasize togetherness, belonging and group acceptance, while at the same time emphasizing individuality and 'doing one's own thing. . . ." The memo adds poignantly, "The fragile, developing self-image of the young person needs all of the support and enhancement it can get." RJR says it never acted on the suggestions, but Joe Camel et al. eventually accomplished the same goal: adolescents are twice as likely as adults to smoke the most advertised brands—Camel, Marlboro, and Newport—according to a government study.

Another RJR memo, from 1972, confirms that tobacco's titans have long considered nicoteen, uh, nicotine to be exactly the addictive drug that the industry now swears under oath that it is not: "Tobacco products, uniquely, contain and deliver nicotine, a potent drug with a variety of physiological effects. . . . Nicotine is known to be a habit-forming alkaloid. . . . Thus a tobacco product is, in essence, a vehicle for delivery of nicotine. . . ." Yet another document, this time from Brown &



WHO SHOULD BE RESPONSIBLE FOR YOUR CHILDREN, A BUREAUCRAT OR YOU?

Right now, the Federal bureaucracy wants to tell you and your children how to behave. In short, they want to become responsible for teaching your children about important lifestyle decisions and values.

In our society, the Government should not replace parents and teachers when it comes to educating our children about smoking, drinking and other important lifestyle decisions.

We all agree we must do something to keep cigarettes out of the hands of children under the age of eighteen. But the answer isn't more bureaucracy.

A proven solution is to teach young people how to resist peer pressure and to enforce the existing laws in 50 states denying children access to cigarettes.

We support and are funding efforts to expand current educational programs for parents, teachers and children—programs that teach children how to resist peer pressure and make more healthy, informed decisions.

This message is brought to you in the interest of an informed debate by R.J. Reynolds Tobacco Company. To receive a free 12-page brochure and Youth Education Kit, call 1-800-368-8441.

TOGETHER, WE CAN WORK IT OUT.

R. J. Reynolds portrays its opposition.

Williamson Tobacco in 1991, explains how cigarette companies add ammonia to boost nicotine's impact; a '92 B&W report asserts about its Philip Morris competition: "Ammonia technology is critical to the Marlboro character, taste and delivery." As these menacing memos were coming to light, a second former Marlboro Man, David McLean, died of lung cancer.

It's useful to keep such details in mind when weighing what to actually do and whom to support amid the storm of proposals and counterproposals that make up the Politix (as one Moonlight brand is named) of cigarette advertising.

I must admit, I've avoided thinking too hard about FDA and congressional

proposals for fear that any ad restrictions would butt up against sticky questions of free speech—or, worse, butt up against the popular cultural-renegade stance that would tar ad restrictors (like me) as p.c., bureaucratic killjoys. Smoky ambivalence seems so much cooler. It's easy to be cynical about the tobacco companies (the renegade stance, in fact, requires cynicism), but to support strong actions against their advertising can make one seem like quite the goody two-shoes. Of course, the \$6 billion spent annually on tobacco advertising and promotion reinforces such social fears. Recent RJR ads have portrayed antismoking forces as fat old men who crave Big Government (over the headline "Who Should Be Responsible for Your Children, a Bureaucrat or You?") and as LAPD-style cops (the "Federal Anti-Smoking Police" handcuff a middle-class white guy).

But considering that commercial free speech has never enjoyed the same protections as political speech and that smokers are not really the next Randy Weaver, I've come to a conclusion: Let's go, FDA! Let's go, doomed Senate bills! Tax the ads to death!

Or cripple them. The Clinton-backed, teenage-targeted FDA proposals would declare cigarettes a drug-delivery device and would: ban tobacco billboards within 1000 feet of schools; allow only "tombstone" ads (black-and-white, text-only ads) for all outdoor and in-store advertising as well as for publications that have at least 15 per cent of their readers under age 18; prohibit

vending-machine and mail-order sales; end brand-name sponsorship of sporting events; and zap giveaways of gear that carry tobacco logos. This would pretty much leave publications with primarily adult readers as the only place to find cigarette ads as we know them today. Depending on how the rules finally shake out, the *Voice*, for instance, might have to bury its Camel Page under tombstones. (Of course, the *Voice* could decide to refuse cigarette ads in the first place, as have some daily newspapers.)

These tough proposals may be softened by the time they leave the public-comment stage, now extended to January 2. The FDA already faces major lawsuits by the cigarette companies and advertising organizations, not to mention a counterproposal by Senator Wendell Ford (D-KY). It would prohibit the FDA from regulating tobacco at all and would substitute watered-down restrictions on underage cigarette marketing, the one issue over which even tobacco-state diehards mustn't look too mercantile.

Nevertheless, the tobacco and advertising industries are gasping for more ad breath, and their ritual invocations of free speech and slippery slopes have become louder and angrier. "The sweeping regulations

proposed by FDA demonstrate that agency's complete disregard for the First Amendment," says John Fithian, counsel to the Freedom To Advertise Coalition, a group of advertising organizations that have filed suit against the FDA. Harold Shoup of the American Association of Advertising Agencies, part of the coalition, adds, "We are concerned about the rights of marketers to advertise legal products and the precedent this would set for other 'politically incorrect' but legal products."

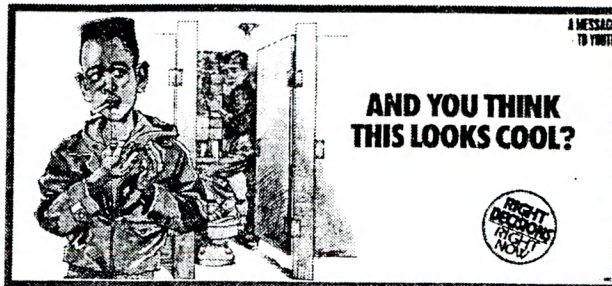
But it's not as if all legal products were ad-regulation-free. In most cases, ads for securities exchanges may appear only as tombstones, while most prescription pharmaceutical ads must provide extensive warnings and a summary of side effects, contraindications, and effectiveness. "Why shouldn't tobacco—a product that has no positive effects on health—be held to at least the same advertising standards as pharmaceuticals?" asks Scott Ballin, chair of the Coalition on Smoking OR Health, which has been instrumental in pushing for FDA authority over tobacco.

"This rhetoric that tobacco advertising restrictions are somehow a slippery slope that will lead to the banning of caffeine or foods that have fat in them is ludicrous," Ballin says. "Foods are already subject to FDA regulation for safety, labeling, chemical additives, and marketing. But the cigarette industry is not required to list what's in its products. . . . If they're so concerned about the FDA banning their product, why don't

they write [a prohibition on such a ban] into the law? We could go with that."

Given the famous figure—that smoking kills 419,000 Americans a year, more than most other bad things combined (car accidents, homicides, suicides, alcohol, heroin, cocaine, crack, fires, and AIDS)—don't cigarettes deserve ad regulations a bit stricter than they currently have? Basically, the rules are: Don't advertise on TV (except in plain sight as sporting event sponsors), run the token surgeon general's warning, and claim to hold reverent the industry's 1964 voluntary code, which includes such often violated commandments as "Cigarette advertising shall not suggest that smoking is essential to social prominence . . . or sexual attraction. . . ."

Still, the FDA proposals are constitutionally up for grabs. "The Supreme Court has protected commercial speech less than political speech," says Paul Rothstein, a Supreme Court scholar at Georgetown University. "It has allowed restrictions on advertising. You can regulate where billboards are allowed. There are restrictions on the advertising of alcoholic beverages in many states." But the Court tends to run each case through a four-part obstacle course to determine whether commercial speech may be limited: the speech must concern lawful activity and not be misleading; the proposed limitations on that speech must have a substantial government interest, directly advance the government's interest, and be no more extensive than necessary to serve that interest. Under such criteria, "the FDA proposals could probably fly if it can be shown that they're very narrowly drawn to target ads directed at children," says Rothstein. "Though in today's world, that's a pretty difficult task."



Well, yeah, kinda

There may be surer ways to pass constitutional muster while still discouraging cigarette advertising. Yes, taxes. Proposals for excise taxes on cigarette sales are perennial, but the more interesting angle would eliminate the tax deductibility for the advertising and promotion of tobacco products. Bill Clinton said he was surprised to hear of such an innovative approach when Tabitha Soren suggested it to him on MTV, but actually senators Harkin and Bradley have cosponsored such bills in '91, '93, and this year. Permitting deductions "allows almost \$2 billion in subsidies in the form of tax breaks for tobacco advertising," Harkin said last March. "How can we talk about welfare reform and cutting school lunch programs when we're subsidizing tobacco companies?"

An RJR spokesman argues, "Every other producer of a legal consumer product has the right to deduct advertising costs as a business expense. Why shouldn't we?"

The answer, of course, lies in the danger of the product. "Congress has the power to deny tax deductions for harmful products," says Rothstein. And compared to a probably protracted court battle over the FDA proposals, "Tax deductibility may be the safer way to go," he says—

though tobacco forces might still argue in court that it's a disincentive to exercising their free speech. (Another way to overcome the charge that such legislation unfairly singles out tobacco is to end or limit deductions for the advertising of *all* products, an idea that almost became law in several states only to be beaten back by an apoplectic ad lobby crying, "The sky is falling!")

Even if the tax tactics could stand up to constitutional challenges, they'd never survive a Gingrich Congress in the first place. "Congress's so-called health committees have been a graveyard for tobacco control legislation over the years," says Joe Marx of the Coalition on Smoking OR Health. So don't hold your breath waiting for a major retreat of cigarette ads. By the time the FDA's proposals have gone through the courts, Clinton could lose reelection (or just change his mind), FDA chief David Kessler could be out, and the chance of any change at all could go the way of health care reform.

So don't cry for Philip Morris, America. Even if traditional cigarette advertising were stymied, PM has a database with the names and addresses of at least 26 million smokers, to whom they can ply more product and then pluck for "grassroots" support when pressure must be applied. (Of the 40,000 letters of comment piling up at the FDA, 30,000 are form letters.) Philip Morris is also distributing a CD ROM-based game to bars—players match images from Marlboro's ad campaign, promotional materials, and Marlboro Gear catalog. (This is what real Marlboro men do nowadays.) The game is part of a program,

"Marlboro Unlimited," that *Ad Age* says "may be one of the largest marketing efforts in package-goods history." Marlboro Unlimited will peak in a sweepstakes, offering (a millennial) "2000 people a tour of Marlboro country in a specially designed train," where, free from Beltway bureaucrats, they can presumably smoke to their croak.

At the same time, Philip Morris and RJR are both promoting antiunderage smoking campaigns. Philip Morris's "Action Against Access" attempts to dissuade stores from selling cigs to minors (though Minnesota's attorney general recently charged that PM's promise to penalize retailers convicted of such sales "was made without any plan for serious implementation").

And even as its past youth-market plays come to light, RJR continues to hype its program, "Right Decisions, Right Now" (resonating pleasantly with the Coors slogan "It's the right beer now"). One Right Right school poster shows two kids sneaking a smoke in the restroom with the headline, "AND YOU THINK THIS LOOKS COOL?" Well, yeah, maybe luke-warm cool. Right Decisions is meant "to address the central issue of peer influence." Advertising influence is never mentioned, but a paper in the Journal of the National Cancer Institute last month reports that 12- and 13-year-old kids are much more likely to be influenced to smoke by cigarette ads and gift-fraught promos than they are by pressure from peers and family members. Apparently, Right Decisions, launched in 1991, hasn't helped many kids make them. Between 1991 and 1994, according to the Centers for Disease Control, the prevalence of smoking among eighth graders rose 30 per cent (a period that also saw the rise of RJR's

CONTINUED ON NEXT PAGE

The Sell CONTINUED FROM LAST PAGE

phallic phenom, Joe Camel).

Reality is sounding way too much like *Thank You for Smoking*, the hilarious Christopher Buckley novel, in which top tobacco flack Nick Naylor dreams up a teenage antismoking campaign—not to discourage their smoking, but to get the do-gooders off his back. When his adman, Sven, devises a hard-hitting campaign that threatens to be effective, Nick tells him to replace it with “a turkey. It’s going to have to gobble, or my people aren’t going to go

for it.” After swallowing his creative pride, Sven unveils the new line: “Everything Your Parents Told You About Smoking Is Right.” “You know what I love about it?” Sven said. “Its *dullness*. . . . And yet,” Sven said, “its *brilliance*, if I may say so, is in its deconstructability.” “How’s that?” [Nick asked.] “Say the last three words out loud.” “‘Smoking Is Right.’”

“This Looks Cool.” You don’t have to be p.c. to want to stop promoting a drug in ways that are false. Cigarettes themselves are not

evil (except maybe when they contain ammonia); what is, is the lie multiplied millions of times that says smoking is right. There is something gluttonous about advertising an addictive substance. It double-dips into our psyche: It pushes something that is addictive as if it weren’t and it does so through a process—advertising—whose life calling is to addict us to any and all products. ❖

Research assistance: Christine Oreskovich and Seeta Gangadharan

11/12/95

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Self-Censorship at CBS

The emerging picture of what cigarette manufacturers have known and done or failed to do about the health hazards of tobacco is one of the biggest and most absorbing news stories of the year. Nevertheless, "60 Minutes" has decided to spike an interview with a tobacco-industry whistleblower out of fear of a lawsuit that the industry had not even threatened to file. This act of self-censorship by the country's most powerful and aggressive television news program sends a chilling message to journalists investigating industry practices everywhere.

CBS's legal concerns over the interview were said to be based on fears that the subject of the interview, a former executive of the Brown & Williamson Tobacco Corporation, had an agreement with the company not to disclose internal company matters. The CBS lawyers argued that the tobacco company, instead of claiming that it had been libeled by a false report, would simply declare that its former employee was committing a contract violation. CBS, these lawyers said, could then be held liable and be directed to pay huge amounts in damages for inducing him to do so.

One disheartening aspect of CBS's decision is that the theory of liability for inducing someone to break a contract is almost wholly untested in news cases when First Amendment protections of freedom of the press are at stake. Many legal scholars argue that liability in such cases can be overridden when a public good is served, including public health. Were this doctrine to be accepted, it would devastate independent journalism, which counts on people to come forth and speak of wrongs they know about inside protective organizations. In any event, CBS's response to a feared suit under this doctrine was exactly wrong. New York-based news organizations often face legal challenges in unfriendly state courts. They have an obligation to defend the journalistic franchise rather than cave in at the prospect of litigation.

But the most troubling part of CBS's decision is that it was made not by news executives but by corporate officers who may have their minds on money rather than public service these days. With a \$5.4 billion merger deal with the Westinghouse

Electric Corporation about to be approved, a multi-billion-dollar lawsuit would hardly have been a welcome development. Some of the executives who helped kill the "60 Minutes" interview, including the general counsel, stand to gain millions of dollars themselves in stock options and other payments once the deal is approved. "60 Minutes" promises a report on this entire matter tonight. That report should include full disclosure of how much every business and news executive involved in this decision stands to make from the merger.

CBS and its general counsel insist that no one acted out of personal monetary interest, but the network's action shows that media companies in play lose their journalistic aggressiveness when they let lawyers and corporate executives make decisions that ought to be the province of news executives. The same issue was raised last summer, when ABC News settled a lawsuit with the Philip Morris Companies and the R. J. Reynolds Tobacco Company, rather than contest it in court. Last week, Mike Wallace, the correspondent who reported the story for "60 Minutes," acknowledged that CBS was influenced by that settlement when it killed the tobacco interview.

None of these concerns would be so important were it not for the fact that the atmosphere has been chilled by the big tobacco companies' attempt to save a dying industry by using money and legal threats to silence its critics. Their ugly effort will fail because the Government, the scientific and medical communities and the American people have turned against their killing products. The industry's campaign of intimidation and distortion — arguing, for instance, that curbs on advertising of cigarettes aimed at young people are an unwarranted intrusion by slovenly government bureaucrats — cannot hold back the truth or the stricter regulation that is on the way. Eventually, too, the inside secrets that people from the industry have to tell will make their way into the public. Given the tide of principle on this issue, it is a shame that CBS chose this moment to water down its report. The traditions of Edward R. Murrow and "60 Minutes" itself were diluted in the process.



FRIDAY, NOVEMBER 3, 1995

A CURRENT AFFAIR's Hidden Cameras Nab Tobacco Giant R.J. Reynolds Distributing Cigarettes To Minors

FRIDAY, NOVEMBER 3rd on the New A CURRENT AFFAIR

A CURRENT AFFAIR's investigative unit catches representatives of cigarette manufacturer R.J. Reynolds, disturbing promotional cigarettes to minors on **Friday's (11/3) A CURRENT AFFAIR** broadcast. These actions seemingly contradict repeated claims by the manufacturer that young people are not being targeted as customers. **The Sting:** A CURRENT AFFAIR producers hired two underage smokers and asked them to attend the Winston Cup races in North Carolina (homebase of the cigarette manufacturer) where R.J. Reynolds had set up a promotional giveaway. Promotional reps are seen giving Margie Bailey, 17, and Christine Coltellaro, 16, complimentary cigarettes without asking for identification verifying their ages. As a result of A CURRENT AFFAIR's investigation R.J. Reynolds' plans to suspend all the agents who worked the races pending their own investigation of the incident.

Jimmy Holder, assistant manager of consumer event marketing for R.J. Reynolds, says company policy is to check picture identification of everyone requesting cigarettes. When confronted by A CURRENT AFFAIR investigative reporter Mike Salort and asked to explain how two underage children easily got cigarettes, Holder says he stands by his companies' policies. *"Our policy is... to card people who look underage,"* he tells Salort. *"We do not, at any time, try to get underage people to smoke. That is not what we're all about."*

Lynn Beasley, senior vice-president in charge of selling Camel and Winston brands, does admit that the promotional program has its flaws, but make no apologies for the festive tobacco marketing at sport events. *"I am really deeply, deeply upset by it. I don't want kids to smoke and I don't want to put cigarettes in the hands of children,"* she tells Salort. *"I think where we went wrong was in not absolutely requiring ID for everyone regardless of what age they looked. I think when we put that procedure in place, we'll conduct our own sting operation and we'll make sure it's happening."*

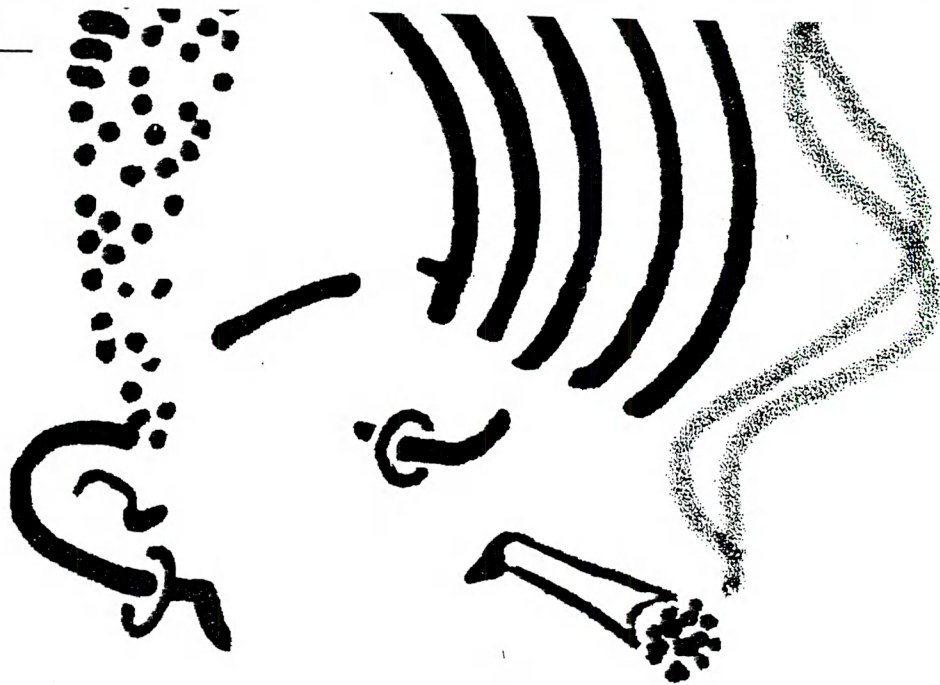
Anti-smoking activist, pediatrician Alan Blum from Houston says that tobacco companies spread their smoking message too wide. *"People at R.J. Reynolds are selling fanatics. They're in a selling frenzy,"* he tells Salort. California congressman Henry Waxman agrees with Blum that the cigarette giveaways give the wrong message. *"I just feel cigarette companies are hypocrites. They clearly want to get kids to smoke even though they say they don't,"* he says.

More on the New A CURRENT AFFAIR, Friday (11/3) with Anchor Jon Scott.

Press Contact: Feren Communications
Gary Denmark at 212-452-5829 or
Kelli Stich at 212-983-9898

If you DO NOT want to receive A CURRENT AFFAIR faxes,
please call Mark at 1-800-945-7460

Commentary



Up in smoke

Exposing the tobacco industry's deadly hook

By Vincent J. Bufalino

Nearly every adult, adolescent or child for that matter, can look at a tobacco image ad, such as Joe Camel, compare it with a tobacco company's full page print ad that claims they don't want kids to smoke, such as those currently running in major national newspapers, and tell you which one packs more punch for young people.

When it comes to marketing tobacco products to children, the tobacco industry's actions speak louder than its words. While the industry says it does not want young people to smoke, it continues to aggressively advertise to children and market to them through promotional items, such as T-shirts, baseball caps and cigarette lighters.

Now two scientific studies by researchers from the University of California at San Diego show the following:

- 1) Every big promotional campaign by tobacco companies over the past 100 years has resulted in an increase in smoking among youths 14-17 years old.
- 2) Tobacco advertising plays a stronger role than peer pressure or other factors in encouraging non-smoking adolescents, especially the youngest ages 12-13, to become regular smokers. Readers can also do their own scientific study. Open the October issue of Sports Illustrated, with kids' baseball hero Ken Griffey Jr. on the cover, and there's a 10-page spread with Joe Camel and his buddies involved in various antics to promote Camel cigarettes. The average 9-year-old can probably tell you who this ad is trying to influence. Not coincidentally, an estimated 17 percent of Sports Illustrated's readers are under age 18.

Tobacco company documents, reported in the national media, show that the tobacco industry has been tailoring its products and its marketing campaigns to young people for years. One memo,

written by a director of research and development for the R.J. Reynolds Tobacco Co., discusses the need to offer "new brands tailored to the youth market." The memo talks specifically about the design of cigarettes geared to young people, including the precise amount of nicotine delivery needed to supply the nicotine rush while keeping the smoke less harsh for the younger, uninitiated "pre-smoker."

The tobacco industry spends more than \$6 billion each year to market and promote tobacco products. The result: 3,000 children begin smoking every day and 1,000 of them will eventually die from a tobacco-related disease. It's hard to imagine, but billions of dollars are being spent by tobacco companies to encourage children to take up a deadly addiction and millions more spent in ad campaigns to deny that it's happening. President Clinton and the Federal Drug Administration have a proposal to reduce the access and appeal of tobacco to children. Millions of Americans from more than 100 national medical, religious, children's, teachers' and health organizations support this proposal as part of a Campaign for Tobacco-free Kids.

The campaign is also supported by a coalition of Republican and Democratic members of Congress who have signed a "Commitment to Reduce the Access and Appeal of Tobacco to Children." Illinois U.S. Reps. Richard Durbin (D-20th) and Sidney Yates (D-9th) have signed the commitment. We believe our entire congressional delegation has a responsibility to support the FDA proposal and join this bipartisan coalition and the millions of Americans who want to stop the tobacco industry from selling and marketing tobacco products to children.

Vincent J. Bufalino is the medical director of the Edward Cardiovascular Institute in Naperville and is a member of American Heart Association's national board of directors.

RANCECRAIN

Don't let advertising go up in smoke

What's going on here? The advertising industry is intent on proving that advertising doesn't work, while its critics are trying just as hard to show it works too well.

Is it any wonder that advertising continues to decline as the marketing technique of choice in the eyes of top management?

The cigarette industry is squarely to blame for advertising's cockeyed position.

Cigarette makers argue their ads have virtually no effect on getting young people to smoke. Cigarette ads merely cause smokers to switch from one brand to another, they claim. And the advertising trade associations actively campaign to reinforce this farcical and damaging point of view.

Cigarette people maintain peer pressure is the culprit in getting kids to start smoking and that advertising has little effect.

That's like saying cosmetics ads have no effect on girls too young to put on lipstick. Don't brand preferences start forming early on?

A letter to the editor in our publication hoists us up by our own petard. "In your Aug. 14 editorial about cigarette advertising, you state: 'No compelling evidence ties advertising to the increase in underage smoking.'



Crain

"In many other editorials, you have defended advertising's role in building brands.

"Either advertising works or it doesn't. Which is it?"

The writer is right. The ad business is hurting itself by carrying the cigarette people's luggage.

Corporate chieftains who control their companies' purse strings don't distinguish between cigarette advertising (which might or might not be a special case) and other advertising. They just note that ad trade groups back cigarette companies' claims that advertising is ineffective in reaching new customers.

Do their members know their trade associations are spending membership dues on trying to convince legislators that cigarette advertising reaches only users of the product? To everyone else, the ads fall on deaf ears. The unintentional message: Don't use advertising if you want to attract consumers who haven't yet tried your product.

I also wish the ad industry would let the ACLU protect the cigarette industry's First Amendment privileges. The cigarette companies, when they're good and ready, are going to "voluntarily" stop advertising anyway. So why should the advertising industry use up its good credit protecting an industry that is cynically using advertising to divert its critics?

I know I'm the guy who argued that Joe Camel didn't influence kids to take up the weed (and I still think they were more attracted to the character than to the concept of smoking).

But the front-page article in *The Wall Street Journal* the other week detailing how the cigarette companies add ammonia-based compounds to enhance the impact of the nicotine makes me realize that they will do anything to sell their product.

Eventually, their brazen excesses will lead to their demise, and I don't want to see the advertising industry go down with them. □

THE NEWS & OBSERVER

THURSDAY, OCTOBER 26, 1995

☆ FINAL EDITION - 50 CENTS



Burdened by image, Joe Camel packs it in for now

BY BOB WILLIAMS
STAFF WRITER

As the war on smoking heats up in Washington, one of the tobacco industry's best-known soldiers — Joe Camel — has been quietly sent to the rear lines.

R.J. Reynolds Tobacco Co. has decided to remove the suave cartoon pitchman for its Camel cigarettes from all of its billboard advertising through the end of the year.

The company says the droopy-nosed dromedary will continue to appear in a limited number of print advertisements and some retail promotional materials, but he now will share the stage with a new icon: an updated, neon-outlined version of the traditional mustard-colored camel featured on the brand's packs for decades.

For its part, RJR contends Joe is simply tired — at least where his

appeal to consumers is concerned — and needs a short vacation.

"Joe has always been just one of several advertising symbols we use to promote Camel," RJR representative Maura Ellis says. "He's worked very well, but we decided he needed a short break to keep him fresh from a marketing standpoint."

Ellis also says the timing of Joe's hiatus has nothing to do with proposed FDA regulations intended to

fight underage smoking.

Among measures under consideration by the FDA is a total ban on outdoor cigarette advertising near schools and a requirement that any other billboard advertising be restricted to only black-and-white text. The agency will accept public comments on the proposed regulations until January.

"Our decision has absolutely nothing

SEE JOE CAMEL, PAGE 14A

Joe Camel, the
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s back, has been
nt on hiatus.

JOE CAMEL

CONTINUED FROM PAGE 1A

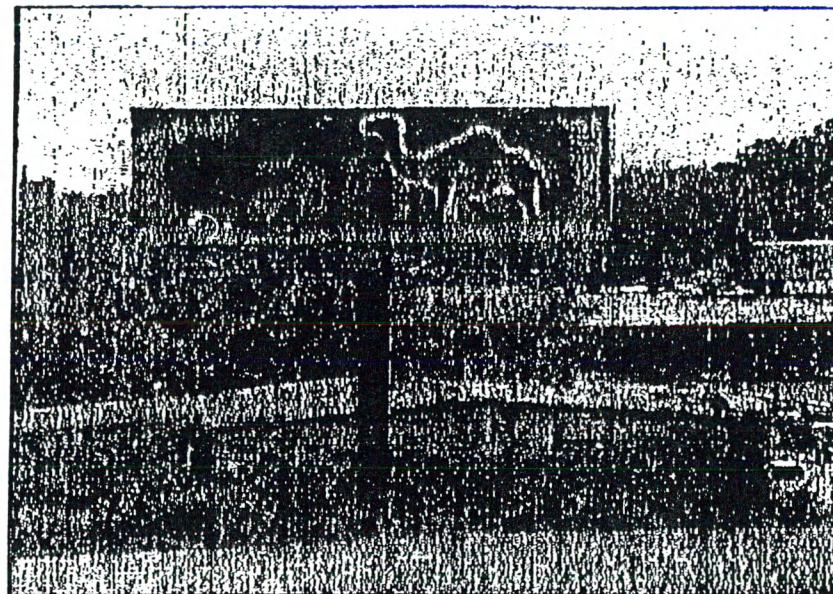
ing to do with the proposed FDA regulations," she says. "It was strictly market-driven."

Citing competitive concerns, Ellis declined to discuss when Joe Camel might return to billboards or how RJR might use the character in other promotional appeals through the end of the year.

Over the years, Joe has been featured in all sorts of Camel ads, sometimes playing the saxophone in a jazz band, sometimes teeing up at a country club, sometimes trying something else. His image was that of a hip camel-about-town constantly surrounded by an entourage of beautiful women and admiring buddies.

But some marketing experts say the cartoon camel that many critics contend is specifically designed to appeal to children has simply become too controversial to anchor a major worldwide advertising campaign.

"Because of all the charges that he is used to get kids to smoke, Joe Camel himself has become a social issue in the minds of many people," says John Sweeney, a marketing professor at the University of North Carolina at Chapel Hill. "Advertisers — even tobacco companies — hate anything that even remotely smacks of controversy. Remember Spuds McKenzie? One reason he got shelved was because there were charges he was designed to appeal to kids."



R.J. Reynolds Tobacco Co. has replaced its ubiquitous advertising symbol Joe Camel with this updated camel with a neon outline; it will appear on billboard ads for the time being.

STAFF PHOTO BY ROBERT MILLER

Controversial or not, Joe clearly was performing his job of peddling Camel cigarettes extremely well at the time of his demotion.

Camel's sales, which were wheezing when Joe arrived on the scene in 1988, shot up 12 percent in the third quarter of this year. That was in stark contrast to declining sales of RJR's other big premium brands, Winston and Salem, during the same period.

Bob Garfield, a columnist and advertising critic for *Advertising Age* magazine, says RJR's claim that it is lowering Joe's profile to keep the character fresh with con-

sumers is "completely laughable."

"The Joe Camel campaign has worked like gangbusters for them," Garfield says. "RJR can offer up whatever explanation they want to for pulling Joe off the billboards, but it's clear that the heat they were taking on the underage smoking issue is the real reason they did it."

Although RJR wouldn't confirm the figures, industry publications say the company spent more than \$32 million advertising Camel last year — making it the second most heavily promoted cigarette brand in the country, trailing only the \$75 mil-

lion Philip Morris spent on industry leader Marlboro. Since his introduction in 1988, Joe has been the central character in RJR's advertising and promotional campaigns for Camel.

Tobacco foes charge that Joe has been too effective in attracting underage smokers, an argument they are backing up with an increasing number of government and academic studies.

One recent government study showed that Camel was the brand of choice for 3 percent of teenage smokers and 4 percent of adult smokers before Joe was introduced in 1988. By 1993, the percentage of adult smokers choosing Camel was about the same, but the brand's market share among teenagers had risen to more than 13 percent.

Another government study found that Joe Camel was recognized by just as many 6-year-olds as Mickey Mouse.

The head of one major anti-smoking group says he hopes increased public criticism will force Joe Camel into permanent retirement.

"My guess is that RJR is trying to lay low with Joe Camel while the FDA decides what it is going to do," says Scott Ballin, executive director of the Coalition on Smoking or Health, a Washington-based anti-smoking group. "He obviously sells a lot of cigarettes, but he also hurts RJR a great deal in the public debate over smoking. My hope is that Joe has become enough of a liability that RJR will just go ahead and retire him."

DON FEDER

Teens: Smoke gets in their eyes

Oh what a friend we have in R.J. Reynolds — patron of youth, civil liberties champion and upholder of family values.

The tobacco company is running full-page ads cautioning us against the perils of proposed Food and Drug Administration regulations to combat adolescent nicotine addiction.

One ad warns the rules entail the same "big government solutions" that have failed to counter "crime, unemployment, the deficit or drugs."

Another suggests the measures would violate parental rights. ("Government should not replace parents ... when it comes to educating children about smoking.") I suspect most parents would welcome additional aid in keeping their kids away from cigarettes.

U.S. Rep. Barney Frank (D-Mass.) once noted that there are certain things liberals are "not-sa-pos-ta" say — like communism is evil and most people in prison belong there.

There are also things that conservatives like me are not-sa-pos-ta say. We are not supposed to talk about the impact of smoking on children or the fact that advertising plays a key role in the tragedy.

We're for the free market. We're anti-regulation. We don't want some granola elitists forcing us to follow their prescriptions for good health. (Does this mean we should oppose government-mandated inoculations as well?)

When it comes to teens and tobacco, however, the dogmatic application of these otherwise sound principles defies logic. Conservatism should be reality-based.

Every day, 3,000 kids start smoking; 1,000 of them will eventually die of a nicotine-related disease. The annual death toll from smoking is 420,000. Between 1991 and 1994, there was a 30 percent increase in smoking among eighth-graders.

To counter this contagion, the FDA (not my favorite federal agency, and one given to authoritarian urges) wants to ban cigarette vending machines, require an age ID for counter purchases, prohibit premiums like baseball caps and knapsacks with brand logos and allow text-only ads in magazines with significant youth readership.

The cancer salesmen counter that advertising doesn't affect consumer behavior, at least when it comes to kids. Do they spend hundreds of millions annually touting their products to discourage potential customers?

Peer pressure — that's what gets kids hooked, they tell us. More education is the ticket.

Is bankruptcy R.J. Reynolds' ultimate ambition? If a person doesn't start smoking by age 18, there's only a 10 percent chance he'll ever smoke. Unless it can get kids to light up, in a generation, it will be out of business.

So, while assuring us of its utter abhorrence of the idea, it cunningly courts the youth market — with considerable success. The young are particularly susceptible to hucksterism. They are the only age group in which smoking is on the rise.

In a recent survey conducted at the University of California at San Diego, 60 percent of 12- to 17-year-olds had a favorite cigarette advertisement, Joe Camel being the most popular.

More than 30 percent had at least one tobacco promotional item, which really should include respirators and coffins. By the way, who do you think exchanges Camel Cash or Marlboro Miles for those nifty T-shirts, caps and gym bags — 37-year-old accountants?

The poll found that kids who could name a favorite cigarette ad, or had or wanted to obtain a promotional item, were four times as likely to start smoking as those who did not. By comparison, children with friends or family who smoke are only twice as apt to pick up the habit.

If advertising doesn't influence youth smoking, please explain the following: From 1989 to 1993, Marlboro's annual advertising budget declined from \$102 million to \$75 million; Camel's increased from \$27 million to \$43 million. In the same period, the number of adolescents smoking Marlboros fell 13 percent, while the number buying Camels rose 64 percent. It must have something to do with sunspots.

I too worry about government becoming the national nanny, telling us exactly what to ingest and mandating a health regimen. But here we're talking about children courting death.

Conservative defenders of the tobacco industry are put in the untenable position of arguing that when a school gives a condom to a teen, it sends a pro-promiscuity message; when Hollywood makes a slasher movie, it glorifies violence; but when cigarette companies promote their products as hip, cool, macho, etc. (Joe Camel with his rakish air, the rugged Marlboro man) and give away gear with obvious adolescent appeal — it has zero impact.

Bit of a consistency problem, no?

Hooking Teen-Age Smokers

The Clinton Administration's efforts to regulate the sale of cigarettes to children have been bolstered by recent research findings on advertising and by revelations about cigarettes' content.

While the tobacco industry denies that it targets teen-agers, new studies show that tobacco advertising is more powerful than peer pressure in getting young people to take up smoking, a habit that for many becomes a lifetime addiction. The likelihood of such addiction is enhanced by the fact that many companies add ammonia-based compounds to their cigarettes, thereby increasing the potency of the nicotine that a smoker inhales. This double whammy — appealing to vulnerable youngsters and serving up an enhanced dose of nicotine — practically guarantees that new crops of cigarette addicts will continue to be raised.

Most smokers pick up the habit in childhood and adolescence and become addicted within a few years. Those who manage not to use tobacco products by age 18 are highly unlikely to start smoking during adulthood.

Two new studies suggest that teen-agers are highly susceptible to cigarette ads. According to cancer researchers at the University of California at San Diego, clever tobacco ad campaigns have resulted in an increase in the number of 14-to-17-

year-olds who become regular smokers. The Virginia Slims campaign, which targeted women in the 1960's, for example, was followed by an increase in smoking among teen-age girls. Even if hooking teen-agers was not the intent of the tobacco ads, the companies have ample evidence of the effect.

In a separate study, the researchers found that advertising and marketing were more influential in persuading teen-agers to smoke than were peers or family members. Marketing campaigns, including T-shirt giveaways, make even non-smoking teen-agers more receptive to the idea of smoking. That is tragic. Of every 3,000 children who begin smoking each day, 1,000 will die a tobacco-related death.

A report in The Wall Street Journal last week, based on internal reports from Brown & Williamson Tobacco Corporation, suggested that ammonia-releasing chemicals added to tobacco make nicotine more powerful because it is absorbed into the bloodstream more quickly. Cigarette makers say the ammonia is added to enhance flavor and body, not to increase the amount of nicotine absorbed. But if it turns out that the manufacturers are deliberately enhancing nicotine's effect on the body, the discovery will help justify the Food and Drug Administration's efforts to regulate cigarettes as drugs — and keep them away from teen-agers.

Richard Cohen

Tobacco Hypocrites

'These guys would hand out samples at nursery school if they were allowed.'

NEW YORK—A parochial high school here held a dance last week, and I happen to have passed it twice—once on the way to a museum, then on the way back. The first time, knots of kids were heading toward the dance. Many of them were smoking. The second time, the kids were milling around outside. Once again, many of them were smoking. *In loco parentis*, I nearly went just plain loco.

Those kids are a tragedy in the making. Sooner or later, their smoking will catch up with them, and some of them will die before their time. Most of them will become addicted, since the teenage years are when the habit seems to stick. Let a 13-year-old smoke, and in due course you'll get one of the 418,000 Americans who annually die of diseases caused by the weed. I worry about those kids.

Ah, but I am instructed to worry more about the government's efforts to do something about those kids. In full-page newspaper ads, R. J. Reynolds shows a man, balding and casually dressed, being handcuffed and placed in a "Federal Anti-Smoking Police" car. "The last thing our police forces want to worry about is America's 45 million smokers," says

the ad. "HAS THE GOVERNMENT GOT ITS PRIORITIES RIGHT?"

No, is the only answer the proverbial reasonable man could offer. The ad puts its finger on a vile evil—not cigarette smoking, as you might think, but "big Government" solutions that have been proposed to curtail underage smoking." After all, the ad points out that the government—we're talking "big Government" now—has "not stopped crime, unemployment, the deficit or drugs." It's true. The government has not stopped crime, unemployment, the deficit or drugs. Sob.

I confess to grudging admiration of the tobacco industry's tenacity. Given that nothing good can be said about cigarettes, given that there is no question they are a health menace, I would have thought that shame alone would silence the industry and that—in repentance or atonement or some such thing—it would, in fact, cooperate in its own dismantling. The least you can do, if you happen to be a tobacco industry executive, is turn over your fortune to charity and spend the rest of your life doing good works.

But the industry, instead, has turned on the government. It is fighting the Clinton adminis-

tration's plans to prevent teenage smoking. The White House wants to severely limit cigarette advertising, ban vending machine sales, prohibit the sponsorship of sporting or entertainment events by brand names of cigarettes (although not by the company itself) and declare cigarettes a drug delivery device.

None of this is needed, the tobacco industry says. It has declared its advertising ineffective—although for some reason it will persist in spending massively on advertising campaigns. "We all agree we must do something to keep cigarettes out of the hands of children under the age of eighteen," the newspaper ad says. "But the answer isn't more bureaucracy." It's teaching "young people how to resist peer pressure."

Scoff not, you cynics out there. The industry has a point. Something akin to peer pressure must explain why few black kids smoke while many white ones do—only 5 percent of black high school seniors vs. 23 percent of their white counterparts. Black role models—entertainment figures, sports stars—are rarely seen smoking. White movie stars, especially young ones, are often photographed with a cigarette. These fools are doing a lot of dam-



BY TIM BRINTON

age. Underage smoking is up—30 percent since 1991 among eighth-graders alone.

But the newspaper ads are doing some damage of their own. They are cynical attempts to exploit anti-government sentiment, and they

make no sense whatever. Would the tobacco lobby argue that the government shouldn't regulate the sale and advertising of liquor? A better question: If the government didn't regulate the industry, would it regulate itself? A cynical answer: These guys would hand out samples at nursery school if they were allowed.

Granted that advertising is not the sole reason kids take up smoking, but as a one-time smoker (ah, yes, a zealot like all converts), I can testify to the validating power of advertising: See, what you're doing is okay. Advertising is, in effect, a form of peer pressure itself. It may well be where peer pressure originates—at least that is the hope behind any advertising campaign. In the case of cigarettes, it's an attempt to maintain a culture where smoking is still common—if not glamorous, as it once was, then at least permissible.

The cigarette industry has suddenly become suspiciously ACLUish. But its reasons, I suspect, have more to do with making a buck than with civil liberties. It is attempting to make smoking the equivalent of a constitutional right—free speech, assembly and lighting up. As a quitter, I reject that argument. As a cause, it's not worth dying for.

YOUTH SMOKING

Parents should teach; companies should listen

You've really got to hand it to Joe Camel. Not only is he, like, totally cool, he's also one persistent dude. According to still another study on what influences teens to start smoking, youth-oriented advertising campaigns are the biggest single factor in the phenomenon. Take a bow, Joe.

In fact, the *Wall Street Journal* reports that evidence just published in the *Journal of the National Cancer Institute* indicates that tobacco marketing is a more important factor in promoting smoking among the young than is peer pressure. In the real world, peer pressure tends to kick in as an important factor *after* Joe Camel-type ad campaigns have weakened their resistance to smoking in the first place, says Dr. John Pierce, the program director of the Cancer Prevention and Control Program at the University of California, San Diego, and once the U.S. surgeon general's chief tobacco epidemiologist.

For their part, tobacco companies like Philip Morris and RJR Nabisco Holdings traditionally have argued that their advertising isn't nearly as influential as the pressure of friends or the examples of moms and

dads. Tobacco marketers dismiss the National Cancer Institute study as political advocacy.

Coming at the time the Clinton administration is trying to ban cigarette ads directed at children and adolescents, the new findings are bound to fuel the controversy.

The importance of the issue is only partially reflected by the fact that, according to the *Wall Street Journal*, the tobacco industry spent \$6 billion on advertising and promotion in 1993.

Yet taking on the cartoon stars of the cartoon tsars cannot be the only strategy in the debate over teen smoking. There also is the very practical proposal to raise the sales taxes on tobacco, which cut teen usage dramatically when it was tried in Canada.

Families should not abdicate their responsibility to set the example and teach their children about the dangers of smoking. And while tobacco companies enjoy the freedom to pursue whatever advertising campaign they choose, they have a responsibility to listen to concerns about the role of marketing in adolescent smoking.

DALLAS MORNING NEWS, 10-20-93

San Francisco Chronicle

THE VOICE OF THE WEST

EDITORIALS

Oct. 19, 1995

Squelch Tobacco Ads

COMING AS IT DOES on the heels of evidence that tobacco ads specifically target young people, a new study showing that marketing is the most powerful influence on teen smokers provides potent grounds for regulation of cigarette advertising.

The Food and Drug Administration has proposed oversight of cigarette marketing and sales by banning cigarette vending machines, requiring photo identification proof-of-age to buy tobacco, permitting black-and-white texts-only ads in publications, and prohibiting outdoor tobacco advertising near schools and playgrounds.

Cigarette campaigns succeeded in creating young smokers

Despite claims by the tobacco industry that it doesn't aim ads at teens, a tobacco company memo written in 1973 that surfaced earlier this month indicated otherwise. If the company is to prosper, the memo from a top tobacco official said, "We must

get our share of the youth market. ... We are presently, and I believe unfairly, constrained from directly promoting cigarettes to the youth market."

Unfortunately, the companies have not been constrained enough, and their ad campaigns have been quite successful in creating new, young smokers.

One study by researchers at the University of California that was released this week found that interest in advertising and promotional gifts is a strong predictor of whether a young person will smoke. Children aged 12 to 17 who had never smoked and showed a high susceptibility to cigarette ads were twice as likely to have started smoking as those who had a friend or relative who smoked.

A second study found that big promotional campaigns by cigarette manufacturers were correlated with increases in smoking among youths aged 14 to 17.

When in doubt, the inclination should be to opt for less government interference. But the tobacco companies leave no doubt they are working against the best health interests of American youth. And their promises that they will regulate themselves ring hollow and belie past behavior.

Wall Street Journal
Oct. 18, 1995

ADVERTISING

Ads Do Push Kids to Smoke, Study Suggests

By YUMIKO ONO

Staff Reporter of THE WALL STREET JOURNAL

A team of public-health researchers found provocative new evidence that tobacco marketing plays a stronger role than peer pressure in influencing children to start smoking.

The study, to be published today in the Journal of the National Cancer Institute, counters the tobacco industry's longtime claim that kids start smoking because of peer pressure or the example of family members. The industry argues that ads are pitched exclusively at adults who already smoke.

Amid an unprecedented effort by President Clinton and the Food and Drug Administration to outlaw cigarette ads pitched at kids, the new study was immediately seized as a powerful weapon by antismoking activists.

"This reinforces what we had already believed, that kids are being used by the industry," said Scott Ballin, chairman of the Coalition on Smoking or Health, which held a Washington news conference to trumpet the study. "They are cultivated by the tobacco industry to use their products."

Cigarette marketers quickly pointed to other studies that shed doubt on the connection between advertising and youth smoking, and disparaged the new report as an act of political advocacy. "This study was custom-made to dovetail with the FDA proposal," said Thomas Lauria, a spokesman for the Tobacco Institute, an industry group.

Neither Leo Burnett of Chicago, which creates Marlboro ads, nor Mezzina Brown of New York, which handles the Camel ads, would comment on the study. In all, the tobacco industry spent \$6 billion on advertising and promotion in 1993, according to the Federal Trade Commission.

The report published today examined 3,536 California youths between the ages of 12 and 17 who said they had never smoked. It determined which kids were "susceptible" to starting smoking by asking whether they would accept a cigarette offered by a best friend.

The researchers also came up with an index to show how receptive kids were to cigarette marketing, asking them to name a favorite cigarette ad, asking whether they owned cigarette-brand promotional items and other such questions. The study found the kids who were most receptive to tobacco marketing were four times more likely to be susceptible to starting smoking than kids who weren't receptive.

By contrast, the researchers found that having friends and family members who smoked played a smaller role in whether a youth was susceptible. Kids with the highest exposure to smoking by friends and family members were 90% more likely to be susceptible than kids who hadn't been exposed to family members' smoking.

Earlier research found that such susceptible kids were two or three times more likely to start smoking in the next four years than those who weren't susceptible.

"Tobacco marketing is the most influential factor in getting toward the first step toward smoking initiation," said John

Please Turn to Page B2, Column 6

ADVERTISING

Ads Do Persuade Kids to Smoke, A Study Suggests

Continued From Page B1

Pierce, program director of the Cancer Prevention and Control Program at the University of California, San Diego, who co-authored the study with four other researchers. "Kids who are collecting the packs [to get promotional items] — they're handling the products. That weakens their resistance towards tobacco," he said.

Dr. Pierce, who served as the surgeon general's chief tobacco epidemiologist in the 1980s, added that peer pressure was likely to play a strong role in influencing kids to smoke after their resistance to smoking was already weakened by ads and promotions.

The most popular ad with the kids was Joe Camel. What's more, 11% of kids aged 16 to 17 said they already had a promotional item from cigarette makers, even though they said they never smoked.

Phillip Morris referred reporters to scientists rebutting the study's results. One such scientist, Jean J. Boddewyn, professor of marketing and international business at the Baruch College of the City University of New York, said smoking rates remained basically unchanged in countries like Finland, where cigarette ads have been banned since 1978.

RJR Nabisco Holdings' R.J. Reynolds Tobacco unit said the researchers "take advertising as one variable and point to smoking incidence as a result," arguing many other factors contribute to the decision to smoke. It said, "If this is a smoking gun [that] the antismoking industry seeks to use to shore up a sagging administration effort to exert FDA jurisdiction to regulate cigarettes, they are shooting blanks."

NATION

Ads Called Key Factor Behind Kids' Smoking

ASSOCIATED PRESS

WASHINGTON—Of all of the influences that can draw children into a lifelong habit of smoking, cigarette advertising is the most persuasive, according to a survey of California youngsters.

Peer pressure, family members who smoke, or a combination of the two are not nearly as powerful in prompting the smoking urge among children 12 to 17, a study in the Journal of the National Cancer Institute said.

"Tobacco marketing is much stronger than peer pressure in getting a youngster to take the first step toward smoking," Dr. John P. Pierce of the University of California, San Diego, a co-author of the study, said Tuesday. "It is what starts adolescents down the slippery slope to addiction."

The study was supported, in part, by the American Heart Association, one of more than 100 health organizations backing a Food and Drug Administration plan to control cigarette advertising and marketing.

Thomas Lauria of the Tobacco Institute, an industry lobby group, said that Pierce's data "was at best dubious" and amounts to little more than "advertising bashing."

"This flies in the face of what many government bodies have concluded," Lauria said.

Ads Linked To Smoking By Children

New Studies Dispute Industry Arguments

By PHILIP J. HILTS

WASHINGTON, Oct. 17 — Tobacco advertising is a stronger factor than peer pressure in encouraging children under 18 to smoke, a study released today has found.

The study was carried out by cancer researchers at the University of California at San Diego, along with a study showing that big promotional campaigns by cigarette makers were correlated with increases in smoking among youths 14 to 17 years old. The studies conflict with assertions by the tobacco companies that their advertising does not lead children to start smoking.

One of the studies showed that an interest in tobacco advertising and in promotional gifts from tobacco companies was a strong predictor of whether a child would go on to smoke. While children with peers and family members who smoke are twice as likely to smoke as are those who do not have such influences, children who are receptive to advertising are two to four times as likely to start smoking as are those who are not receptive, the study said. The researchers said they adjusted the figures so the different groups could be compared statistically.

Thus, receptivity to tobacco advertising is twice as good an indicator of whether a child will smoke as whether peers or family members are smokers, said Dr. John P. Pierce, the lead author of the studies, which are the first to examine children's susceptibility to advertising and then to link that with future smoking rates.

The studies found that many youths who had never smoked had received promotional gifts from tobacco companies or would like to receive them. At ages 12 and 13, 3.5 percent of those who have never tried cigarettes have received gifts and 12.6 percent would like them. At ages 14 and 15, 5.7 percent have received gifts and 16.4 percent would like them, and by ages 16 and 17, 10.7 have the gifts and 18.3 percent would like them.

The most popular item received or desired was a T-shirt with a logo of the cigarette brand on it.

Dr. Pierce said the studies indicated "that marketing has an effect on children before they begin to smoke," adding, "It is not that children see an ad and start smoking, but seeing the ads and handling the cigarette packs and the promotional gifts lessens their resistance, weakens their resolve, so that later on they will be somewhat more willing to accept a cigarette from a peer when it's offered."

Thomas Lauria, a spokesman for the Tobacco Institute, an industry lobbying group here, said there was much other research showing that pressure from friends is the main reason children start smoking and demonstrating that advertising appears to have little or no influence in the decision to smoke.

Dr. Pierce agreed, saying all previous research focused on the time that children take up smoking regularly. But his work, he said, shows that children are predisposed to become smokers or not, depending on their exposure to tobacco promotions and to other smokers.

One of the studies, which is being published on Wednesday in *The Journal of the National Cancer Institute*, was based on interviews with 3,536 children ages 12 to 17 who had never tried smoking.

The children were asked whether they recognized cigarette advertisements, whether they had preferences among advertisements, whether the advertisements suggested there were benefits to smoking, and whether they had received or wanted to get promotional gifts like T-shirts and cigarette lighters that the tobacco companies offer.

The research then looked at those who had high "receptivity" to the advertising — that is, those children who had never tried smoking but who could remember specific cigarette advertisements, and wanted or already had gifts with cigarette logos — and compared them with a group of children considered likely to become smokers. They found that those who were highly receptive to the advertisements were also more likely to become smokers.

Those with peers who smoke are 1.92 times more susceptible than others, those with family members who smoke are 1.89 times more susceptible, and those who are most receptive to advertising are 3.91 times more susceptible, the study found.

The second study, to be published in the journal *Health Psychology* next month, shows that several big promotional campaigns by cigarette makers were correlated with sudden rises in the number of children 14 to 17 years old who started to smoke.

The study found that shortly after the Virginia Slims campaign of the 1960's and 70's by Philip Morris U.S.A. Inc., the number of 14- to 17-year-old girls who started smoking jumped to 8 percent from 4 percent over two years.

10-18-95 p. A2

THE WASHINGTON POST

Youngsters Find Ads For Tobacco Persuasive

Of all of the influences that can draw children into a lifelong habit of smoking, cigarette advertising is the most persuasive, according to a survey of California youngsters.

Peer pressure, the example of family members who smoke, or a combination of the two are not nearly as powerful in prompting the smoking urge among children 12 to 17, when most start the habit, according to a study published today in the Journal of the National Cancer Institute.

"Tobacco marketing is much stronger than peer pressure in getting a youngster to take the first step toward smoking," said John P. Pierce, of the University of California at San Diego, one of the authors.

The study was supported in part by the American Heart Association, one of more than 100 health organizations backing a Food and Drug Administration plan to control cigarette advertising and marketing.

Pierce's study was based on interviews with 3,536 California adolescents who had never smoked, not even a puff. They were asked questions that Pierce said measured a willingness or tendency to begin smoking.

More than half the children said they were familiar with some cigarette brands and ads, and about one in five was eager to own a cigarette company promotional item, such as a T-shirt.

About 84 percent of the children thought cigarette advertising promotes at least one benefit from smoking. Among the 16- and 17-year-olds, 76.2 percent said cigarette ads depicted the habit as enjoyable; 73 percent viewed it as relaxing; 67 percent as a means of reducing stress; and 41 percent believed ads depicted smoking as a way of staying thin. Forty percent of the nonsmoking youngsters could name a brand of cigarettes they would like to try.

—Associated Press

Abroad at Home

ANTHONY LEWIS

Just Say No

BOSTON

In recent weeks leading newspapers have carried full-page advertisements for the R. J. Reynolds Tobacco Company. They were message ads, effective ones.

The first featured a large photograph of a fat-faced man smiling a somehow menacing smile. Below it was the headline: "Who Should Be Responsible for Your Children, a Bureaucrat or You?"

"The Federal bureaucracy wants to tell you and your children how to behave," the text said. "They want to become responsible for teaching your children about important lifestyle decisions and values. . . ."

"We all agree we must do something to keep cigarettes out of the hands of children under the age of 18. But the answer isn't more bureaucracy. A proven solution is to teach young people how to resist peer pressure."

The unmentioned target was President Clinton's proposed measures to discourage teen-age children from smoking. On the basis of a scientific

ing machines to which children have easy access.

A civilized community has just as much interest in keeping cigarettes away from children as it does in preventing underage driving and drinking. For what is at issue is not just a private "life style." It is an addiction that imposes terrible costs on the community, killing more people than alcohol or road accidents.

According to the U.S. Centers for Disease Control, 418,000 smokers die each year from tobacco-related causes. And 53,000 non-smokers die from causes related to secondary smoke.

Drug and alcohol abuse are universally recognized as social ills. But illness caused by smoking costs the Government twice as much as the medical effects of those two combined: more than \$48 billion in entitlement payments for Medicare, Medicaid, veterans' care and the like.

Adults are free to run the risks of smoking. But if you asked heavy smokers whether they wanted their children to take up the habit, my guess is that most would say no. They know how powerful the addiction is, how hard to escape.

If we are to reduce the human and material cost of smoking, it is crucial to keep children from becoming hooked. That is why President Clinton proposed his program. And that is why R. J. Reynolds and other tobacco companies are fighting it with ads and lobbying.

The Reynolds advertising campaign, with its kind offer of a brochure for parents to help teen-agers resist peer pressure for smoking, is laughable hypocrisy. Tobacco companies strive to hook young people. And not least Reynolds, with its Joe Camel cartoon designed to appeal to kids.

"Teen-agers don't just 'happen' to smoke," President Clinton said in proposing his restraining measures two months ago. "They're victims of billions of dollars of marketing and promotional campaigns designed by top psychologists and advertising experts."

A 1973 memorandum by an R. J. Reynolds official, recently disclosed, outlined a strategy to attract "learning smokers." A Reynolds spokesman said it never became company policy.

Tobacco people live a dilemma. They merchandise death, and they want to prosper in their business. But they also want to look — and feel — like decent citizens. We may appreciate the dilemma. But we do not have to believe them. □

Message ads from R. J. Reynolds.

finding that nicotine is an addictive drug, he would prohibit the sale of cigarettes in vending machines and forbid tobacco company sponsorship of sports events.

The second ad took up the point about peer pressure. It showed five teen-agers, one of them offering a pack of cigarettes to another who turned it down with a disgusted look on her face.

"Experts have long maintained that the influence of peers is one of the most influential factors in a child's decision to smoke," the text said. The ad offered parents a brochure on how to talk to their kids about resisting peer pressure to smoke.

The Reynolds campaign shrewdly seizes on the current political fashion in this country, hatred of the Government. But it is just a tiny bit deceptive in suggesting that what is involved here is a Government attempt to dictate children's "life styles."

On the logic of this advertising, there should be no Government efforts to prevent driving by children. Liquor should be available in vend-

The Miami Herald

SUNDAY, OCTOBER 15, 1995

CONTENTS COPYRIGHT © 1995 THE MIAMI HERALD

Keeping kids off cigarettes

Anti-smoking ads stir controversy

By **MARTIN MERZER**

Herald Senior Writer

The ads are big and bold, and the advertiser is revealed in smaller print:

How To Talk To Your Kids About Smoking Before Someone Else Does. Who Should Be Responsible For Your Children, A Bureaucrat Or You?

R.J. Reynolds Tobacco Co. — the nation's second largest producer of cigarettes, a company with a large share of the youth market, the creator of super-cool Joe Camel — is burning bushels of money on a campaign to discourage underage smoking.

"We don't want kids to smoke," said Maura Ellis, a company spokeswoman. "We don't think they have the judgment to weigh the health risks associated with smoking to the benefits received."

The campaign is an atrocity, according to public health officials. "It's ludicrous," said Carol Ruggeri, assistant executive director of the American Lung Association in Fort Lauderdale.

She and other anti-tobacco activists call the ads misleading and hypocritical. They are convinced that tobacco companies are trying to hook teenagers. Tobacco companies deny it.

"Our marketing and advertising is designed to speak to adult smokers of other products," Ellis said. "Period."

That might knock the sunglasses off Joe Camel, the hip, saxophone-playing RJR cartoon character introduced in 1988. Within five years, Camel's market share among underage smokers quadrupled to 13 percent.

Both sides agree that this latest national ad campaign — accompanied by a less ambitious effort by Philip Morris, producer of Marlboro cigarettes, also popular with teenagers — was kindled by a recent initiative of the federal Food and Drug

Activists, ads wage a battle of the butts

SMOKING, FROM 1A

Administration. The FDA's goal: to make cigarettes less available and less alluring to teenagers. Despite progress on other fronts, anti-tobacco activists have had little success in discouraging teens from smoking.

Federal health officials say 3,000 teenagers — two-thirds of them girls — begin smoking every day. Though the industry acknowledges only "risks associated" with smoking, health officials say 750 of the teens who begin smoking each day will die prematurely from a smoking-induced disease.

Kids smoke a lot

In Florida, customers must be at least 18 years old to legally buy tobacco products, but high school students still consume millions of packs of cigarettes annually.

Aiming to reduce underage smoking by 50 percent within seven years, the FDA proposed a ban on all cigarette vending machines, an end to tobacco brand-name sponsorship of sporting events and strict limits on advertising and promotion.

The industry objects. It says parents — not the government — should mold young minds. It says peer pressure has much greater influence on teens than advertising. It says people hired to enforce the FDA proposals would inflate an already bloated bureaucracy.

"Right now, the Federal bureaucracy wants to tell you and your children how to behave," says one ad, illustrated by a photo of a jowly, middle-aged man. "In short, they want to become responsible for teaching your children about important lifestyle decisions and values."

Not true, health officials said. The proposed regulations, they said, are intended solely to shield children from seductive tobacco-company efforts to hook them on cigarettes.

Studies show that only 5 percent of teenage smokers believe they will be smoking in five

EDUCATING KIDS

The R.J. Reynolds ads offer a free 12-page brochure and "Youth Education Kit." The material mostly attacks government anti-tobacco efforts and repeats assertions made in the newspaper ads. For a copy, call (800) 366-8441, Monday through Friday, 9 a.m. to 5 p.m. (You may be asked to participate in a public opinion survey sponsored by the company.)

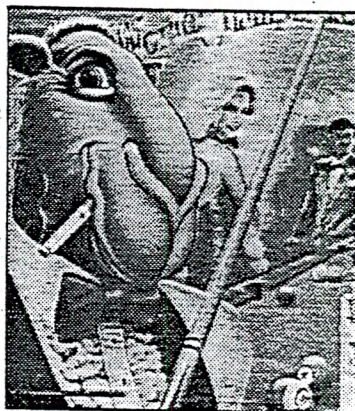
Many health groups also offer counseling and guidance useful to parents concerned about underage smoking. Among them:

American Lung Association, (800) LUNG-USA ([800] 586-4872), Monday through Friday, 9 a.m. to 5 p.m.

American Cancer Society, (800) 227-2345, Monday through Friday, 9 a.m. to 5 p.m.

American Heart Association (305) 373-5119, Monday through Friday, 8:30 a.m. to 5 p.m.

Tobacco-Free Florida Coalition, Darla Reyes, (305) 594-4363, Monday through Friday, 9 a.m. to 5 p.m.



PITCHMAN: Joe Camel quadrupled sales to kids.

years; nearly 75 percent continue smoking for at least seven years. Eighty-nine percent of adult smokers began smoking before the age of 18.

"I have two of these ads on my desk right now, and they're a joke," said Darla Reyes, Miami coordinator for the Tobacco-Free Florida Coalition, a statewide alliance of 60 medical groups.

"They're throwing it back on parents and society when it's their responsibility. They're the ones who are hooking our kids. It's all about power, money and greed, and the health of our children."

Prevented from advertising on radio and television, tobacco companies put up ads in stadiums, sponsor concerts and tour-

naments, offer premiums like T-shirts, baseball caps and wall posters.

Reyes' 14-year-old daughter, Tiffany, attends Sheridan Hills Christian School in Hollywood. Some of Tiffany's classmates already experiment with cigarettes. A display promoting Marlboro clothing and other gear is mounted near the cash register of a convenience store just around the corner from school.

Butt bombardment

"Everywhere you go, you see cigarettes advertised," Tiffany Reyes said. "You can't miss it."

Andy Halpert, a 17-year-old junior at Marjory Stoneman Douglas High in Parkland, said at least half of his classmates smoke or have smoked. He tried it himself but now is president of the Student Coalition Against Tobacco, a group represented in 16 states.

"Whether the companies intend it or not, their ads are convincing kids to smoke," Halpert said.

Nevertheless, RJR's current campaign insists that peer pressure and parental indifference are the main causes of underage smoking.

"Only adults should ever face the decision to smoke or not to smoke," one ad said. "But the fact is, deciding not to smoke is a decision many adolescents have

to confront — in the face of powerful pressures from their peers.

For that reason, the ads and industry spokesmen said, parents must help teens find ways to overcome peer pressure.

True, Reyes, Halpert and others said. But considerable pressure also comes, they said, from tobacco industry advertising and promotion.

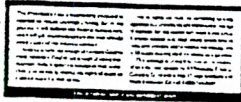
"A kid is just a consumer to them," Halpert said, "more lung to blacken, more people to get hooked."

R.J. REYNOLDS AD CAMPAIGN

AD WATCH

The following ads have appeared during the last three weeks in 25 major newspapers, including The Herald. Produced by the Doig, Elliott and Schur ad agency of New York, they represent a new phase of R.J. Reynolds' Together We Can Work It Out campaign that began about 18 months ago. The company refuses to disclose the cost. Industry estimates are in the hundreds of thousands of dollars.

**CAN WE REALLY
MAKE THE UNDERAGE
SMOKING PROBLEM
SMALLER
BY MAKING THE
FEDERAL BUREAUCRACY
BIGGER?**



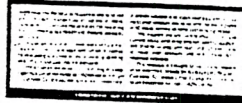
AD: Can We Really Make The Underage Smoking Problem Smaller By Making The Federal Bureaucracy Bigger?

Content: Seeks to refocus the discussion, shifting it from underage smoking to the size of the federal government: "Americans have had enough of rampant Government regulation. They've had enough of seeing their taxpayer dollars spent on measures that, either directly or indirectly, restrict the rights of adults to make decisions for themselves."

Analysis: There is some truth to the claim that the FDA move could enlarge some elements of government. Eventual enforcement would undoubtedly require substantial numbers of workers. But the agency already regulates known health risks and many people believe that to be a proper function of government. Health advocates say only the federal government has the resources, they say, to protect children from the industry.



**WHO SHOULD BE
RESPONSIBLE FOR YOUR CHILDREN,
A BUREAUCRAT OR YOU?**



AD: Who Should Be Responsible For Your Children, A Bureaucrat Or You?

Content: This one links the company's two main themes — new regulations would only nurture a bloated bureaucracy and parents must assume the main responsibility for preventing underage smoking: "In our society, the Government should not replace parents and teachers when it comes to educating our children about smoking, drinking and other important lifestyle decisions."

Analysis: Most parents would agree that they should assume the primary role in educating their children about health risks like smoking; but many would not mind some government help in battling the tobacco industry's advertising and promotion. Two-thirds of \$4 billion spent annually on tobacco advertising and promotion go to sporting events and other promotions that appeal to young people. The industry's most effective tool, according to many experts, is R.J. Reynolds' Joe Camel cartoon character, often portrayed surrounded by adoring young adults.

"R.J. Reynolds is as effective as the Disney Channel in reaching 6-year-old children," said a 1991 study published by the Journal of the American Medical Association.



**HOW TO TALK TO YOUR
KIDS ABOUT SMOKING BEFORE
SOMEONE ELSE DOES.**



AD: How To Talk To Your Kids About Smoking Before Someone Else Does.

Content: This ad concentrates on the parental role in keeping kids from smoking, a habit that is described as "a risk factor for certain diseases." It continues: "As a parent, you have a strong voice in helping your child make the right decisions. As the person they depend on most, you need to add your voice to the many others trying to discourage kids from smoking." The ad, like the others, offers a free pamphlet to help parents talk about smoking with their kids.

Analysis: Tobacco is more than a "risk factor." Some 50,000 studies have linked smoking and sickness. Tobacco is a major cause of heart disease, lung cancer, mouth and throat cancer, other cancers, emphysema, chronic bronchitis, chronic pulmonary disease and strokes. An estimated three million people around the world die each year from diseases caused or exacerbated by tobacco. The pamphlet ignores the widely acknowledged addictive qualities of smoking, which tobacco companies deny.

— MARTIN MERZER

Ellen Goodman

Tobacco: Teenager's Friend

BOSTON—I have to admit that the tobacco industry is pretty nimble considering its size. Every time you think the gargantuan's been knocked out, up it comes, like an aging boxer with just enough moves to stay in the ring for another round.

In its latest campaign, the industry first created a villain so big, so bad, that it hoped he would make them look good by comparison. The evil eminence in the latest RJR ad campaign was none other than—EEEK!—A Big, Bad, Bloated Bureaucrat.

Appearing in newspapers across the country this month was the photo of a smiling, fat, smug, old white guy, The Unknown Bureaucrat, over a line that asked: "Who Should Be Responsible For Your Children?"

"In our society," the ad warned, "the government should not replace parents and teachers when it comes to educating our children about smoking, drinking and other important lifestyle decisions."

Now comes another ad in which RJR offers its corporate services—with a straight face this time—as a partner to parents helping kids resist the "powerful pressure from their peers" that leads them to that smoking "lifestyle." Oozing sincerity, RJR implores us to "Listen. Emphasize. Be involved. And always bear in mind that growing up is hard to do." We should also give kids tips on saying no. For example, kids "can use humor, an excellent way to defuse a tense situation."

Is it possible the tobacco moguls are going for the yucks themselves?

We are witnessing yet another move to slow down the first serious government attempt at curtailing teenage smoking. When the campaign was announced in August for regulations to curb cigarette ads and outlaw vending machine sales and self-service displays, the tobacco companies filed various lawsuits and claimed they don't target minors. Now, adding insult to nicotine

injury, the parents of Joe Camel are insisting in ads that "we all agree we must do something to keep cigarettes out of the hands of children under the age of eighteen."

Well, trusting RJR to educate the kids about smoking is like trusting Calvin Klein to teach them about sex. The tobacco industry first pledged not to market to kids 30 years ago. If we had collected the fines of up to \$100,000 they pledged to levy on themselves for every violation of their own code, we could probably buy our own legislators.

Here is a hint about their education format. From a memo obtained by The Washington Post, we now know that an RJR executive proposed marketing to underage kids as long ago as the mid-1970s.

Claude E. Teague Jr.'s memo is sprinkled with references to the peer group known as "pre-smokers" and "learners." RJR was told how to create "youth brands" with a specific nicotine content and specific taste that would overcome the kids' initial resistance to "the flavor of tobacco smoke [which] is initially foreign and not pleasant."

The cigarette folks are nothing if not sympathetic toward adolescents. They share the pain. As the executive wrote, "The fragile, developing self-image of the young person needs all of the support and enhancement it can get." All the support it can inhale anyway.

I have built up some resistance to hypocrisy over the years. But the offer to help kids resist peer pressure is too much for even my immune system. Peer pressure doesn't come out of the ozone. These guys created it in their marketing lab.

It wasn't just RJR that practiced what Teague preached. You can match Philip Morris up against Reynolds, run the Marlboro Man against Joe Camel. The glamorous anorexic ads, the T-shirts, the baseball caps, the racetrack promotions have been geared toward "pre-smokers" for decades.

How many times do we have to discover what we already know about the tobacco pushers? Finally, the same parents who would like a v-chip in the television set, a porn block on the Internet and a lid on Calvin Klein's "creativity" are lining up with health groups.

Allow me to redirect the question in the ad: "Who is more responsible toward our children, a bureaucrat or RJR?" You know, in just the right light, the Bureaucrat from central villain casting looks kinda friendly.

©1995, The Boston Globe Newspaper Co.

Face Values

PERHAPS YOU noticed the face that dominates a full-page advertisement from the R. J. Reynolds Tobacco Co. that's been running in newspapers, including this one. What a face it is—vast, grinning and triple-jowled, snaggle-toothed, unidentified and unprepossessingly smug, the very embodiment of . . . well,



what exactly? If you couldn't decide just what negative emotion you were supposed to be feeling about this man (that's the guy on the left), R. J. Reynolds is ready to help out with a caption: "Who Should Be Responsible For Your Children, A Bureaucrat Or You?" Oh, a *bureaucrat*! Well, we suppose

that settles the argument. What was the argument, anyway?

Actually, there isn't one—which we suppose is why R. J. Reynolds Co. and the rest are having to resort to this ridiculous level of non-discussion in their increasingly idea-free fight against the inevitable progress of tobacco regulation. The rest of the ad's text is the tobacco corporations' familiar plaint about how "the federal bureaucracy" is trying to "become responsible for teaching your children about important lifestyle decisions and values," in this case, presumably, the recent and admirable push by the White House to keep the lethally addictive R. J. Reynolds flagship product away from kids who are too young to know its dangers. "We all agree we must do something to keep cigarettes out of the hands of children under the age of 18," the ad states piously. "A proven solution is to teach young people how to resist peer pressure and to enforce the existing laws."

Ah, yes, peer pressure. The tobacco companies know a lot about peer pressure: It's still their stock in trade in getting people to try that first cigarette, which, more research suggests, hooks them so quickly that their power of "choice" becomes moot. That's why the new regulations focus specifically on kids under 18 and on enforcing those very laws—against distribution to minors—that the ad offers as evidence that "together, we can work it out."

Come to think of it, if we're going to work it out together, shouldn't we know who it is who wants to work with us? Since R. J. Reynolds has introduced the concept of facial politics, we offer for your assistance the likeness of James W. Johnston, the chairman and CEO of R. J. Reynolds. That's the alternative.



BY RAY LUSTIG—THE WASHINGTON POST

HEALTH POLICY

New Studies Trace the Impact Of Tobacco Advertising

A packed press conference held last week showcased two new studies guaranteed to get the tobacco industry's goat. One indicates that cigarette advertising incites adolescents to start smoking—rather than persuading adults who already smoke to switch brands as the industry claims. The second shows that the industry's marketing efforts at least double the risk that certain adolescents would start smoking. Both studies were described at the press briefing by behavioral epidemiologist John Pierce of the University of California, San Diego, who directed the research.

The studies come just as the Food and Drug Administration is spearheading a drive to reduce smoking among children by 50% in the next 7 years. Among the agency's proposed strategies: restrict tobacco advertising. So not surprisingly, the tobacco industry came out swinging. "For people who are truly scientifically orientated, Pierce's study should

be an affront to objectivity," says Thomas Lauria, spokesperson for the Tobacco Institute, the industry's lobbying group. "We'll be taking a much closer look at the study because of [Pierce's] blatant advocacy [of smoking restrictions]."

But Pierce told the press conference that his methodology will withstand efforts to discredit the studies. *Science* decided to put his claim to the test by sending the studies to a handful of experts to critique. The verdict was mixed. Some said that the studies—which are notoriously hard to do—failed to distinguish cause and effect. But most were supportive: The first report is "strongly suggestive" that advertising causes teenagers to

smoke, "but not conclusive," says epidemiologist Malcolm MacLure of the Harvard School of Public Health. Nevertheless, he adds, it's "certainly enough to justify action."

The first Pierce study, due to be published in the November issue of *Health Psychology*, found that since the 1880s each of four major advertising drives correlated with increases in smoking among 14-to-17-year-olds, but only of the sex targeted by the advertising. For example, increases in smoking rates among adolescent women—but not teenage boys—coincided with marketing campaigns for Chesterfield and Lucky Strike in the mid-1920s, which included the famous "Reach for a Lucky Instead of a Sweet" advertisement. The only other times the study found that smoking increased without a major promotion was during the two world wars when soldiers were given free cigarettes.

That study focused solely on advertising. The second, published in the 18 October



Persuasive. Promotions like this increased smoking in target groups.

Researchers Protest Attack on Tobacco Study

Public-health researchers are protesting what they view as an "unprecedented" case of meddling by Congress in a peer-reviewed research project. Twenty-nine health leaders and academics—including Patricia Buffler, dean of public health at the University of California (UC), Berkeley—signed a newspaper ad last week blasting the House appropriations committee for trying to cancel a National Cancer Institute (NCI)-funded study of pro-tobacco lobbying. The ad attacks by name Representative John Porter (R-IL)—prime mover in the House's vote to boost biomedical research this year and chair of the key appropriations subcommittee—because he inserted language into a report asking that the study be ended.

The study that drew Porter's ire is being conducted by Stanton Glantz, professor of medicine and expert on heart function at UC San Francisco. Glantz has become a thorn in the side of the tobacco industry. In 1994, he testified as an expert opposing industry witnesses in regulatory hearings on the risks of ambient cigarette smoke. This year, he created an Internet file at which anyone can view thousands of pages of memos from the Brown & Williamson Tobacco Company—internal documents that were dumped anonymously in Glantz's mailbox. (To view the file, see <http://www.library.ucsf.edu/tobacco/>.)

In 1993, Glantz won a 3-year, \$600,000 grant from NCI to "determine the extent and nature of tobacco industry influence on state tobacco policy-making," according to an abstract. Glantz and his research team have been collecting data on contributions to state legislators by tobacco companies and analyzing the impact on state efforts to control smoking.

Porter inserted language into a report on the National Insti-

tutes of Health (NIH) in August, saying that the appropriations committee was "disturbed to learn about" Glantz's study. Porter's press aide, David Kohn, says the congressman learned about it from a newspaper reporter, who appears to have learned of it from pro-smoking lobby organizations. The House report says that "such research projects do not properly fall within the boundaries of the NCI portfolio, especially when nearly three quarters of approved research projects go unfunded." The report calls for the grant to be stopped in this, its second year.



Congressional target. Stanton Glantz of UCSF.

M. CONSTANTINI/SAN FRANCISCO EXAMINER

Instructions contained in congressional reports do not have the force of law but are usually obeyed, especially when they come from committee chairs, and particularly if both the Senate and House agree. In this case, the Senate has not endorsed the attack on Glantz's project, but could do so in the final NIH bill, which is still pending in Congress.

Last week's newspaper ad said Porter's move would let "tobacco companies pollute and limit scientific inquiry." But Kohn says Porter regards such criticism as "irresponsible" and "absurd." Kohn points out that Porter—"an 18-year champion of biomedical research"—has voted in the past against tobacco subsidies. He wants NCI to drop this study because it doesn't qualify as genuine clinical or behavioral research, Kohn says.

Kohn adds that Porter would be delighted if NIH could find a way to pay for the study from "other sources," such as a discretionary account controlled by NIH Director Harold Varmus. Indeed, Porter met on 14 September with Varmus and NCI chief Richard Klausner, in an attempt to end the furor amicably. At the moment, neither NIH nor NCI is saying what will happen to the hot project.

—Eliot Marshall

issue of the *Journal of the National Cancer Institute (JNCI)*, also investigates the influence of peer pressure in inducing adolescents to take up smoking. It is based on telephone interviews with 3536 Californian adolescents who said they had never smoked.

To assess the adolescents' receptiveness to advertising, the Pierce team rated them on a five-point scale according to the answers they gave to a series of questions about, for example, whether they owned or would like to own any cigarette-related promotional items, and what was their favorite cigarette ad. The researchers gauged the influence of peer pressure by asking the adolescents about use of tobacco among their family members and best friends. Finally, adolescents were considered susceptible to taking up smoking if they failed to state unequivocally that they would not in the future try a cigarette in response to two questions—one of which asked "If one of your best friends were to offer you a cigarette, would you smoke it?"

Pierce and his colleagues found that adolescents who were exposed to family members and peers who smoked were almost

twice as likely as others to be susceptible to taking up smoking. But even when peer pressure was taken into account, adolescents rated as receptive to advertising were two to four times more likely to be in the susceptible group than those rated as unreceptive. Because a third, as yet unpublished study by the Pierce team indicates that susceptibility predicts which adolescents eventually smoke, the *JNCI* paper concludes "that tobacco marketing may be a stronger current influence ... than exposure to peer or family smokers" in encouraging adolescents to begin smoking.

Maclure says that the study "shows fairly clearly that even when you control for peer pressure, receptiveness to advertising is a major factor" in inducing teenagers to smoke. But both Maclure and epidemiologist Charles Poole of Boston University, another ardent supporter of increased control of cigarettes, disagree with Pierce's claim that the results show that "tobacco marketing was twice as powerful" as peer pressure. Poole also points out that both published studies suffer from "the classic chicken-and-egg problem,"

making it difficult to separate out cause and effect. For example, he says, in the second study, "kids who are contemplating taking up smoking may be more aware of advertising."

Pierce, however, is unfazed by the studies' limitations. In public health, he says, "if something appears dangerous we pull it. The prudent public health policy would be to pull [cigarette] marketing until they can prove it does no harm." Poole and Maclure agree. Maclure points out that in the 1980s some epidemiologists were skeptical that aspirin causes Reye's syndrome, but after then-Surgeon General C. Everett Koop issued a warning, drug companies changed their aspirin labeling. And, says Maclure, "hundreds of lives have been saved."

But Pierce is not hopeful that the tobacco companies will follow suit. Instead, he said, expect more advertising of the type the R.J. Reynolds Tobacco Co. has placed in the *New York Times* and other major newspapers: It argues that "the answer [to teenage smoking] isn't more bureaucracy ... [but] to teach young people how to resist peer pressure."

—Rachel Nowak

Thursday, September 28, 1995
DALLAS MORNING NEWS

TOBACCO BILL

Measure does little to address problem

The tobacco industry says it is concerned about solving the problem of underage smoking in America.

But recently submitted legislation, which has the industry's support, does little to address the real issue of marketing tobacco products to young people.

The bill introduced by Sen. Wendell Ford, D-Ky., pales in comparison to the strong regulations proposed by the U.S. Food and Drug Administration. Here are a few examples of the glaring differences:

- Mr. Ford's bill prohibits billboard advertising for cigarettes or smokeless tobacco within 500 feet of schools. But highway billboards facing away from schools are exempted. The FDA wants a total ban on outdoor advertising of tobacco products within 1,000 feet of schools.

- Mr. Ford's bill requires tobacco vending machines to be in plain view and supervision of store operators. The FDA wants tobacco sales to be made face-to-face, thus eliminating vending machine sales.

- The senator's bill limits free samples or coupons for cigarettes or smokeless tobacco products. But coupons still could be placed in magazines if 85 percent of the subscribers were over the age of 18. And it places no limits in areas where underage people are not permitted. The FDA's plan would prohibit the distribution of free samples of cigarettes or smokeless tobacco. Period.

- The senator's bill would require states to make it unlawful to sell tobacco products to anyone under age 18 in order to receive drug abuse block grants. The FDA places the onus on the sellers, requiring them to verify the purchasers' age through photo ID cards.

- Mr. Ford's measure bans tobacco brand names on video games and at family amusement centers. The FDA would ban the use of cigarette and smokeless tobacco brand names on any nontobacco item.

- The senator's bill would deny the FDA the right to regulate tobacco products. The FDA would treat nicotine in tobacco as an addictive drug that would require

regulation. And the federal agency would seek \$150 million annually from the tobacco industry for education programs aimed at youthful customers.

The crisis of underage smoking in this nation won't be solved with half-measures such as Mr. Ford's bill. An estimated 420,000 people are dying annually in the United States from diseases related to tobacco use. And despite stepped-up warnings about the health hazards of smoking, teenagers are purchasing at least 250 million packs of cigarettes illegally each year.

Congress should weigh in on the side of the Food and Drug Administration. Americans must have something better than legislation that still leaves gaping loopholes for the tobacco industry to market its products to the young.

So long, Joe. You gotta go

The people at R.J. Reynolds Tobacco Co. say they are sending Joe Camel on sabbatical purely to give the critter a break before a fresh comeback. All the criticism aimed at the industry for pitching cigarettes to kids had nothing to do with it.

Yeah, sure. This is the same business that still hasn't owned up to the fact that its product is addictive and lethal. And it refuses to acknowledge that its own profitability depends on hooking kids, since most smokers don't take up the habit as adults.

Despite the denials of cigarette producers, evidence is growing that advertising can have an impact on teen smoking. When Joe Camel debuted in 1988, only 3 percent of teen smokers chose the Camel brand; five years later, 13 percent were smoking Camels. RJR didn't put \$32 million last year into Camel advertising for nothing.

But as much as RJR must hope otherwise, Joe Camel's fading doesn't weaken the case for the Food and Drug Administration's proposed restrictions on cigarette ads and other promotions geared toward underage smokers. The camel character is not the only marketing ploy that attracts kids.

If cigarettes weren't so harmful and if people weren't so easily hooked, such regulation would not be necessary. But every year, smoking kills 400,000 people — people who usually started using tobacco as teens. It's time that Joe Camel and such gimmicks died so that real lives may be saved.

10/28/95

THE NEWS & OBSERVER

Raleigh, NC



USA TODAY

Eighth-graders say they'll stay smoke-free

According to these teens, the Smoke-Free Class of 2000 project need not make an appearance at Harper's Choice Middle School. None of them plans to smoke.

"I play sports — basketball — and it's not good for you," says Matthew McCathorine. "My grandfather died of a heart attack and he smoked," says David Earley. "But I wouldn't do it anyway. That's just common sense."

Unfortunately, kids don't always display such common sense, says Elizabeth Bridgers of the American Cancer Society. When America's kids who will graduate from high school in 2000 entered first grade, the ACS teamed up with the American Heart Association and the American Lung Association for a 12-year education and awareness campaign: The Smoke-Free Class of 2000.

The program is endorsed by a dozen national groups, including the National Education Association, the National PTA and the American Medical Association.

Each year the campaign reaches 2 million students with its anti-smoking message. Eighth grade is "a crucial point for our students," Bridgers says. "By this year they are likely to entertain the thought of trying tobacco."

Studies show the need:

- ▶ Smoking among eighth-graders rose 30% from 1991-94.
- ▶ Only 50% of eighth-graders believe a pack a day is risky.
- ▶ Most smokers start by age 16.
- ▶ Now 3.1 million teens smoke.

This year's new project is the video *Too Smart to Start, Too Cool to Smoke*, created for eighth-grade students but suitable for ages 13 to 17.

Harper's Choice addresses smoking in health classes but not with this program. And the eighth-graders say they don't need it.

"Nobody can make you smoke," says Marissa Schwartz.

We'll check again in high school.

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

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Divider Title: _____

CAMPAIGN for TOBACCO-FREE Kids

CAMPAIGN ADVERTISING

As part of the effort to influence public opinion and the policy debate in favor of the President's and FDA's proposal to limit the access and appeal of tobacco to children, advertising is being used selectively to communicate CAMPAIGN messages.

National Newspaper Advertisements

A series of three flights of ads have been run to date. Each flight has utilized a different advertisement, as follows:

Flight 1 -- "The Tobacco Industry Can't be Trusted With America's Children," -- October 18-25.

Flight 2 -- "Can You Name the Most Heavily Advertised Cigarette Brands?" -- November 2-8.

Flight 3 - "What Are Tobacco Lobbyists Trying to Buy From Congress?" -- November 13 -16.

Each flight ran in the *New York Times* national edition on the op-ed page, in the *Washington Post* on the Federal Page (except the third ad, which appeared on the Congressional page -- A4), in *USA Today's* main news section, and in *Roll Call* (preferred placement).

This selection of newspapers provided national coverage and also concentrated the messages among influentials as well as staff and Members of Congress. National coverage is needed not only for public communication, but also to energize the many volunteers, members and constituents of organizations involved and participating in the CAMPAIGN.*

The purpose of the ads is to encourage comments on the FDA proposal, to counterbalance the heavy tobacco industry ad weight against the FDA initiative, and to inform the Congress that a strong grassroots coalition exists in support of the Clinton administration's effort to control tobacco use among children.

A large number of organizations have sponsored the ads, all under the banner of the CAMPAIGN FOR TOBACCO-FREE KIDS. This sponsorship is part of the message -- many large and varied organizations and their members want the FDA proposal to succeed.

* Note: The first ad also appeared in several newspapers in Southern States as part of a special initiative.

The ads are also being used in a number of other ways. Organizations are carrying them in newsletters and other publications, some organizations are running them in local-market media, and solicitations to new organizations to join the CAMPAIGN include copies of the advertisements for such distribution.

Scholastic Advertisements

In addition to the national newspaper advertisements, the CAMPAIGN placed inserts in the November edition of three of Scholastic Inc.'s publications that reach tens of thousands of students, teachers, parents, and education-policy influentials across the country. The CAMPAIGN's inserts in Scholastic's publications for primary- and secondary-schools feature a message to teachers informing them of the importance of the FDA regulations. Teachers are asked to copy the other side of the insert and send it home to their students' parents. The inserts ask teachers and parents to send letters to the FDA, Congress, and local media.

The third insert, which appears in Scholastic's *Agenda* magazine, addresses concerned citizens and employers who have an interest in education-reform policy. The insert asks them to support the President's initiative to protect our kids through letters and phone calls.

In addition to the inserts, Scholastic Inc. has also collaborated by: sending a letter with the inserts to 500 organizations (list supplied by CAMPAIGN) inviting them to reproduce and use the inserts with their members; and setting up an online "chat" with Secretary Shalala, hosted by American Online and reaching upwards of 500,000 schoolchildren.

Additional advertising on behalf of the CAMPAIGN is planned.

The Tobacco Industry Can't be Trusted with America's Children



They say there is no proof that smoking and smokeless tobacco cause disease and death.

They claim nicotine isn't addictive.

They swear they don't market to kids.

They claim to be taking care of the problem of underage tobacco use.

Do you believe them? 3,000 children begin smoking every day, and the rate is increasing, especially among younger kids. Almost all of them smoke one of the three most heavily advertised brands. One third will eventually die of their addiction.

President Clinton and the Food & Drug Administration, joined by many members of Congress—Republicans and Democrats—have proposed new limits on sales and marketing of tobacco to children.

Please give your support. Write to the FDA, Dockets Management Branch, Docket 95N-0253, Room 1-23, 12420 Parklawn Drive, Rockville, MD 20857. Don't trust the tobacco industry to do the right thing. They never have. They never will.

This ad is sponsored by the American Cancer Society, the American Academy of Pediatrics, the American Heart Association, the American Lung Association, the American Medical Association and over 100 other organizations that support the **Campaign for Tobacco-Free Kids**.

For additional information, or to contribute to more ads like this: **1-800-284-KIDS**.

CAMPAIGN For TOBACCO-FREE Kids

Can you name the most heavily advertised cigarette brands?

She can.



Eighty-five percent of children who smoke prefer the three most advertised brands (Marlboro, Camel and Newport). That's no coincidence.

Tobacco companies spend billions on cartoon ads, billboards near schools and mountains of free merchandise that kids love (T-shirts, caps, backpacks, jackets). The results:

- **Three thousand kids start smoking every day.**
- **Nearly all adult smokers begin as children.**
- **One-third will die from their addiction.**
- **Tobacco companies are making \$200 million a year from sales to children and addicting a new generation of customers.**

The nation's top health experts have proposed new limits to keep tobacco marketing from seducing children and to make cigarettes less accessible to kids. But industry lobbyists are scheming to snuff these rules out.

It's time we stopped trusting tobacco companies with our children's lives.

- **Tell the FDA you support the proposed limits** (Food & Drug Administration, Docket 95N-0253, Room 1-23, 12420 Parklawn Drive, Rockville, MD 20857).
- **Tell your Members of Congress not to endanger America's children for tobacco company profits.**
- **Learn more by calling 1-800-284-KIDS.**

This ad sponsored by the National PTA, American Nurses Association, National Association of Secondary School Principals, National Coalition of Hispanic Health and Human Services Organizations (COSSMHO) and over 100 other organizations throughout the country.

CAMPAIGN for TOBACCO-FREE Kids

What are tobacco lobbyists trying to buy from Congress?



After decades of lying about addiction and disease, tobacco companies have launched a last-ditch scheme to continue marketing to kids: flood Congress with cash.

During the first half of 1995, tobacco industry contributions to political parties skyrocketed more than 400 percent. Tobacco companies gave more than \$1.6 million (\$1.5 million to Republicans), becoming the GOP's largest donor by far.

Why the sudden surge? President Clinton and Members of Congress from both parties are backing new limits on tobacco marketing to kids—limits that could save thousands of children from addiction, disease and death. Tobacco companies are desperately trying to buy opposition.

Voters want Congress to say no to the tobacco industry. More than 85 percent say Congress should support the administration's effort to protect children.

Write your Members of Congress today (U.S. Senate, Washington, DC 20510; U.S. House of Representatives, Washington, DC 20515). ***Tell them America's children aren't for sale.***

To learn more, call 1-800-284-KIDS.

CAMPAIGN For TOBACCO-FREE Kids

This ad sponsored by the Congress of National Black Churches; American Academy of Family Physicians; National Association of Elementary School Principals; Catholic Health Association; InterHealth/Protestant Health Alliance; National Association of County and City Health Officials; National Association of Evangelicals; American Public Health Association; General Board of Church and Society of the United Methodist Church; Secondhand Smoke Awareness Program, National Medical Association; and NETWORK: A National Catholic Social Justice Lobby.

Save Our Children's Health

A Call To Action

We have a historic opportunity to protect children from tobacco products. Health educators, researchers and medical associations have established that:

- Tobacco use by youth is increasing.
- Tobacco poses a health hazard to children.
- Teenagers respond to tobacco advertising.
- 9 out of 10 smokers begin smoking during their childhood and adolescence.

FACT
85% of adolescent smokers prefer the three most heavily advertised cigarette brands.

What To Do About It?

Recently, the Food and Drug Administration (FDA) suggested an answer. It announced a series of proposed regulations that would curtail youth exposure to tobacco products and advertisements. The regulations would:

Reduce the illegal sale of tobacco to kids by prohibiting all cigarette sales from vending machines and self-service displays and allowing the sale of cigarettes and chewing tobacco only to customers who are at least 18 and who show proof of age.

Reduce tobacco's appeal to teens by banning all tobacco advertising within 1,000 feet of schools, prohibiting advertising in magazines with more than 15 percent youth reader

FACT
Of the 3,000 underage smokers that start every day, about 1,000 will die of tobacco-related illnesses.

ship and forbidding tobacco brand names on products such as t-shirts, gym bags and beach towels.

Teach kids the truth about tobacco by creating a \$150 million annual education campaign funded by the tobacco industry to reduce youth smoking.

Before the regulations are final, the FDA encourages the public to voice its opinions. The tobacco industry and well-organized interest groups are already challenging these proposed regulations—potentially blocking their implementation—despite widespread national support for them.

Those In Favor Of The Regulations Must Fight Back.

- Discuss the subject of tobacco use with your students.
- Plan to support the FDA regulations.
- Make copies of the parent letter on the other side and send it home with all of your students.

Let Your Voice Be Heard

1. **Letters to the FDA:** Urge your students to write letters supporting the proposed regulations to protect kids from tobacco products. Write to: FDA, Dockets Management Branch

(HFA-305), Docket number 95N-0253, Room 1-23, 12420 Parklawn Drive, Rockville, MD 20857.

2. **Letters to Congress:** Urge your students to tell their senators and representatives about their support for strong action to protect children from tobacco products. For the House of Representatives, address letters to: The Honorable [full name]; U.S. House of Representatives; Washington, D.C., 20515. For the Senate: The Honorable [full name]; U.S. Senate; Washington, D.C., 20510.

3. **Create public service announcements:** Have your class develop print or video PSAs that show their support for the new regulations. Ask local media or billboard company to feature the students' work.

4. **Plan a district-wide campaign:** Encourage your students to develop a community initiative to support the new regulations. Have students contact local media for coverage of their efforts.

5. **Very important:** Please send all copies of letters and activities to Campaign for Tobacco Free Kids, 1150 Connecticut Avenue, NW, Suite 820, Washington, D.C., 20036.

FACT
30% of kids 12-to-17 years old own at least one tobacco promotional item such as t-shirts, baseball caps, and gym bags.

FOR MORE INFORMATION
1-800-284-KIDS

Dear Parent

We have a historic opportunity to protect adolescents from tobacco products. Health educators, researchers and medical associations have established that:

- Tobacco is addictive.
- Tobacco use by youth is increasing.
- Tobacco poses a health hazard to children.
- Teenagers are influenced by tobacco advertising.
- 9 out of 10 smokers begin smoking during their childhood and adolescence.

The Question Is: What To Do About It?

Recently, the Food and Drug Administration (FDA) suggested an answer. It announced a series of proposed regulations that would curtail youth exposure to tobacco products and advertisements. The regulations would:

Reduce the illegal sale of tobacco to kids by prohibiting all cigarette sales from vending machines and self-service displays and allowing the sale of cigarettes and chewing tobacco only to customers who are at least 18 and who show proof of age.

Reduce the appeal of tobacco by eliminating all tobacco advertising within 1,000 feet of schools, prohibiting advertising in magazines with more than 15 percent youth readership, and forbidding tobacco brand names on products such as t-shirts, gym bags, beach towels and backpacks.

Teach kids the truth about tobacco by creating a \$150 million annual education campaign funded by the tobacco industry to reduce youth smoking.

Before the regulations are finalized, the FDA encourages the public to voice their opinions. The tobacco industry and several well-organized interest groups are already challenging these proposed regulations — potentially blocking their passage — despite widespread national support for them.

Here's What We Can Do:

1. **Start talking:** Inform others about the dangers of smoking.
2. **Letters to the FDA:** Work with your child to write letters supporting the proposed regulations to protect kids from tobacco products. Write to: FDA Dockets Management Branch (HFA-305), Docket number 95N-0253J, FDA, Room 1-23, 12420 Parklawn Drive, Rockville, MD 20857.
3. **Letters to Congress:** Urge you child to tell their senators and representatives about their support for strong action to protect children from tobacco. For the House of Representatives, address letters to: The Honorable [full name]; U.S. House of Representatives; Washington, D.C., 20515. For the Senate: The Honorable [full name]; U.S. Senate; Washington, D.C., 20510.
4. **Contact the media:** Write your local newspaper in support of the new regulations.
5. **Build coalitions:** Contact local businesses to enlist their support for the new regulations.
6. **Very important:** Please send copies of all letters to: Campaign for Tobacco Free Kids, 1150 Connecticut Avenue, NW, Suite 820, Washington, D.C., 20036.

Why

Of the 3,000 underage smokers that start every day, 1,000 will die of tobacco-related illnesses.

30% of kids 12-to-17 years old own at least one tobacco promotional item such as baseball caps, and gym bags.

85% of adolescent smokers prefer the three most heavily advertised cigarette brands.

FOR MORE INFORMATION
1-800-284-KIDS

Dear Concerned Employee

We have a historic opportunity to protect children from tobacco products. Health educators, researchers and medical associations have established that:

- Tobacco is addictive.
- Tobacco use by youth is increasing.
- Tobacco poses a health hazard to children.
- 9 out of 10 smokers begin smoking during their childhood and adolescence.

The question is: what can we do about it?

Recently, the Food and Drug Administration provided an answer. It announced a series of proposed regulations that would curtail youth exposure to tobacco products and advertisements. The regulations would:

Reduce illegal sale of tobacco to kids by prohibiting all cigarette sales from vending machines and self-service displays and allowing the sale of cigarettes and chewing tobacco only to customers who are at least 18 and who show proof of age. The only measures under consideration are to reduce the illegal sale of tobacco to children.

Reduce tobacco's appeal to kids by eliminating all tobacco advertising within 1,000 feet of schools, prohibiting advertising in magazines with more than 15 percent youth readership and forbidding tobacco brand names on products such as t-shirts, gym bags, beach towels and backpacks, which are not related to smoking.

Teach kids the truth about tobacco by creating a \$150 million annual education campaign funded by the tobacco industry to reduce youth smoking.

The tobacco industry and several well-organized interest groups are already challenging these proposed regulations—potentially blocking their implementation—despite widespread national support for actions.

Those in favor of the regulations must fight back.

- Review the facts about tobacco with your child and family.
- Talk to with your colleagues about the FDA's new rules and plan to support them.
- Work with local schools to find ways you and educators can work together to support the regulations.

How to Take Action!

1. Write to the government: Work with colleagues and family to write letters to elected representatives urging them to take strong action to protect children from tobacco products. For the House of Representatives, address letters to: The Honorable [full name]; U.S. House of Representatives; Washington, D.C., 20515. For the Senate: The Honorable [full name]; U.S. Senate; Washington, D.C., 20510.

2. Contact the FDA: Write a letter to the FDA supporting the proposed regulations. Send to: FDA, Dockets Management Branch (HFA-305), Docket number 95N-0253J, Room 1-23, 12420 Parklawn Drive, Rockville, MD 20857.

3. Letters to the media: Write to your local newspaper in support of the new regulations.

4. Very important: Please send copies of all letters to: Campaign for Tobacco Free Kids, 1150 Connecticut Avenue, NW, Suite 820, Washington, D.C., 20036.

Why

Of the 3,000 underage smokers that start every day, 1,000 will die of tobacco-related illnesses.

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Divider Title: _____

CAMPAIGN For TOBACCO-FREE Kids

ORGANIZATIONAL OUTREACH

The CAMPAIGN is working to assemble an activist core of health, women, minorities, religious, grassroots and other organizations to advocate for restricting sales and marketing of tobacco products to youth. Thus far, more than 125 organizations have signaled their support for the FDA proposal. Additional organizations are signing on to the CAMPAIGN, demonstrating its broad base of support. The growing membership communicates to Congress that the goals of the CAMPAIGN are supported by a wide array of highly visible and respected professional organizations and associations.

The influential core of organizations that inaugurated the CAMPAIGN has been critical to enrollment of new members. Founding organizations include: the American Cancer Society, the American Heart Association, the American Lung Association, the American Medical Association and the American Academy of Pediatrics.

Organizational outreach is underway on several fronts. A campaign priority is to create a strong core group of an additional 15-20 CAMPAIGN member organizations that will participate actively in outreach to their members and constituents and in advocacy. A secondary goal is to build a broad base of support among a larger number of organizations with an interest in controlling the sale and marketing of tobacco to youth. These second tier organizations are not expected to participate as extensively as the core group.

The CAMPAIGN is drawing its broader membership, in part, from the more than 125 organizations that support the FDA proposal (list is attached). Additionally, active recruitment is underway among a select group of professional organizations that have not previously been involved in this arena. These prospective participants can lend credibility to the CAMPAIGN's efforts and extend the traditional base of support for restricting adolescent access to tobacco products.

Organizations are also being tapped for alliance building with their regional and local affiliates. Collaboration with state and local chapters supports our key states plan. Local organizational counterparts are assisting with local events and media placement opportunities. For example, The American Academy of Pediatrics conducted a national event in which children exchanged tobacco industry give-aways for T-shirts with messages rejecting tobacco products. Numerous associations are carrying information about the CAMPAIGN in their newsletters. The National Association of Local Boards of Health, for example, worked with the CAMPAIGN to produce a model newsletter on the CAMPAIGN's agenda.

Organizational members also represent a potential source of funding for the CAMPAIGN, although at this stage we have not stressed this objective.

Among the major organizations that have recently joined or become active are the National PTA, the National Association of Secondary School Principals, the National Association of Elementary School Principals, the National Coalition of Hispanic Health and Human Service Organizations (COSSMHO) and a number of major religious organizations. Various programmatic, educational and legislative activities are being planned with the PTA's national and state organizations.

Twenty major organizations have sponsored the CAMPAIGN's paid advertisements and so, have communicated their public commitment to the issue. Organizations are also encouraged to place CAMPAIGN ads in media in their states and local communities.

Those organizations that have endorsed the CAMPAIGNS three flights of ads include:

First ad: the American Cancer Society; the American Academy of Pediatrics; the American Heart Association; the American Lung Association; and the American Medical Association.

Second ad: National PTA, American Nurses Association; National Association of Secondary School Principals; and National Coalition of Hispanic Health and Human Service Organizations (COSSMHO).

Third ad: The Congress of National Black Churches; American Academy of Family Physicians; National Association of Elementary School Principals; Catholic Health Association; InterHealth/Protestant Health Alliance; National Association of County and City Health Officials; National Association of Evangelicals; American Public Health Association; General Board of Church and Society of the United Methodist Church; Secondhand Smoke Awareness Program, National Medical Association; and NETWORK: A National Catholic Social Justice Lobby.

November 9, 1995

**Organizations Supporting the FDA Proposal
Limiting Children's Access & Attraction To Tobacco**

Action on Smoking and Health (ASH)
American Academy of Family Physicians, *55 Affiliates*
American Academy of Otolaryngology-Head & Neck Surgery
American Academy of Pediatrics, *56 Chapters*
American Association for Cancer Research
American Association for Respiratory Care, *50 Chapters*
American Association of Critical Care Nurses, *278 Chapters*
American Association of Dental Schools
American Association of Occupational Health Nurses, *182 Affiliates*
American Association of School Administrators, *50 Chapters*
American Cancer Society, *57 Affiliates*
American College of Cardiology, *35 Chapters*
American College of Chest Physicians
American College of Nurse-Midwives, *76 Chapters*
American College of Physicians, *76 Chapters*
American College of Preventive Medicine
American College of Surgeons, Commission on Cancer
American Dental Assistants Association
American Dental Association
American Dental Hygienists' Association, *54 Chapters*
American Heart Association, *54 Affiliates*
American Lung Association, *120 Constituencies and 8 Affiliates*
American Medical Association
American Medical Student Association/Foundation, *142 Branches*
American Medical Women's Association, *80 Branches & 120 Medical School Branches*
American Muslim Council, *5 Chapters*
American Nurses Association, *53 Affiliates*
American Public Health Association
ASTRO-American Society for Therapeutic Radiology & Oncology
American Society of Addiction Medicine, *26 Chapters*
American Society of Clinical Oncology
American Society of Internal Medicine, *50 Chapters*
American Speech-Language-Hearing Association
American Veterans Committee
Americans for Nonsmokers' Rights
Associated Medical Schools of New York
Association for Nonsmokers-Minnesota
Association for the Advancement of Health Education
Association of American Cancer Institutes
Association of Black Cardiologists, Inc.
Association of Maternal & Child Health Programs

Association of Pediatric Oncology Nurses, *20 Chapters*
Association of Reproductive Health Professionals
Association of Schools of Public Health
Association of State & Territorial Chronic Disease Program Directors
Association of State & Territorial Dental Directors
Association of State & Territorial Directors of Health Promotion and Public Health Education
Association of State & Territorial Health Officials, *57 Affiliates*
Association of Women's Health, Obstetrics and Neonatal Nurses
Boston Women's Health Book Collective
Cancer Care, Inc.
Cancer Research Foundation of America
Catholic Health Association
Center for Women Policy Studies
Center for Science in the Public Interest
Church of the Brethren
Citizens For Health, *172 Chapters*
Coalition for a Smoke-Free West Virginia, *39 Organizational Members*
Coalition For a Tobacco Free Pennsylvania
Coalition For a Tobacco Free West Virginia, *39 Organizational Members*
Committee for Children
The Congress of National Black Churches, Inc.
Consumers Union
FACT Families Against Cancer Terror
Fred Hutchinson Cancer Research Center
GASP of Colorado
GASP: Georgians Against Smoking Pollution, *2 Chapters*
General Board of Church & Society - United Methodist Church
The HMO Group
Illinois Caucus for Adolescent Health, *3 Chapters*
Impact Delaware Tobacco Prevention Coalition
INFACT
Interfaith Center on Corporate Responsibility
InterHealth/American Protestant Health Alliance
International Commission for the Prevention of Alcoholism and Drug Dependency, *50 Conferences*
Interreligious Coalition on Smoking OR Health
Joint Council of Allergy, Asthma & Immunology
Kansas Dental Assistants Association, *4 Chapters*
League of Women Voters of New York State, *63 Chapters*
Maryland Group Against Smokers Pollution (GASP)
Massachusetts GASP
Memorial Sloan-Kettering Cancer Center
Minnesota Coalition for A Smoke-Free Society 2000
National 4-H Council
National Association for Medical Direction of Respiratory Care
National Association of Children's Hospitals and Related Institutions, *148 Hospitals*
National Association of Community Action Agencies, *800 Chapters*

National Association of County and City Health Officials
National Association of Elementary School Principals
National Association of Evangelicals
National Association of Secondary School Principals
National Coalition for Cancer Survivorship
National Coalition of Hispanic Health and Human Services Organizations (COSSMHO), *400 Affiliates*
National Council for International Health
National Education Association, *52 State-level Affiliates and 13,250 Local Affiliates*
National Osteoporosis Foundation, *2 Regional Offices*
National Prenatal Association, *24 Chapters*
National PTA
National School Boards Association (NSBA), *54 Federation Members*
The National School Health Education Coalition, *90 Members*
National Women's Health Network
New Jersey GASP - Group Against Smoking Pollution
North American Federation of Temple Youths, Executive Board
Oncology Nursing Society, *189 Chapters*
Oral Health America, America's Fund for Dental Health, *50 Affiliates*
Partnership for Prevention
Public Health Council of the New Jersey State Department of Health
Radiation Research Society
Roswell Park Cancer Institute
Santa Fe Community Partnership
Secondhand Smoke Awareness Program, National Medical Association
Sierra Club, *69 Chapters*
Smokefree Educational Services, Inc.
Smoke Free Maryland: A Coalition for Tobacco Control, *37 Member Organ.*
SmokeFree Pennsylvania
Society for Public Health Education, *18 Chapters*
Society of Cardiovascular & Interventional Radiology
Society of Gynecologic Oncologists
Stop Teenage Addiction to Tobacco
Tobacco Control Resource Center
Tobacco Free, Inc.
Tobacco Free Michigan Action Coalition, *121 Member Organizations*
Union of American Hebrew Congregations
United Church of Christ, Office for Church in Society
Vermont Department of Health
Virginia GASP
West Virginia Society for Respiratory Care, *7 Chapters*
Washington Institute
Wisconsin Initiative on Smoking and Health (WISH)
Women and Girls Against Tobacco
YMCA of the USA

Coalition on Smoking OR Health

1150 Connecticut Avenue, NW, Suite 820, Washington, DC 20036
Telephone: (202) 452-1184 Facsimile: (202) 452-1417

August 25, 1995

Steering Committee

Scott D. Ballin, Chairman
American Heart Association

Fran Du Meile
American Lung Association

Michael F. Heron
American Cancer Society

Administrator - Federal Issues

Joy Epstein

Administrator - State Issues

Peter Fisher

Counsel

Matthew L. Myers
Asbill, Junkin & Myers

Public Policy Advisory Council

American Academy of Family Physicians
American Academy of Pediatrics
American Association for Respiratory Care
American College of Cardiology
American College of Chest Physicians
American College of Physicians

American Public Health Association
American Society of Internal Medicine
Association of State and Territorial
Health Officials

Interreligious Coalition on Smoking OR Health
March of Dimes Birth Defects Foundation
National Coalition of Hispanic Health and
Human Services Organizations (COSSMHO)
Society of Cardiovascular
& Interventional Radiology

To: Organizations Interested in Tobacco Control
From: Coalition on Smoking OR Health
Steering Committee
Re: Activities to Support FDA Proposal to Protect Children
From Tobacco **URGENT REQUEST FOR ACTION**

The Coalition on Smoking OR Health wishes to thank all the organizations and individuals who have worked so hard over the last year collecting signatures on the petition asking the FDA to regulate tobacco products and more recently in making phone calls to the White House in support of the FDA proposal to protect children from tobacco.

Your work has paid off! On August 10, the President announced that the FDA was proposing regulations to reduce children and teen's easy access to tobacco products and also to reduce the appeal to children from tobacco advertising and promotion.

Now the hard part really begins. All the groups who support this proposal must pull out all the stops to make sure that it is adopted in final form as soon as possible.

The tobacco industry has already filed a lawsuit claiming that the FDA does not have jurisdiction over tobacco products. Friends of the tobacco industry in Congress will try to pass legislation that will undercut the FDA proposal.

Between now and November 9 (the deadline for submitting comments to FDA), we are urging groups to target activities to demonstrating support for the proposal to FDA and to Congress.

ACTION NEEDED

1. Encourage Members of Congress to support the FDA proposal

- All Senators and Representatives need to receive letters and phone calls requesting support of the FDA proposal to reduce teenage use of tobacco.
- Organizations should arrange meetings with their Senators and Representatives in Washington or at home to discuss their support for the FDA proposal. Meet with staff if you cannot get a meeting with the member.



- Individuals who have personal contacts with Senators and Representatives should request face-to-face meetings or place personal phone calls to the members they know.
2. Generate large numbers of comments to FDA in support of the FDA proposal
- Send comments to the FDA:
 Dockets Management Branch (HFA-305) Re: Docket No. 95N-0253
 Food and Drug Administration
 Room 1-23
 12420 Parklawn Drive
 Rockville, MD 20857
 - Organization members, staff, family, and friends should be encouraged to write the FDA expressing support for the proposal to reduce teenage tobacco use. The letters can be detailed and personal or as simple as a post card.
 - Contact churches, youth organizations, hospitals, businesses, civic organizations and others in your community and ask them to send as many letters or post cards to the FDA as possible.
3. Demonstrate public support for the FDA proposal
- Send letters to the editor of your local paper from leaders in your organization or submit opinion columns (op eds) explaining why the FDA proposal to protect children and teenagers should be supported and why it will be good for your community.
 - Identify spokespersons in your organization who can respond to the issue when the media inquires about the proposal and proactively offer the spokespersons to the media.

BACKGROUND

- Included with this alert are fact sheets about the proposal, model letter to the FDA, and a model letter to Members of Congress. The Coalition will have pre-printed post cards that can be sent to the FDA. Let us know if you want a supply of these cards.
- If you need more information or suggestions for ways to build support, contact the Coalition on Smoking OR Health at 202-452-1184.
- Let us know what you are doing. Mail or fax a note to Joy Epstein at the Coalition office to report on what your organization has done to help protect kids from tobacco.

_____ has taken the following actions:
 (Organization name)

- ____ Initiated grassroots letters to Senators and Representatives
- ____ Sent organization letter to Senators and Representatives
- ____ Initiated grassroots letters and cards to FDA
- ____ Sent organization letter to FDA
- ____ Sent letter to local paper, etc.

National Association of Local Boards of Health

1840 East Gypsy Lane Road, Bowling Green, OH 43402
Telephone:(419) 353-7714 Facsimile:(419)353-9680

MEMORANDUM

Date: October 12, 1995
To: Members of Local Boards of Health
From: Ted Pratt, President *Ted*
Subject: Proposed FDA Regulations Restricting the Sale and
Distribution of Cigarettes and Smokeless Tobacco
Products to Protect Children and Adolescents

Contained in this *NewsBrief* is information relating to the health risks associated with tobacco usage by our youth. On the reverse side of this memo is a resolution passed by the NALBOH Executive Board in support of the proposed FDA regulations.

As local boards of health, responsible for the protection of your community's health, I encourage you to contact the FDA and your Senators and U.S. Representatives in support of this important public health initiative.

Written comments referencing Docket No. 95N-0253 should be sent to the Dockets Management Branch (HFA-305), Food and Drug Administration, Room 1-23, 12420 Parklawn Drive, Rockville, MD 20857. The 90 day comment period expires November 9, 1995.

National Association of Local Boards of Health

1840 East Gypsy Lane Road, Bowling Green, OH 43402

Telephone: (419) 353-7714 Facsimile: (419) 353-9680



NALBOH Resolution in Support of the Proposed FDA Regulations Restricting the Sale and Distribution of Cigarettes and Smokeless Tobacco Products to Protect Children and Adolescents

WHEREAS, each day more than 3,000 young people begin to smoke resulting in more than 1 million new smokers annually:

WHEREAS, there has been a 30% increase in smoking among 8th graders since 1991 and an increase use of chewing tobacco and snuff:

WHEREAS, at least half of adult smokers become addicted to nicotine prior to their 18th birthday:

WHEREAS, more than 400,000 Americans die prematurely each year due to cigarette smoking:

NOW THEREFORE, BE IT RESOLVED that the National Association of Local Boards of Health (NALBOH), representing community leaders serving in a public health policy making and advisory capacity to local health departments, supports the FDA regulations of nicotine as an addictive drug and restricting the sale and distribution of tobacco products for the protection of children and adolescents, without the preemption or restriction of state and local ordinances; and

BE IT FURTHER RESOLVED that a copy of this resolution be provided to all local boards of health, congressional leaders, the FDA, and other interested parties.

CHILDREN'S HEALTH OR TOBACCO WEALTH?

Over 400,000 Americans die each year from tobacco-caused disease. Over 3,000 children start using tobacco products each day and smoking among eighth-graders increased by 30 percent between 1991 and 1994. The Food and Drug Administration recently proposed regulations that would take significant steps forward in the battle against tobacco use. The tobacco industry and its allies are actively trying to undermine these efforts -- we must stop them, and protect our children's health.

The FDA regulations would curtail the tobacco industry's attempts to market their intentionally addictive products to children; make it more difficult for children to obtain tobacco products; and create a multimillion dollar national anti-tobacco advertising campaign. The regulations would also prohibit all tobacco advertising within 1,000 feet of schools; prohibit advertising in magazines with more than 15 percent youth readership; require proof of age to purchase cigarettes and smokeless tobacco; and prohibit all tobacco industry promotional items such as t-shirts, gym bags, beach towels and backpacks.

Children need protection from the tobacco industry! Tobacco companies spend more than \$6 billion a year on advertising and promotions. It's time to take the long overdue steps proposed by the Food and Drug Administration.

What you can do:

1. Write or call your members of Congress and tell them to support the Food and Drug Administration regulations to protect children from tobacco products. You can write them at: The Honorable [full name]; U.S. House of Representatives; Washington, D.C., 20515. For the Senate: The Honorable [full name]; U.S. Senate; Washington, D.C., 20510. The phone number for the Capitol switchboard is (202) 224-3121 -- the operator will connect you to any lawmakers' office.
2. Write a letter to the editor or an op-ed for your local paper to state your support for protecting kids from tobacco products.
3. If appropriate, consider having your board of health hold a news conference to announce support for efforts to protect kids from tobacco products. Localizing the statistics to establish the number of children who start using tobacco products in your area is a good, easy way to attract local media attention.

Important Facts

- * Nine out of ten adult smokers began using cigarettes by the age of 18, and 37 percent began by the age of 14.
- * Of the 3,000 underage smokers that start every day, almost 1,000 will die of tobacco-related illnesses.
- * Tobacco industry advertising works -- 85 percent of underage smokers purchase the three most heavily advertised brands: Marlboro, Newport, or Camel.
- * After the Joe Camel cartoon campaign was introduced, Camel's market share among underage smokers jumped from 0.5 percent to 32.8 percent.
- * Thirty percent of kids 12 to 17 years old, both smokers and nonsmokers, own at least one tobacco promotional item (such as t-shirts, baseball caps, and gym bags).

*For more materials or information, contact the Campaign for Tobacco-Free Kids at 1-800-284-KIDS.
This insert provided by the Campaign for Tobacco-Free Kids.*

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CAMPAIGN for TOBACCO-FREE Kids

LEGISLATIVE

Congressional Support for FDA

A bi-partisan group of House members has pledged its support for the FDA proposal. They signed a "Commitment to our Children" that is the kind of Congressional support that is crucial to balancing attempts to derail the FDA proposal. The Commitment has thus far been signed by Republican Representatives Castle, Dornan, Fox, Hansen, Morella, Packard, Riggs, Roukema, (Linda) Smith, and Waldholtz, and by Democratic Representatives (John) Bryant, Conyers, Durbin, Eshoo, Furse, (John) Lewis, Meehan, (George) Miller, Moran, Roybal-Allard, Visclosky, Waxman, Wyden, and Yates.

Additionally, a "dear colleague" letter is currently being circulated by Reps. Hansen and Waxman to solicit more support for the Commitment to Our Children.

Current Legislation

A number of bills already have been introduced in the House and Senate that would undermine the FDA proposal. None of the bills has been acted upon yet, and it is likely that they will not be addressed by Congress until the beginning of next year. Aside from these bills, threats to the FDA's proposal could also come through the appropriations process, in the form of a "regulatory reform" bill, as part of a broader FDA reform proposal, or as an amendment to other bills. The following is a summary of the bills that would weaken or stop the FDA's proposal.

HR 2414 "Youth Smoking Prevention Act of 1995"

Introduced by Rep. Scotty Baesler (D-KY), this is a "compromise" bill that purports to achieve the FDA's goals through other means. It is, in fact, full of weak provisions that would do more harm than good. The limited provisions of the bill would: prohibit FDA from regulating tobacco products; fine or penalize minors who purchase tobacco; restrict vending machines to supervised locations; and ban tobacco billboards "within line of sight" of a school or playground.

S. 1262 "The Tobacco Products Control Act"

Introduced by Senator Wendell Ford (D-KY), this bill also purports to address many of the concerns raised by FDA, but does not contain any significant provisions that will reduce tobacco use by kids. The bill would: prohibit the FDA from regulating tobacco products; restrict vending machines to "plain view" and under supervision of an employee; and permit the placement of billboards near schools or playgrounds if located on buildings which sell tobacco.

HR 2265 and S. 1295 "Regulation of Tobacco Products or Advertising Used or Purchased by NASCAR"

The House bill was introduced by Rep. Funderbunk (R-NC) and in the Senate by Jesse Helms (R-NC). These bills only address narrow portions of the FDA's proposal. They would: prohibit FDA from regulating tobacco products and prohibit the FDA from regulating tobacco advertising used by the National Association of Stock Car Automobile Racing (NASCAR) or any other professional motor sports association.

HR 2283

Introduced by Rep. Lewis Payne (D-VA), this bill would simply prohibit the FDA from regulating the sale or use of tobacco products.

Key States

The CAMPAIGN has compiled a list of Members of Congress who we believe will cast crucial votes if and when a bill to stop the President's initiative becomes active. Based on this, we have developed a plan to mobilize activists and media in the states of these lawmakers to create as much public pressure as possible to support the FDA regulations. This involves outreach not only to the tobacco control public health activists traditionally involved in this issue, but also tapping into other networks and appealing to the general public in order to broaden our impact. Media-related activities in the key states will include editorial board visits, advertising, media events, op-eds, and letters to the editor.

The goal of the key states strategy is to create a public atmosphere supportive of the President's initiative and to let Members of Congress know that their actions on this important issue are being closely followed. The top priority states that we have identified are: Arkansas, California, Connecticut, Delaware, Hawaii, Indiana, Kansas, Maine, Nebraska, Oregon, South Dakota, Utah, and Vermont. The second-tier states on which we are focusing include: Colorado, Georgia, Illinois, Louisiana, Maryland, Michigan, Nevada, New York, Pennsylvania, Rhode Island, and Texas.

Key States Plan

This list of key states is based on the following factors: Our first priority must be to insure that we have sufficient votes in the U.S. Senate to block any legislative effort to undermine the FDA regulatory process. To hold the Senate, we need solid support among Republican moderates, general support from the Democratic leadership, and reasonably solid support from non-tobacco state Democrats. Our second priority should be to develop broad-based national support so that Republicans in both Houses of Congress will not want to be closely tied to an effort to gut FDA's proposal. Our third priority should focus on key members of the House to build support among key Democrats who are in a position to fight the House Republican leadership.

Top Priority States for Initial Senate Focus

Arkansas -- Both Bumpers and Pryor are likely, but not guaranteed, supporters.

California -- California is a high priority state because of its visibility and its influence on the national debate. It is also considered a key state in the upcoming Presidential elections so that California public opinion will be very important. Boxer is a solid supporter, and Feinstein is a likely supporter.

Connecticut -- Dodd and Lieberman are important Democratic votes. Both are under pressure because of U.S. Tobacco. Lieberman is also a strong First Amendment advocate. In the past, however, both have generally voted for pro-health policies.

Delaware -- Biden often votes in favor of tobacco control policies, but his vote on this matter is by no means guaranteed, as he could oppose the proposal on First Amendment grounds. Roth has opposed us on tobacco tax issues before, but may be willing to support the President's initiative in this case.

Hawaii -- Friendship between Hawaii's two Democratic senators and tobacco-state lawmakers could prevent Inouye and Akaka from supporting the FDA. By philosophy, however, the two senators should be allies. Akaka will be easier than Inouye.

Indiana -- Coats is against our position, but Richard Lugar is a potentially important Republican ally. Lugar was a leader on the effort to remove smokeless tobacco ads from television and to require warnings on smokeless tobacco packs and ads. He is an avowed opponent of "big government" however.

Kansas -- Nancy Kassebaum has been critical of FDA in general and of adding tobacco to FDA's plate. On the other hand, she has been a visible advocate for children's issues and is in a position to influence the outcome. Dole has been a solid ally of the tobacco industry for the last decade, however his presidential candidacy gives us an opportunity to convince him that he does not want to tie himself too closely to the tobacco industry.

Maine -- Cohen and Snowe are both moderate Republicans who are potential supporters. Cohen has been a supporter in the past; Snowe is more sensitive to women's issues.

Nebraska -- Kerry and Exon are both potential allies, but both will require some real work.

Oregon -- Hatfield is a supporter and he could be convinced to take a leadership role.

South Dakota -- Daschle is particularly important in light of his Democratic leadership role. Pressler is an unlikely Republican ally, but is not entirely in opposition to our position. Pressler spokeout against the "Dakota" brand cigarettes a few years back.

Utah -- Hatch could be an important vote because of his constituency's dislike of tobacco products. Hatch is a strong opponent of the FDA however, and he may try to work behind the scenes to subvert the regulations. The effort in Utah must make the issue, and Hatch's stance on it, visible. Bennett's announced support should be rewarded and capitalized upon.

Vermont -- Leahy should be a solid vote, but may need reinforcing. Jeffords is a moderate Republican who has been supportive on many issues.

Congress of the United States
House of Representatives
Washington, DC 20515

November 6, 1995

MAKE A COMMITMENT TO OUR CHILDREN

Support efforts to stop youth smoking.

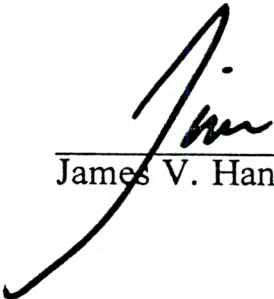
Dear Colleague:

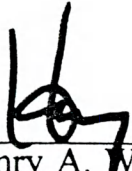
On the reverse side is a "Commitment to Our Children." It explains why teen smoking is a true "pediatric disease" according to the American Academy of Pediatrics, and why every Member of Congress should make a commitment to decrease tobacco use by children.

This nation can no longer close its eyes to a product that kills over 400,000 Americans each year. Given the increase in smoking among youth and the fact that 80 percent of adult smokers start as children, we must take the necessary steps to prevent another generation from becoming addicted to deadly tobacco products.

We hope you will join us, and a bipartisan group of our colleagues, in our commitment to: (1) support the common-sense goal of decreasing tobacco use by children; and (2) oppose any efforts to enact legislation that weaken or delay the current proposal to decrease tobacco use by children. After signing, please return to 2466 Rayburn (Hansen) or 2408 Rayburn (Waxman).

Sincerely,



James V. Hansen, M.C.

Henry A. Waxman, M.C.

A COMMITMENT TO OUR CHILDREN

Whereas more children alive today will die from tobacco use than from any other single cause -- including, AIDS, alcohol, car accidents, murders, suicides, illegal drugs, and fires combined.

Whereas child smoking rates are rising, with the number of eighth-graders who smoke increasing 30% between 1991 and 1994.

Whereas every day, another 3,000 American children start to smoke, nearly 1,000 of whom will die from lung cancer and other diseases cause by smoking.

Whereas the tobacco industry spends over \$6 billion a year on advertisements and promotions that, whether intentional or not, have the effect of encouraging children to use tobacco products.

Whereas over 85% of the children who smoke use one of the three most heavily advertised cigarette brands (Marlboro, Camel, or Newport).

Whereas state and local laws restricting tobacco sales to minors have been largely ineffective.

Therefore, I commit:

1. To support the common-sense goal of decreasing tobacco use by children by reducing the access and appeal of tobacco products to children; and
2. To oppose efforts to enact legislation that would weaken or delay the Present's proposal to decrease tobacco use by children.

Signed: _____

Dated: _____

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CAMPAIGN for TOBACCO-FREE Kids

OPPOSITION

The tobacco industry and its allies have actively opposed the President's initiative in a variety of ways, including lobbying, lawsuits, political donations, advocacy advertisements, and "grassroots" campaigns.

Lobbying

It is unknown how much direct lobbying the tobacco industry has undertaken regarding the President's initiative. Tobacco lobbyists are presumed to have been involved in drafting several bills that would weaken or stop the FDA's proposal. Please see the "Legislative" section of this briefing book for more information on these bills and the industry's legislative strategy.

Lawsuits

Immediately after President Clinton announced his initiative, the tobacco industry, major advertising associations, and tobacco farmers all filed lawsuits to stop the proposed FDA regulations. The tobacco industry's suit claims that the FDA does not have the authority to regulate tobacco products, while the country's major advertising associations claim that the FDA regulations would be a violation of the First Amendment's protection of free speech. The suits have been filed in Federal court in North Carolina and will be heard by Judge William Osteen, who has ruled favorably for the tobacco industry in other suits.

Some tobacco-industry allies in Congress, including Rep. Tom Bliley (R-VA), have indicated that they would not pursue legislation to block the FDA because they believe the matter will be settled favorably, from their perspective, in court.

Other, unrelated court cases could affect the FDA's advertising restrictions. The Supreme Court recently heard a case concerning restrictions on alcohol advertising in Rhode Island that could affect the President's initiative.

Political Contributions

In 1995, the tobacco industry's political contributions have increased dramatically, especially to the Republican party. The tobacco companies have increased their donations to various national Republican committees by over 500 percent in 1995, including \$700,000 in donations from Philip Morris alone -- the largest single donor to any party. Philip Morris is also a contributor to the host committee for the 1996 Republican National Convention in San Diego. Geoffrey Bible, chairman of Philip Morris, N.G. Brooks,

chairman of Brown & Williamson, and Charles Harper, chairman of RJR Nabisco, each gave or raised \$100,000 for a "Salute to Newt" Republican fundraising dinner in July.

Tobacco contributions to the Democratic party have also been significant, with over \$100,000 in soft money thus far in 1995. In addition, tens of thousands of dollars have gone to Members of Congress of both parties through tobacco PACs.

Advocacy Advertisements

Philip Morris and R.J. Reynolds have placed full-page advocacy advertisements in newspapers and magazines throughout the country. The ads generally stress libertarian themes, warning of "government intrusion" in decisions between parents and children and raising the specter of prohibition of tobacco products. Some of the ads tout the industry's "voluntary" programs that the tobacco companies promote as a substitute for government regulations.

The ads appeared regularly in newspapers around the country from shortly after the President's announcement in August until the middle of October. They continue to appear in *Roll Call* and *The Hill*, two publications that reach Capitol Hill as well as business and government-related enterprises.

Additionally, the Western Dark Fired Tobacco Growers Association placed ads in two Kentucky newspapers warning of prohibition of tobacco products.

"Grassroots" Campaigns

The tobacco industry has several "front" organizations that are working against the FDA regulations. The National Smokers' Alliance (NSA), a national "smokers' rights" group that was established by Burson-Marsteller, Philip Morris' public relations agency, and the Smoker's Advocate, a Philip Morris newsletter, have called for opposition to the President's initiative. The NSA claims over one million members and it is likely that Congress and the FDA have received many comments generated through these groups. One comment letter from a citizen to the FDA, for example, was (inadvertently) accompanied by an instruction sheet on how to write the letter.

The Competitive Enterprise Institute (CEI) and the CATO Institute, libertarian think tanks that receive money from the tobacco industry, have been vocal critics of the FDA regulations. CEI has placed many op-eds critical of tobacco regulation, and has distributed press releases sarcastically calling for regulation of products that contain caffeine if tobacco products are to be regulated.

The industry has also used professional motor sports events, such as NASCAR races, to generate opposition to the FDA regulations.

Common Cause

FOR RELEASE:

Wednesday, September 13, 1995

CONTACT: Jackie G. Howell
Lori Shinseki

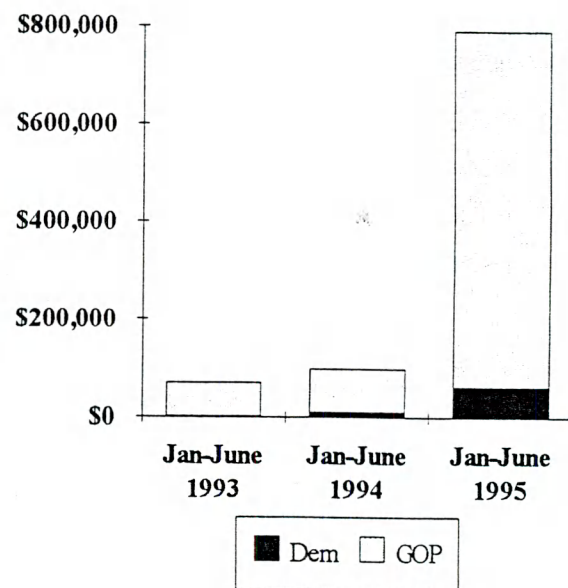
TOBACCO INTERESTS INCREASE SOFT MONEY CONTRIBUTIONS FIVE-FOLD, GIVING \$1.5 MILLION TO REPUBLICANS DURING FIRST SIX MONTHS OF 1995; PHILIP MORRIS SETS RECORD, GIVING \$730,000 IN SOFT MONEY TO REPUBLICANS, COMMON CAUSE STUDY FINDS

As the tobacco industry comes under increasingly severe public and governmental scrutiny, tobacco interests have made a record-setting \$1.5 million in soft money contributions to the Republican party during the first six months of 1995, according to a Common Cause study released today.

Philip Morris, the country's largest cigarette company, gave \$729,749 in soft money to the Republicans during the period January 1 through June 30, 1995, a record for soft money

contributions from a single donor to a single political party, or even to both parties combined, during the first six months of a year, the Common Cause study found.

**Philip Morris
Soft Money Contributions**



**SOFT MONEY CONTRIBUTIONS TO
REPUBLICAN NATIONAL PARTY COMMITTEES
JANUARY THROUGH JUNE 1991-1995**

	<u>1991</u>	<u>1992</u>	<u>1993</u>	<u>1994</u>	<u>1995</u>
Philip Morris	\$78,330	\$99,000	\$70,000	\$89,000	\$729,749
RJR Nabisco	\$105,000	\$163,600	\$21,000	\$59,752	\$286,450
Brown & Williamson	\$0	\$0	\$0	\$1,000	\$260,000

Overall, tobacco interests contributed \$1,536,909 in soft money to Republican national party committees during the period January 1 through June 30, 1995, a tobacco industry record for the first six months of a year, according to the Common Cause study.

The \$1.5-million figure represented a five-fold increase over tobacco industry soft money contributions to Republicans during the first six months of 1994 and 1993, the study found.

The record tobacco industry soft money to the Republicans was given as the industry came under increasing attack from the executive branch. "The Food and Drug Administration has concluded that it can regulate nicotine as a drug, and the White House is considering a crackdown on the tobacco industry to reduce sales to minors. Meanwhile, the Justice Department is investigating whether tobacco industry executives lied to Congress and concealed evidence about the use and addictiveness of nicotine," according to *The Wall Street Journal*.

Tobacco interests gave \$154,950 in soft money to Democratic national party committees, one-tenth of the amount they gave to Republicans, during the first half of 1995, according to the Common Cause study.

The \$1,691,859 in tobacco interests' total soft money contributions to both parties during the first half of 1995 is by far the tobacco industry's largest soft money total during the first six months of any year since records were made available, Common Cause found. National political party committees have been required by the Federal Election Commission (FEC) to disclose their soft

money contributions since 1991.

"The tobacco industry's big money political contributions are hazardous to the health of our citizens and to the health of our democracy," Common Cause President Ann McBride said. "The tobacco industry's extraordinary level of giving in the first six months of this year presents a clear and dramatic picture of how huge corrupting contributions are being carefully targeted to affect the outcome of government decisions."

PHILIP MORRIS SETS SOFT MONEY RECORDS

Tobacco giant Philip Morris' record \$729,749 in soft money contributions to the Republicans represents a more than 10-fold increase over the company's contributions to Republicans during the first half of 1993, the previous off-election year, and an eight-fold increase over the company's contributions to Republicans during the comparable period in 1994, according to the Common Cause study.

Philip Morris contributed \$61,000 in soft money to the Democrats during the first six months of 1995, according to the study.

Overall, Philip Morris gave a total \$790,749 in soft money during the period January through June 1995, according to the Common Cause study. Philip Morris' soft money contributions during the first half of 1995 exceed the tobacco company's total soft money contributions of \$746,547 given during the *entire* 1993-1994 two-year election cycle, the study found.

During the first six months of 1995, Philip Morris gave seven soft money contributions of \$50,000 or more, including separate soft money contributions of \$50,000 each to the Republican National Committee (RNC) and to the Democratic National Committee (DNC) on the same day -- March 14, according to the study.

Philip Morris' largest individual soft money gift during the period was a \$200,000

contribution to the RNC on January 9, 1995, according to Common Cause.

PHILIP MORRIS' PAC SWITCH

During the first six months of 1995, Philip Morris gave \$149,550 in political action committee (PAC) money, or 77 percent of its PAC contributions, to Republican congressional candidates, according to the Common Cause study.

In contrast, during the first six months of 1994, Philip Morris gave \$67,400 in PAC money, or 39 percent of its PAC contributions, to Republican congressional candidates, Common Cause found.

During the full 1993-1994 election cycle, Philip Morris gave 38 percent of its PAC contributions to

Republicans and 62 percent to Democrats, according to the study.

In October 1994, the *Journal of the American Medical Association (JAMA)* published a statistical analysis of whether tobacco industry political contributions to Members of Congress influence the federal tobacco policymaking process.

"The [JAMA] researchers found that on bills ranging from tobacco control measures to cigarette taxes, those Senators who ranked in the top quarter of recipients of industry funds were 42.2 times more likely to vote with the tobacco industry than their colleagues in the lowest quarter; House members in the top tier were 14.4 times more likely to vote with tobacco than those in the bottom tier," according to *The Washington Post*.

OTHER TOBACCO INTERESTS CONTRIBUTE TO INDUSTRY'S RECORD DURING FIRST SIX MONTHS OF 1995

In addition to Philip Morris' record-breaking soft money contributions during the first six

PHILIP MORRIS PAC CONTRIBUTIONS JANUARY THROUGH JUNE 1993-1995			
	<u>1993</u>	<u>1994</u>	<u>1995</u>
Republicans	\$83,321	\$67,400	\$149,550
Democrats	99,002	103,447	44,750

	<u>1993</u>	<u>1994</u>	<u>1995</u>
Republicans	\$83,321	\$67,400	\$149,550
Democrats	99,002	103,447	44,750

**TOBACCO INDUSTRY SOFT MONEY CONTRIBUTIONS
JANUARY THROUGH JUNE 1991-1995**

	<u>1991</u>	<u>1992</u>	<u>1993</u>	<u>1994</u>	<u>1995</u>
Republicans	\$376,724	\$737,914	\$293,315	\$313,022	\$1,536,909
Democrats	\$254,250	\$351,946	\$118,250	\$76,750	\$154,950

months of 1995, the Common Cause study found:

- **RJ Reynolds Tobacco Co** and its parent company **RJR Nabisco** contributed \$322,700 in soft money, giving \$286,450 to the Republicans and \$36,250 to the Democrats;
- **Brown & Williamson Tobacco Corp** contributed \$260,000 in soft money -- all to the Republicans;
- **US Tobacco Co (UST)** contributed \$117,660 in soft money, giving \$90,210 to the Republicans and \$27,450 to the Democrats;
- **Lorillard Tobacco Co** contributed \$70,000 in soft money, giving \$55,000 to the Republicans and \$15,000 to the Democrats;
- **The Smokeless Tobacco Council** contributed \$66,500 in soft money -- all to the Republicans; and
- **The Tobacco Institute** contributed \$64,250 in soft money, giving \$49,000 to the Republicans and \$15,250 to the Democrats.

SOFT MONEY & HARD MONEY

Under current law, corporations and labor unions are prohibited from making contributions in connection with a federal election, while individuals and PACs are subject to federal limits. Hard money means contributions that are legal under federal law for federal elections. Soft money means contributions which are outside the limits and prohibitions of federal law, including large individual or PAC contributions and direct corporate or union contributions.

The Common Cause study is based on national political party committee reports of their non-federal, or soft money, accounts from January 1, 1995 through June 30, 1995 filed with the FEC.

Republican soft money figures include soft money contributions to the Republican National

Committee (RNC), National Republican Senatorial Committee (NRSC), National Republican Congressional Committee (NRCC), and the Republican Senate-House Dinner Committee.

Democratic soft money figures include soft money contributions to the Democratic National Committee (DNC), Democratic Senatorial Campaign Committee (DSCC), Democratic Congressional Campaign Committee (DCCC), and the Democratic Congressional Dinner Committee.

National political party committees were required to disclose their soft money contributions beginning in 1991, after Common Cause filed a petition with the FEC, challenging the way in which the FEC was treating soft money.

The Common Cause study is part of a continuing series of studies examining soft money contributions to the national party committees. Contact the Common Cause Press Office at (202) 736-5770 for additional information.

#

DEMOCRATIC 'SOFT MONEY' SCORECARD

After the Democratic Party lost control of Congress last fall, its national committees raised only about half as much "soft money" as their GOP counterparts in the first half of 1995. About \$5.3 million of the \$10.5 million the Democrats raised in the six-month period came in donations of \$50,000 or more from wealthy individuals, corporations and

labor unions, according to an analysis of Federal Election Commission reports by Common Cause. The group is lobbying for a ban on soft money as part of a comprehensive campaign finance reform bill.

Almost \$9 million of the Democrats' soft money was raised by the Democratic National Committee,

rather than the congressional fund-raising committees. Such unlimited donations cannot go directly to federal candidates, but both parties use soft money to pay administrative costs and fund generic party-building activities such as voter registration and advertising.

—Charles R. Babcock

Donations to national Democratic committees, Jan. 1-June 30, 1995

\$375,000	
The Seagram Co.	Food and liquor
\$260,000	
Harold Nix & Associates	Lawyers/lobbyists
\$180,000	
Milberg, Weiss, Bershad, Hynes & Lerach	Lawyers/lobbyists
\$175,000	
Chung, Johnny (owner, Automated Intelligence Systems)	Miscellaneous business
\$156,500	
The Yucaipa Companies	Food and liquor
\$120,000	
Schwartz, Bernard L. (chairman & president, Loral Corp.)	Aerospace and defense
\$115,000	
Service Employees International Union	Labor
\$110,000	
Abex Inc.	Aerospace and defense
Entergy Corp.	Energy
\$103,000	
Walt Disney Co.	Entertainment
\$100,500	
United Food & Commercial Workers International	Labor
\$100,000	
American Federation of State, County & Municipal Employees	Labor
Connell Rice & Sugar Co.	Agriculture
Deloitte & Touche	Accounting
Future Tech International Inc.	Computer and electronics
Geffen, David	Recording producer
Revlon Group Inc.	Miscellaneous business
Shaw, David E. (CEO, DE Shaw & Co)	Finance
Shorenstein, Walter H. (chairman, Milton Myer & Co.)	Real estate and construction
Spielberg, Steven (Amblin Entertainment)	Film producer
Spielvogel, Carl (Backer & Spielvogel)	Advertising executive
Windmere Corp.	General manufacturing
\$87,250	
American Postal Workers Union	Labor
\$87,000	
Atlantic Richfield Co.	Energy
\$85,000	
International Association of Machinists & Aerospace Workers	Labor
Rollnick, William D.	Investor
\$83,000	
Chevron Corp.	Energy

\$80,150	
Ziff, Dirk (president, Ziff Communications)	Communications
\$80,000	
Allison, Gary	Film producer
Bailey, F. Kenneth (Williams Bailey & Wesner)	Attorney
Cofrin, Gladys G.	Community volunteer
Conn, C. W. Jr. (CEO, CW Conn Jr Realty)	Real estate and construction
Hutchins, Glenn H. (The Blackstone Group)	Investor
Jones, Franklin Jr. (Jones Jones & Curry)	Attorney
Schultz, Frederick H. (owner, Schultz Investments)	Real estate and construction
\$71,900	
National Education Association	Labor
\$67,000	
Time Warner Inc.	Communications
\$65,250	
Anheuser-Busch Co.	Food and liquor
\$65,000	
Raani Corp.	Miscellaneous business
US West Inc.	Communications
\$64,750	
United Technologies Corp.	Aerospace and defense
\$61,000	
Philip Morris Cos.	Tobacco
\$60,000	
Archer Daniels Midland Co.	Agriculture
\$55,000	
Kertzman, Mitchell E. (chairman & CEO, Powersoft Corp.)	Computer and electronics
\$51,900	
Sprint Corp.	Communications
\$50,500	
American Federation Of Teachers	Labor
\$50,000	
Daihatsu International Trading Inc.	International trade
Davis, Marvin (president, The Davis Cos.)	Entertainment
Dayton, Mark B. (president, Vermillion Investment)	Family investments
DeNaples, Louis (chairman, First National Community Bank)	Finance
Fishelson, Julie (chair, Redhead Brass)	General manufacturing
Mills, Olan II (director, Olan Mills Inc.)	Miscellaneous business
Murase, Jiro (partner, Marks Murase & White)	Lawyers/lobbyists
Princeton Venture Research Inc.	Finance
Rapoport, Bernard (chairman, American Income Life Insurance Co.)	Insurance
Rattner, Steven (Lazard Freres & Co.)	Investment banker
Ruesch International	Finance
Rzepka, Fred (partner, Transcon Builders Inc.)	Real estate and construction
United Auto Workers	Labor

SOURCE: Common Cause from Federal Election Commission reports

NOTE: Totals cover donations to the Democratic National Committee, Democratic Congressional Campaign Committee, Democratic Senatorial Campaign Committee and the Democratic Congressional Dinner Committee. In some cases they include donations by corporate subsidiaries or individual officers.

THE FEDERAL PAGE

GOP 'SOFT MONEY' SCORECARD

Congress starts another round of hearings on campaign finance reform today, with House Speaker Newt Gingrich (R-Ga.) the scheduled lead witness before the House Oversight Committee. Both parties continue to collect millions in "soft money" donations from corporations and wealthy individuals—money intended for party administrative costs, voter registration, turnout and the like. Corporations are not permitted to give to federal election candidates.

Bipartisan bills that would ban soft money as part of a campaign finance system overhaul have been introduced in the House and Senate. Gingrich co-sponsored such a bill last year.

Federal Election Commission records from the latest filing period, analyzed by the lobby group Common Cause, show that \$7.8 million of the record \$20 million in soft money the various Republican Party committees raised in the first six months of the year came in amounts of \$50,000 or more.

One new donor was News Corp., the media conglomerate headed by Rupert Murdoch. One of Murdoch's companies published Gingrich's best-selling book, "To Renew America."

—Charles R. Babcock

Donations to national Republican committees, Jan. 1–June 30, 1995

AMOUNT, NAME	DESCRIPTION
\$729,749	
Philip Morris Cos.	Tobacco
\$286,450	
RJR Nabisco Washington Inc.	Tobacco
\$260,000	
Brown & Williamson Tobacco Corp.	Tobacco
\$215,900	
Atlantic Richfield Co.	Energy
\$205,000	
Archer Daniels Midland Co.	Agriculture
\$201,500	
News Corp. (Rupert Murdoch, chairman & CEO)	Communications
\$175,000	
Forstmann, Little & Co.	Finance
\$170,000	
Reliance Group Holdings Inc.	Insurance

\$165,000		
The Seagram Co.	Food and liquor	
\$150,000		
US Asia Commercial Development Corp.	International trade	
\$140,000		
American Financial Corp.	Insurance	
\$131,700		
Textron Inc.	Aerospace and defense	
\$125,750		
Chevron Corp.	Energy	
\$105,000		
Ansel, Jerome V. (president, St. Andrews Realty)	Real estate and construction	
Time Warner Inc.	Communications	
\$102,708		
Blue Cross & Blue Shield Association	Insurance	
\$100,000		
Fruit of the Loom Inc.	Textile	
Mashek, Chandler C.	Political/Ideological	
PaineWebber Group Inc.	Finance	
\$97,000		
CSX Corp.	Transportation	
Union Pacific Corp.	Transportation	
\$91,250		
Prudential Insurance Co. of America	Insurance	
\$90,210		
US Tobacco Co.	Tobacco	
\$90,000		
Pfizer Inc.	Pharmaceuticals	
\$85,750		
Public Securities Association	Finance	
\$85,000		
Enron Corp.	Energy	
Entergy Corp.	Energy	
Morningstar Group	Food and liquor	
\$80,950		
Boeing Co.	Aerospace and defense	
\$80,000		
Mesa Petroleum Co.	Energy	
Sprint Corp.	Communications	
\$78,400		
BankAmerica Corp.	Finance	

\$78,200		
ICI Americas Inc.	Chemical	
\$78,000		
American International Group Inc.	Insurance	
\$77,000		
Travelers Corp.	Insurance	
\$76,450		
US West Inc.	Communications	
\$75,000		
Limited Inc.	Retail	
\$72,500		
Coastal Paper Co.	Forest and paper products	
\$71,000		
Craig, Mr. & Mrs. Earle M. (Earle M. Craig Jr. Corp.)	Energy	
\$70,500		
Coca-Cola Co.	Food and liquor	
\$70,000		
Comcast Corp.	Communications	
\$69,200		
Society of the Plastics Industry Inc.	Chemical	
\$66,800		
General Electric Co.	Aerospace and defense	
\$66,500		
Smokeless Tobacco Council Inc.	Tobacco	
\$66,000		
British Petroleum	Energy	
\$65,105		
National Association of Chain Drug Stores	Retail	
\$65,000		
Amgen Inc.	Pharmaceuticals	
CS First Boston Group Inc.	Finance	
Eli Lilly & Co.	Pharmaceuticals	
Warnaco Inc.	Textile	
\$63,000		
WMX Technologies Inc.	Environmental and waste services	
\$62,000		
Ciba-Geigy	Pharmaceuticals	
\$60,400		
Chicago Mercantile Exchange	Agriculture	
Fluor Corp.	Engineering and contracting	
\$60,000		
American Council of Life Insurance	Insurance	

Brown-Forman Corp.	Food and liquor
Dow Chemical Co.	Chemical
Fisher, Donald G. (chairman & CEO, The Gap)	Textile
W.R. Grace & Co.	Chemical
\$57,500	
American Trucking Associations	Transportation
National Soft Drink Association	Food and liquor
Pacific Telesis Group	Communications
\$55,000	
Browning Ferris Industries	Environmental and waste services
	Agriculture
ConAgra Inc.	
Federal Home Loan Mortgage Corp.	Real estate and construction
GTECH Corp.	Gambling and casinos
Lorillard Tobacco Co.	Tobacco
Monsanto Co.	Chemical
\$54,000	
Massachusetts Mutual Life Insurance Co.	Insurance
\$53,400	
Chemical Manufacturers Association	Chemical
\$52,000	
AT&T	Communications
Utilicorp United	Energy
\$50,000	
Anheuser-Busch Cos.	Food and liquor
Association of Trial Lawyers of America	Lawyers/lobbyists
Bristol-Myers Squibb Co.	Pharmaceuticals
Conley, William Michael (president, Regal Corp.)	Real estate and construction
Conran Corp.	Agriculture
Glaxo Inc.	Pharmaceuticals
Invermed Associates Inc.	Finance
Merrill, Philip (owner, Washingtonian)	Magazine
Protective Life Corp.	Insurance
Scenering-Plough Corp.	Pharmaceuticals
State Industries Inc.	General manufacturing
Ticketmaster Corp.	Entertainment

Friday: The Democrats

SOURCE: Common Cause from Federal Election Commission reports

NOTE: Totals cover donations to the Republican National Committee, National Republican Senatorial Committee, National Republican Congressional Committee and Republican Senate-House Dinner Committee. In some cases they include donations by corporate subsidiaries or individual officials.



WHO SHOULD BE RESPONSIBLE FOR YOUR CHILDREN, A BUREAUCRAT OR YOU?

Right now, the Federal bureaucracy wants to tell you and your children how to behave. In short, they want to become responsible for teaching your children about important lifestyle decisions and values.

In our society, the Government should not replace parents and teachers when it comes to educating our children about smoking, drinking and other important lifestyle decisions.

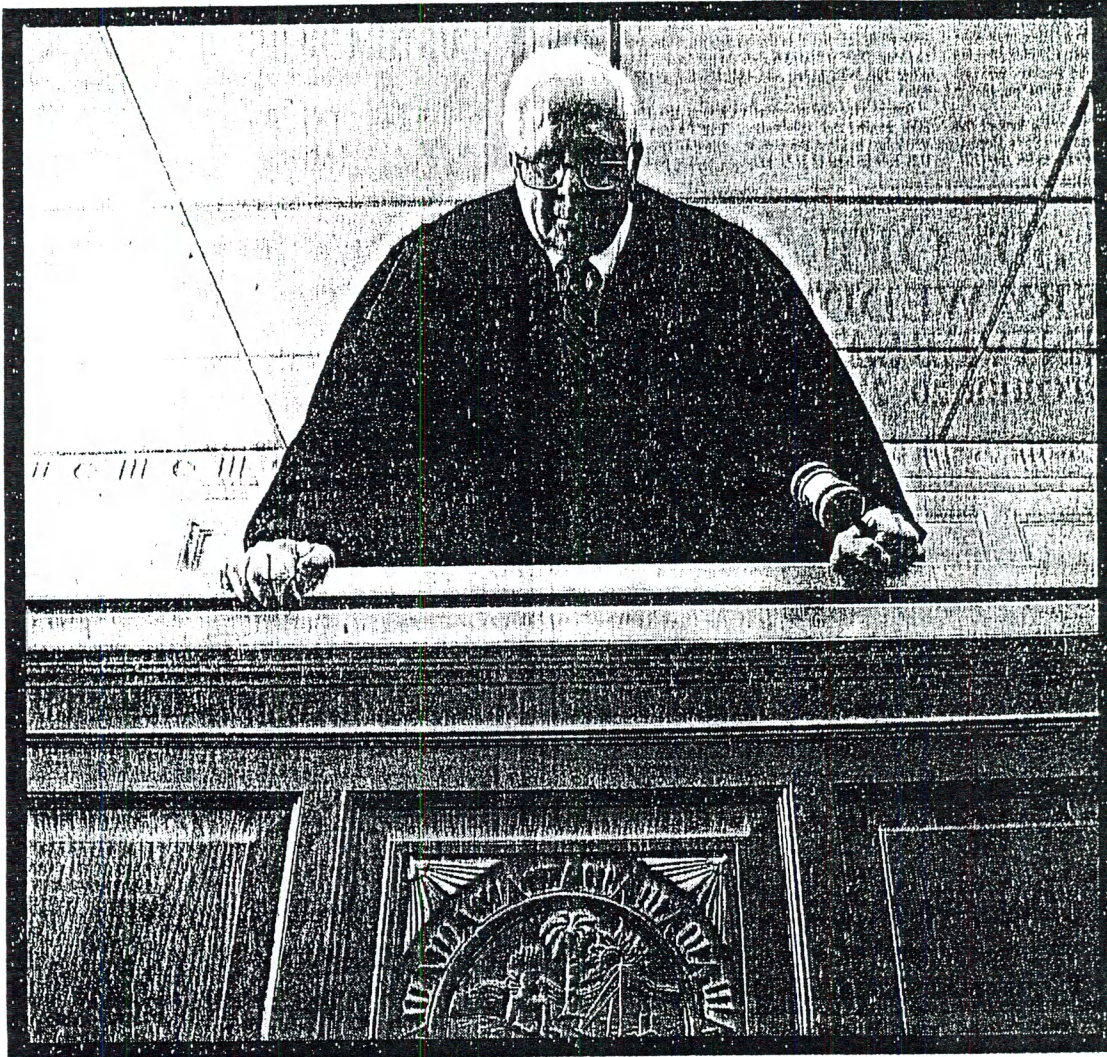
We all agree we must do something to keep cigarettes out of the hands of children under the age of eighteen. But the answer isn't more bureaucracy.

A proven solution is to teach young people how to resist peer pressure and to enforce the existing laws in 50 states denying children access to cigarettes.

We support and are funding efforts to expand current educational programs for parents, teachers and children—programs that teach children how to resist peer pressure and make more fully-informed decisions.

This message is brought to you in the interest of an informed debate by R.J.Reynolds Tobacco Company. To receive a free 12-page brochure and Youth Education Kit, call 1-800-366-8441.

TOGETHER, WE CAN WORK IT OUT



IF WE ENFORCED THE LAWS NOW IN EFFECT IN 50 STATES, WE WOULD REDUCE UNDERAGE SMOKING DRAMATICALLY.

The President has proposed a huge additional Federal bureaucracy to increase regulation of the tobacco industry. Under the Administration's plan, the Food and Drug Administration would have jurisdiction over all tobacco products. While there is agreement on reducing youth smoking, is the real agenda the eventual prohibition of tobacco in America?

Already, state laws exist that limit youth access. All states have established a minimum age limit of at least eighteen for buying cigarettes; many limit vending machine placement and require signage at retail outlets. In fact, 35 states require retailer licensing, and 47 states license wholesalers and distributors and prohibit retailers from selling ciga-

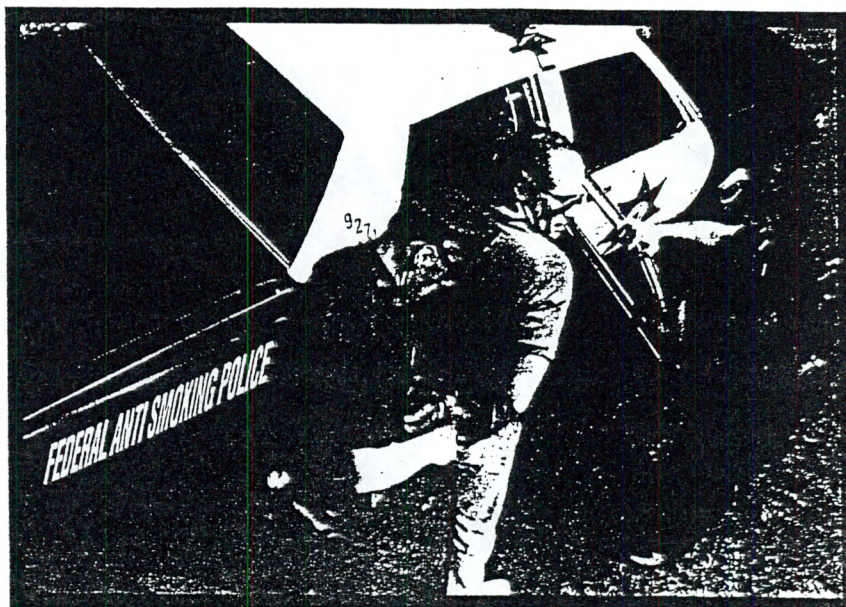
rettes to persons underage. A recent study* proves that enforcing minimum age laws currently on the books can reduce sales of cigarettes to minors by at least half.

We all agree we must do something to keep cigarettes out of the hands of children under the age of eighteen. But the answer isn't more bureaucracy. A proven solution is to teach young people how to resist peer pressure and to enforce the existing laws in 50 states denying children access to cigarettes.

This message is brought to you in the interest of an informed debate by R.J. Reynolds Tobacco Company. To receive a free 12-page brochure and Youth Education Kit, call 1-800-366-8441.

TOGETHER, WE CAN WORK IT OUT

*Retailer Education Study, Denver, CO, 1994. Dr. P. John Lymberopoulos, University of Colorado at Boulder.



The last thing our police forces want to worry about is America's 45 million smokers.

HAS THE GOVERNMENT GOT ITS PRIORITIES RIGHT?

When it comes to our national problems, Americans have a long list of urgent priorities: crime, unemployment, the deficit, welfare and drugs*. Unfortunately, it appears the Government has a different perspective. It seems that high on the Administration's list is a war against smoking.

While the President calls attention to his latest crusade, other problems facing Americans remain unanswered. The same big Government solutions that have been proposed to curtail underage smoking—millions of taxpayer dollars and the creation of additional Federal bureaucracy—have not

stopped crime, unemployment, the deficit or drugs.

We all agree we must do something to keep cigarettes out of the hands of children under the age of eighteen. But the answer isn't more bureaucracy. A proven solution is to teach young people how to resist peer pressure and to enforce the existing laws in 50 states denying children access to cigarettes.

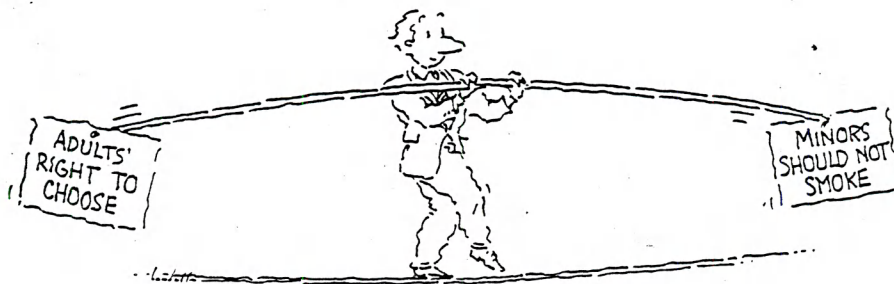
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TOGETHER, WE CAN WORK IT OUT

*CNN/USA Today Poll, July 7-9, 1995

Our position, word by word.

Balance



At Philip Morris, we believe that adults have a right to choose whether or not to smoke.

But we also believe that minors should not smoke. These two issues — preserving the right of adults to make personal choices and preventing minors from having access to cigarettes — are equally important. But they should be addressed separately. It's important to maintain a balanced view so both issues get the attention they deserve.

For instance, our recently launched initiative, *Action Against Access*, is one of the most comprehensive programs ever introduced to prevent minors from having access to cigarettes. We are confident that this program will make a difference.

On the other hand, we will continue to vigorously support the right of adults to make personal choices.

Our position is that the issue of youth and cigarettes should not be used to curtail the freedom of those adults who choose to smoke.

It's important to prevent minors from having access to cigarettes. But it's just as important to respect the rights of adult smokers and nonsmokers to make individual choices.



**We want you to know
where we stand.**

Facts Matter

In June of this year, Philip Morris voluntarily stopped distributing free samples of all its cigarette brands in the United States as part of its *Action Against Access* program.

Our position, word by word.

Youth



At Philip Morris, we believe that adults have the right to choose whether to smoke or not.

Minors, on the other hand, should not smoke. Period.

We also believe that preventing minors from having access to cigarettes is the key to addressing this issue.

That's why we recently launched *Action Against Access*, one of the most comprehensive programs ever introduced to combat the issue of youth access to cigarettes.

Action Against Access is a series of tough initiatives that have as their ultimate goal making all cigarette sales face-to-face transactions so age can be verified in person.

We are confident that, when fully implemented, this program will make a difference.

Everyone has a role to play in preventing youth access: educators, lawmakers, parents, communities. And, of course, the tobacco industry.

At Philip Morris we will continue to take a leadership role so that minors do not have access to cigarettes.



**We want you to know
where we stand.**

Facts Matter

As part of *Action Against Access*, all Philip Morris cigarette packs and cartons in the United States will carry the following notice: "Underage sale prohibited."

Smokers' Advocate

OCTOBER 1995

A SERVICE OF PHILIP MORRIS U.S.A.

VOLUME 6 ISSUE 3

FDA Plan to Regulate Tobacco Could Lead to Ban on Cigarettes

On August 10, 1995, the Food and Drug Administration (FDA) issued an unprecedented plan to regulate the marketing and sale of cigarettes in this country.

The proposed regulations are so severe, and go so far beyond FDA Commissioner David Kessler's stated goal of preventing minors from smoking, that many have speculated that his real objective is a ban on cigarettes.

If enacted, the new regulations could interfere with adult smokers' ability to buy and enjoy cigarettes. For instance, the plan would impose strict

new restrictions at retail, including a ban on all vending machine sales and the elimination of all self-service displays.

The FDA's plan would ban tobacco-brand sponsorship of sporting and cultural events. The plan would also prohibit key consumer promotions, such as the Marlboro Country Store, as well as branded merchandise such as T-shirts and caps.

In short, the FDA's plan is an all out assault on the nation's adult smokers. The plan is clearly an attempt by unelected bureaucrats at the FDA to impose their personal views about smoking on the rest of the nation.

In seeking these tough anti-smoking provisions, the FDA has chosen to ignore a major initiative — Action Against Access — launched by Philip Morris U.S.A. last June, which is a comprehensive plan that addresses the key issue of youth access to cigarettes. Through this initiative, Philip Morris has undertaken several unilateral steps to try and prevent minors from having access to cigarettes. The company is also taking a leadership position in supporting reasonable state legislation designed to further restrict minors' access to cigarettes.

Like most Americans, Philip Morris does not want minors to smoke. However, Philip Morris is attempting to address the youth smoking issue in a way that does not interfere with the rights of the nation's adult smokers.

Commissioner Kessler's action had been anticipated for several months, as he has made no secret of his position on cigarette smoking. What surprised many, however was the scope and severity

ABC Apologizes for Claims that Philip Morris "Spikes" Cigarettes with Extra Nicotine

Capital Cities/ABC has agreed to settle the libel suit brought against it last year by Philip Morris Companies Inc. and Philip Morris U.S.A. The suit was filed after ABC's *DayOne* program alleged that Philip Morris routinely "spiked," or "fortified" cigarettes with nicotine from outside sources.

As part of the settlement, ABC acknowledged that it made a mistake and issued an apology. ABC's apology was aired during a *Monday Night Football* broadcast, during *ABC World News Tonight* and during *DayOne*.

In addition, ABC agreed to pay Philip Morris' attorneys' fees, costs, and out-of-pocket litigation expenses that Philip Morris incurred in connection with the lawsuit.

(continued on page 4)

(continued on page 3)

MIDWEST

Ohio. Cuyahoga city and county officials want smokers to help foot the bill for renovating Cleveland Stadium, despite indications that the Cleveland Browns football team is considering leaving the city. Smokers will have an opportunity to say "NO" to this effort on Election Day, when voters will be asked to consider a ten-year extension of the current cigarette excise tax.

SOUTHWEST

Texas. Plano City Council agrees to amend new anti-smoking ordinance after six local businesses filed a lawsuit challenging city's strict smoking measure. Settlement will allow businesses to set up designated smoking and non-smoking areas.

WEST

California. State Assembly rejects proposal by Los Angeles County legislators to assist the finan-

**STATEWATCH**

cially-strapped county through a 25-cent per pack increase in the state cigarette excise tax. State legislators had already rejected efforts to increase the tax by 17-cents per pack to provide economic relief to bankrupt Orange County.

Colorado. Boulder voters will go to the polls in November to vote on a modified proposal to limit smoking in public places. City council members offered the modified version after a ground swell of public opposition forced the reconsideration of a previously-adopted measure, which would have banned smoking completely from all public places, including restaurants and taverns.

Utah. Some members of the legislature want to increase the cigarette excise taxes as a way to fund new state anti-smoking programs. Gov. Leavitt says he will not take a position on the proposed tax hike until later this year.

Points you can make in opposing FDA regulation of cigarettes

Following are some points you may want to make in your letter to your senators and representative. If you agree with these statements, feel free to use them in your letters to your elected officials.

- Everyone agrees that minors should not smoke. But the FDA's plan to address the issue goes way beyond the youth smoking issue, and would infringe on the ability of adult smokers to purchase and enjoy cigarettes.

- Certainly the FDA has more important things to do than dictate politically-correct behavior.

- The president has directed the FDA to regulate tobacco at a time when the agency is woefully unable to fulfill its current obligations, including the approval of new drugs and medical devices. In fact, thousands of Americans are waiting for the FDA to approve potentially life-saving drugs and

medical devices — some that have been in use for years in other developed countries. As these Americans wait, Commissioner Kessler spends his time trying to expand his regulatory empire.

- Last year's elections sent a clear message that Americans want less, not more, government interference in their lives. Giving an unelected bureaucrat like Commissioner Kessler sweeping new powers over their personal decisions would clearly go against Americans' stated desires.

- There is no reason to allow the FDA to regulate cigarettes. Several federal and state agencies already have regulatory authority over the production, marketing, sale and consumption of cigarettes. Laws are already on the books in every state that prohibit the sale of cigarettes to minors. Let's do a better job of enforcing existing laws before adding to the government bureaucracy. □

Tell Your Legislators that you oppose FDA Regulation of Cigarettes

FDA regulation of tobacco will certainly be an issue for the U.S. Congress in the coming months. Already proposals have been introduced in both the House of Representatives and the Senate to prohibit the FDA from asserting regulatory control over tobacco.

It is absolutely essential that your senators and representative are aware that there is widespread public opposition to the FDA's illegal and draconian plan to regulate and even ban cigarettes.

You can write to your two U.S. Senators at the following address:

[Name of Senator]
United States Senate
Washington, D.C. 20510

You can write to your member of the House of Representatives as follows:

[Name of Representative]
U.S. House of Representatives
Washington, D.C. 20515

If you do not know your legislators' names or addresses, you can find out by calling your local board of elections. □

FDA Regulation of Tobacco Unwarranted, Illegal

(continued from page one)

of the FDA's plan. Many were also surprised that President Clinton endorsed the plan, and directed the agency to assert jurisdiction over the tobacco industry, even though Congress—and only Congress—has the authority to grant the FDA that power.

Philip Morris U.S.A. believes that FDA jurisdiction over the tobacco industry is illegal. On the day the FDA published its proposed regulations, Philip Morris joined with other members of the U.S. tobacco industry and a North Carolina advertising agency in filing a lawsuit in federal court to block the FDA's action.

Two other lawsuits, one by the advertising community and another by the manufacturers of smokeless tobacco, have also been filed to prevent FDA regulation of tobacco.

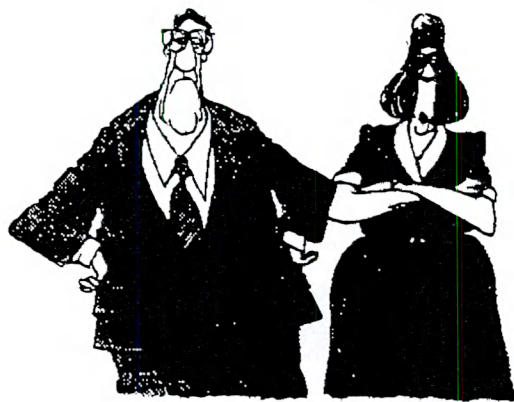
Meanwhile, on Capitol Hill, several pieces of legislation have been introduced to address the FDA's action.

When the FDA published its plan, it started the clock on a 90-day public comment period, which was recently extended to early December. At the conclusion of the comment period, the FDA will evaluate the comments received, and may decide to issue revised regulations.

But how can consumers most effectively oppose the FDA's plan to regulate cigarettes? By sending a letter to their members of Congress, letting them know that FDA regulation of cigarettes is neither needed nor wanted.

If Commissioner Kessler has his way, the manner in which cigarettes are marketed and sold in this country will be changed forever. To achieve that goal, Commissioner Kessler is apparently ready to trample on whatever laws, constitutional protections and individual freedoms happen to get in his way. All Americans have a stake in opposing David Kessler's unprecedented power grab. Please take a few minutes today, and let your elected officials in Washington know how you feel. □

Two things that can immediately reduce
teen smoking:



Parents.

Does Your Favorite Restaurant Accommodate Smokers?

If you were asked to describe what makes your favorite restaurant special, what would you say? Quality and selection of the food? Atmosphere? Wine list? Cost? Friendliness and competency of the staff? Cleanliness?

All of these probably have some degree of importance in determining what makes a restaurant stand out from the competition. But for smokers, whether or not a restaurant offers comfortable designated seating areas can be of paramount importance.

Next time you're out to dinner, you may want to take a moment to express to the restaurant manager your satisfaction, or dissatisfaction, with that establishment's smoking area.

You may also want to let the manager know about The Accommodation Program, a program offered by Philip Morris U.S.A. as a way to help restaurateurs and other business owners who want to ensure that all guests, smokers and non-smokers, have an enjoyable visit while in their establishment.

For more information on The Accommodation Program, please contact 1-800-494-7444. □

Day One Apologizes

(continued from page one)

"We are extremely pleased that the case has been resolved and that the 'spiking' charge is now behind us," said Charles R. Wall, senior vice president and deputy general counsel, Philip Morris Companies Inc.

The allegation that tobacco companies "spike" cigarettes with nicotine from outside sources received a great deal of attention not only by the media but also in congressional hearings, litigation, and by the FDA.

Philip Morris has repeatedly stated that it does not "spike" or "fortify" its cigarettes with additional nicotine and that, in fact, its finished cigarettes actually contain less nicotine than was contained in the raw materials from which they are made.

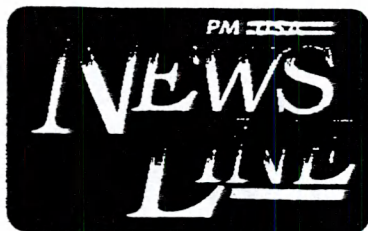
"There has been a great deal of unfair and misleading media coverage of the tobacco industry, particularly over the last few months. I'm glad that ABC has apologized for its mistake on the critical issue of 'spiking'. In the future, we hope the charges our critics level against us are not taken at face value, but are instead carefully scrutinized before they are accepted and publicized," Wall said. □

National Edition

Smokers' Advocate

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RETAILER EDITION

OCTOBER 1995

Points You May Want to Use to Oppose the FDA's Plan

Following are some points you may want to consider in writing to the FDA and to Congress:

- I agree that minors should not smoke or have access to tobacco products. We verify the ID's of all potential customers who may be under-age.
- There's already enough regulation at the local, state and federal levels. Government red tape and paperwork already consume too much time and money.
- Retailers are working to improve their compliance with underage sales laws. More federal regulations will not solve the issue of underage smoking.
- Tobacco companies pay me to display their signage. If self-service displays are

(continued on back page)

FDA PLAN COULD HURT TOBACCO SALES



Among those hardest hit economically by the FDA's plan to regulate tobacco would be the nation's tobacco retailers.

This is because, among other things, the FDA plan would:

- Ban all self-service displays.
- Ban all vending machine sales.
- Ban all promotional items such as clocks, change mats, T-shirts and caps that depict cigarette brand names or logos.
- Ban all consumer promotions that feature cigarette brand names or logos, including the Marlboro Country Store.
- Restrict cigarette advertising to black text on white background except in certain "adult" periodicals. Under

this provision, popular images such as the Marlboro Man and the Virginia Slims models would become illegal in some newspaper and magazine advertisements, depending upon readership profiles.

The FDA claims that these drastic measures are needed to prevent minors from smoking. While we agree that steps should be taken to prevent youths from smoking, these measures go way beyond their stated objective, and could dramatically affect an adult smoker's right to choose and your ability to sell cigarettes to adults.

The FDA is accepting public comments on this issue through January 2, 1996. You can have your opposition to the FDA's plan added to the official record by sending

a brief letter to the following address:

Docket #95N-0253
Dockets Management
Branch (HFA-305)
Food and Drug
Administration, Room 1-23
12420 Parklawn Drive
Rockville, MD 20857

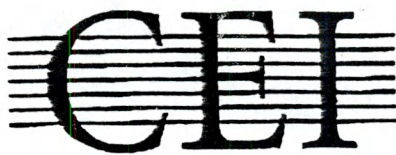
The FDA requires individuals writing on behalf of a business to submit a total of four copies of their letter.

You can also oppose the FDA's effort by sending copies of your letter to your U.S. senators and representative, so that they are aware of your opposition to the FDA's misguided regulatory plan.

It is critical that as many retailers as possible make their opposition known.

Please act today. Your business could depend on it.

□



COMPETITIVE ENTERPRISE INSTITUTE

Press Conference:

Contact: Greg Smith (202) 331-1010

CEI FINDS GROUNDS TO REGULATE CAFFEINE

Group Files Petition to Wake Up FDA

WASHINGTON, DC October 25—A public interest group is today petitioning the U.S. Food and Drug Administration to regulate coffee, colas and other caffeine-containing beverages as drugs. According to the Competitive Enterprise Institute, such regulation is mandated by FDA's proposal to regulate tobacco, which was released this past August.

CEI will unveil the petition at a press conference Wednesday, October 25, 11:00 AM at the Competitive Enterprise Institute, 1001 Connecticut Ave., NW (building entrance on K Street) Suite 1250.



CEI General Counsel Sam Kazman stated: "We do not claim that the risks of drinking these beverages are at all comparable to the risks of smoking, and in our view FDA regulation of such beverages would produce no social benefit. Nonetheless, FDA's tobacco proposal sets out new criteria for classifying substances as drugs and devices, and these criteria are as applicable to caffeine as they are to nicotine. FDA has an obligation to apply these criteria evenhandedly."

According to the CEI petition, there is an extensive medical literature describing caffeine's addictive nature and its pharmacological effects as a central nervous system stimulant. There is also evidence that consumers use caffeinated products to obtain these effects, and that industry manipulates caffeine levels in its products for this purpose. Finally, there is the issue of use by minors. FDA has noted that most regular smokers begin smoking as minors; similarly, in the words of one expert, "life-long patterns of caffeine consumption are probably often established in childhood". As a wide range of soft drink advertising campaigns demonstrate, industry deliberately markets these products to young people. "All the arguments FDA uses against tobacco can also be used against caffeine," states CEI analyst Ben Lieberman.

CEI is a non-profit, non-partisan public policy group dedicated to free markets and limited government. For a copy of the petition or for more information, call Greg Smith at (202) 331-1010.

Please RSVP acceptances to Debbie or Brenda at: (202) 331-1010