

FEDERAL TRADE COMMISSION

REPORT TO CONGRESS

Pursuant To The
Federal Cigarette Labeling and Advertising Act

June 30, 1967

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FEDERAL TRADE COMMISSION,
Washington, D.C.

To the Congress of the United States:

It is a pleasure to transmit herewith a report concerning (A) the effectiveness of cigarette labeling, (B) current practices and methods of cigarette advertising and promotion, and (C) recommendations for legislation which are deemed appropriate. This is a report directed by Section 5(d)(2) of the Federal Cigarette Labeling and Advertising Act.

PAUL RAND DIXON,
Chairman.

THE PRESIDENT OF THE SENATE.
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

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On July 27, 1965, the Congress enacted Public Law 89-92, known as the "Federal Cigarette Labeling and Advertising Act", 79 Stat. 282 (1965), 15 U.S.C. § 1331. The Act became effective on January 1, 1966.

Section 5(d)(2) of the Act states that "the Federal Trade Commission shall transmit a report to the Congress not later than eighteen months after the effective date of this Act, and annually thereafter, concerning (A) the effectiveness of cigarette labeling, (B) current practices and methods of cigarette advertising and promotion, and (C) such recommendations for legislation as it may deem appropriate."

Pursuant to said provision of the Act, the Federal Trade Commission respectfully submits the following report to the Congress.

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INTRODUCTORY NOTE

In preparing this report, the Commission has used as source material the results of three surveys. One was conducted by the Commission (hereinafter referred to as "Commission Survey") and the results which are pertinent to the subject of this Report are set out in Appendix A. The other two were national surveys of Smoking Behavior, Attitudes and Beliefs of Adults conducted under the direction of the United States Public Health Service in 1964 and 1966. Parts of these surveys which are pertinent to this report have been incorporated into one document (hereinafter referred to as "Public Health Survey") which is attached hereto as Appendix B.

The Commission Survey was conducted in April 1967 and consisted of a questionnaire sent to approximately 450 persons and organizations actively engaged or interested in the subject of smoking and health. 1/ Close to sixty percent responded. The selection of addressees was somewhat arbitrary and did not include the entire scientific community. However, an effort was made to include persons who had indicated opposition to governmental regulation in the area of cigarette smoking, although such persons were clearly in the minority. It should be noted that the Commission Survey asked for the opinions of the respondents, rather than for factual information or for the results of scientific inquiry. (E.g., one of the questions was: "Do you feel that the current cautionary labeling statement is sufficient to warn people of the hazards of smoking?") Many of those responding emphasized that they had no hard facts to support their answers. Nonetheless, the Commission considers the opinions of scientists, active in the field of cigarette smoking and health to be pertinent to its report, and is presenting them here as an indication of the views of the part of the scientific community that was surveyed.

The Commission has also obtained much factual data from the cigarette manufacturers through the use of compulsory process under Section 6 of the Federal

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Trade Commission Act. Orders to file Special Reports served upon members of the industry elicited information regarding sales volume, advertising expenditures, samples of current advertising and other pertinent data.

The Commission also carried on continuous monitoring of cigarette advertising and promotional practices and vigilant scrutiny of trade and industry publications, public health journals and the general press. Close liaison has also been maintained with experts in the field of smoking and health, in such organizations as the Public Health Service, American Cancer Society, Roswell Park Memorial Institute and Sloan-Kettering Institute for Cancer Research.

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A. The Effectiveness of Cigarette Labeling.

Section 4 of the Federal Cigarette Labeling and Advertising Act requires that each package of cigarettes manufactured, imported or packaged for sale or distribution within the United States bear the following statement:

"Caution: Cigarette Smoking May Be Hazardous to Your Health."

This warning statement must be placed "in a conspicuous place on every cigarette package" and "appear in conspicuous and legible type in contrast by typography, layout, or color with other printed matter on the package."

- The Act became effective on January 1, 1966, and to the knowledge of the Commission all cigarette manufacturers have complied with the labeling provisions. In most cases the warning statement has been placed on the side panel of the package. No action for violation of the Act has been brought by the Justice Department, which has sole responsibility for its enforcement.

There is virtually no evidence that the warning statement on cigarette packages has had any significant effect.

If cigarette sales are viewed as an index of the effectiveness of the warning statement, one finds that in 1966 more cigarettes were sold than ever before. Even during January and February 1966, the first two months that the warning appeared on cigarette packages, cigarette sales were higher than they had been during the same months of the preceding year. Of course, there is no way of knowing how many cigarettes might have been sold in the absence of the warning. Yet the inadequacy of the warning statement becomes clear by comparing the sharp drop in cigarette sales following publication of the Surgeon General's report with the continuing rise in sales after the warning statement appeared on cigarette packages.

The Commission's evaluation of the ineffectiveness of the warning statement on packages is shared both by

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the scientists surveyed by the Commission and by the members of the public interviewed by the Public Health Survey. Eighty-two percent of those responding to the Commission Survey indicated that they did not feel that "the current cautionary labeling statement is sufficient to warn people of the hazards of smoking" as against only 10% who felt that it was sufficient. 2/ And more than 70% of those responding thought that the warning neither discouraged present smokers from continuing to smoke, 3/ nor discouraged non-smokers from starting. 4/ According to the Public Health Survey, 80% of the interviewees thought that only "a few" or no smokers at all "might quit smoking cigarettes because of this warning label". 5/ And 87% of the Public Health Survey interviewees answered "no" to the question "Do you think this health warning label on cigarette packages might affect you in any way?" 6/ (Emphasis in original.) (However, it should also be noted that the Public Health Surveys indicated that between 1964 and 1968, the number of former smokers among adults increased by one and one-half million.)

Total sales figures for the years 1963 through 1966 have been obtained from the cigarette manufacturers. These figures submitted to the Commission under oath, disclose the following:

| | <u>1963</u> | <u>1964</u> | <u>1965</u> | <u>1966</u> |
|--|-------------------|-------------------|-------------------|-------------------|
| <u>Total Cigarette Sales</u> (Billions) | 524.9 | 514.2 | 530.3 | 539.0 |
| <u>Filters</u> | | | | |
| Plain | 207.0 | 200.0 | 215.0 | 232.0 |
| Menthol | 83.0 | 84.0 | 93.0 | 102.0 |
| Charcoal | 15.0 | 30.0 | 33.0 | 33.0 |
| | 305.0(58%) | 314.0(61%) | 341.0(64%) | 367.0(68%) |
| <u>Regular</u> | <u>220.0(42%)</u> | <u>200.0(39%)</u> | <u>189.0(36%)</u> | <u>172.0(32%)</u> |

The subtotal figures above for filter cigarette sales and regular cigarette sales have been rounded off to the nearest billion, and thus do not add up to precisely the overall total listed at the top of the chart.

Thus, cigarette sales have continued to increase each year except for 1964, when they declined by 10.7 billion or about 2 %. As noted above, the decline in 1964 is probably due to the publicity that accompanied the publication of the Report of the Surgeon General's Advisory Committee on Smoking and Health on January 11, 1964. In fact, of the 10.7 billion total decline from 1963 to 1964, 10 billion occurred in the months of January and February and the March sales figures were generally higher in 1964 than in 1963. — —

In 1965, sales continued their upward swing by jumping 16 billion (about 3.1%) and in 1966 they reached a new all-time high of 539 billion units.

The statistics on per capita consumption of cigarettes for persons 18 years of age and over reflect the statistics on total sales. In 1963, per capita consumption reached a high of 4345 cigarettes and then dropped to 4195 in 1964, increased to 4259 in 1965 and rose to its second highest level of 4290 cigarettes in 1966. (Tobacco Situation, U.S. Department of Agriculture, March 1967,)

Figures on cigarette shipments for the first three months of 1967, as noted in the Wall Street Journal of May 23, 1967, indicate that there was a 4.2% gain in January over last year, but there was a 7.1% decline in February and a 7.4% drop in March.

The latest figures available from the Alcohol and Tobacco Tax Division of the Internal Revenue Service show that cigarette shipments for April, 1967 increased 10.7% over April, 1966.

Another factor to be noted is the proliferation of brands and types within the various brands of cigarettes. Whereas in 1963 there were approximately 40 brands and types on the market, the number has risen to over 140 in 1966. As should be expected, practically all recent introductions are in the filter field. There have been few if any new nonfilter cigarettes introduced in the past several years.

The most recent trend has been the extension of several existing brands into the extra-long 100 millimeter length type of cigarette. This has resulted from the success in 1966 of the extra-long Benson & Hedges and Pall Malls.

This trend is of a serious and disturbing nature since these extra-long cigarettes also expose the smoker to greater amounts of tar and nicotine, making them potentially more hazardous than the shorter length cigarettes.

The failure of the warning statement on packages to have any discernible effect on cigarette consumption is easily explainable.

The warning statement on the package alone has proved to be ineffective, mainly because few people seem to pay attention to it.

Despite the fact that little attention is paid to the warning statement, its mere appearance on the cigarette package by mandate of Congress has served to convince some people, who might otherwise be in doubt, that smoking is in fact dangerous. Also, it has been used by educators in the schools as "proof" of the health hazards of smoking. An investigator engaged in an anti-smoking educational program advised the Commission:

"A statement that I do not encounter since the cautionary label, is, 'if it were really so dangerous the government would do something about it.'"
(Edgar E. Filbey, Chief Investigator, Smoking Project, Methodist Hospital, Indianapolis, Indiana.)

If the public is to be effectively warned of the health hazards of cigarette smoking, the Commission is convinced that the present cautionary statement on cigarette packages is not sufficient to accomplish the result. The motivations for smoking--physiologically, psychologically and sociologically--are complex, and a mere reminder of the hazards on the cigarette package cannot compete with the forces that promote cigarette smoking.

In considering methods of adequately communicating the health hazards of cigarette smoking, one must distinguish between two groups: smokers and nonsmokers. Because cigarette smoking is so strongly habit-forming, it is unlikely that a mildly phrased cautionary statement will have any effect on confirmed cigarette smokers. For the information of cigarette smokers, the Commission favors mandatory labeling of tar and nicotine content on cigarette packages and in cigarette advertisements and other measures that will prompt cigarette manufacturers to develop less hazardous cigarettes. Also, the Commission believes that continual repetition of the warning statement in all cigarette advertisements and on the package will serve as a constant reminder of the health hazards; and further believes that the warning statement should be strengthened.

Because, once started, the cigarette smoking habit is so difficult to break, the Commission believes that people should be educated as to the health hazards before they reach the age when they are likely to begin smoking. Since most cigarette smokers start smoking during the middle and late teenage years, 7/ educational programs should be heavily emphasized and substantially increased in the schools. Now, due in part to the cumulative effect of cigarette advertising over the years--advertising that shows cigarette smoking to be an enjoyable and pleasurable activity and ignores the suffering and early death that it causes--many youngsters consider cigarette smoking to be an acceptable and socially desirable activity. They tend to view cigarette smoking as a visible mark of maturity, a passport to adulthood. Because the health dangers of cigarette smoking are not brought home to them in an effective and meaningful way, many teenagers take up the smoking habit. 8/

To develop an informed attitude toward cigarette smoking will be a formidable task. Every day new youngsters are becoming habituated smokers. Current cigarette advertising constitutes a strong force in our society to persuade teenagers to overcome their initial distaste for cigarettes. To counteract these forces may ultimately require either termination or drastic alteration of cigarette advertising on radio

and television, and will certainly also require a vast educational campaign to negate the image of cigarette smoking as harmless and satisfying. The Commission feels it can be done. A step in this direction was taken by the Federal Communications Commission in requiring broadcasters to afford both sides a fair opportunity to be heard on the subject of cigarette smoking and health.

B. Current Practices and Methods of Cigarette Advertising and Promotion.

1. Cigarette Advertising and Promotional Expenditures by Media.

Expenditures on cigarette advertising and promotions increased each year during the period 1963-66, reaching nearly 300 million dollars in 1966. More of this money was spent on television than on all other media combined. Television expenditures, as a percentage of total cigarette advertising and promotional expenditures, amounted to 60.8% in 1963, 65% in 1964, 67% in 1965, and 66.6% in 1966. The next most utilized media after television were newspapers and magazines (taken as a single medium) and then radio. Supporting figures (in millions of dollars), based on information supplied to the Commission by the cigarette manufacturers, are as follows:

| <u>Year</u> | <u>TV</u> | <u>Newspaper-Magazine</u> | <u>Radio</u> | <u>Direct</u> | <u>Other</u> | <u>Total Advertising Expenditures</u> |
|-------------|-----------|---------------------------|--------------|---------------|--------------|---------------------------------------|
| 1963 | 151.7 | 45.6 | 31.6 | 13.2 | 7.4 | 249.5 |
| 1964 | 170.2 | 45.2 | 25.5 | 14.6 | 5.8 | 261.3 |
| 1965 | 175.6 | 41.9 | 24.8 | 14.7 | 6.0 | 263.0 |
| 1966 | 198.0 | 43.4 | 31.3 | 17.9 | 6.9 | 297.5 |

It has been reported that in 1965, an estimated \$2,765,000,000 was spent on television advertising. 9/ Thus, in 1965, cigarette television advertising accounted for approximately 7.2% of total television advertising expenditures. 10/

2. Cigarette Advertising and Promotional Expenditures by Type of Cigarette.

Throughout the period 1963-66, approximately three-fourths of total cigarette advertising and promotional expenditures were on filter-type cigarettes, i.e., on plain filters, charcoal filters, and menthol filters. Also, during this period the domestic market share of filter-type cigarettes increased from 50% in 1963 to 68% in 1966. A more comprehensive statement is as follows:

| <u>Year</u> | <u>Percent of Total Advertising Outlays Spent on Filter-Type Cigarettes</u> | <u>Domestic Market Share of Filter-Type Cigarettes</u> |
|-------------|---|--|
| 1963 | 75% | 58% |
| 1964 | 78.2% | 61% |
| 1965 | 77.3% <u>11/</u> | 64% |
| 1966 | - 75% <u>11/</u> | 68% |

These figures were calculated from information supplied to the Commission by the cigarette manufacturers. The figures indicate that the cigarette companies were even more quick to promote filter cigarettes than was the American public to purchase them.

3. Cigarette Advertising: The Size and Composition of Its Audience.

What do the cigarette manufacturers receive for their substantial advertising expenditures and particularly for that two-thirds portion spent on television?

During the single month of January 1967, eighty-seven network television programs were sponsored in whole or in part by cigarette products of the six major cigarette manufacturers. 12/ Demographic data relating to 60 of the 87 programs was obtained for the week commencing January 11, 1967. 13/ This data is set out in Appendix C of this report.

An estimated 1.1685 billion viewers watched the 60 programs during the week commencing January 11, 1967. In this context, a person who watched ten of the 60 programs counts as ten viewers. This means that on the average, each of the 197 million inhabitants of the United States 14/ viewed 5.9 cigarette-sponsored programs during the week in question ($1.1685 \text{ billion} \div 197 \text{ million} = 5.9$).

Among the estimated total number of viewers were 125 million tuned into sporting event programs. Included among the 60 programs were eleven sponsored by two or

more cigarette manufacturers. Fifty-six of the programs appeared either weekly or daily and so of course were repeated on successive weeks. In addition, cigarette companies invested substantial sums in spot television advertising. 15/

Thus, an insight into the extent of cigarette advertising is gained - the audience reached during one week by one segment of one of several media employed is numbered cumulatively in excess of one billion. The Commission has previously described the ubiquity of cigarette advertising in the following terms: - -

"Cigarette advertising reaches virtually all Americans who can either read, or understand the spoken word. Cigarettes are advertised on both network and spot television, on radio, in magazines and newspapers, in outdoor media, and by means of many types of point of sale advertising aids. So pervasive is cigarette advertising that it is virtually impossible for Americans of almost any age to avoid cigarette advertising. For example, the morning radio news broadcasts are often preceded or followed by a spot announcement for a cigarette brand. Outdoor billboards, trains, and buses carry advertising visible to both children and adults on their way to work or school. Restaurants and drug stores often have advertising decals for cigarettes on entrance doors and a variety of other display material such as wall clocks and change counter mats. Many of the daytime and evening television programs are sponsored by cigarette manufacturers; and numerous magazines and newspapers read by the whole family contain cigarette advertising." 16/

As stated above, youth is also exposed to cigarette advertising. During the week of January 11, 1967, the aforementioned CO network programs (sponsored in whole or in part by cigarette products) played before 322.7 million viewers who were under 21 years of age. These included 151.1 million viewers aged 2-12 and 141 million viewers aged 13-17. This means that on the average,

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each of the eighteen million inhabitants of the United States aged 13-17, 17 viewed 7.8 of the programs during the week in question (141 million + 18 million). This represents a substantial increase over the 5.9 programs viewed on the average by persons without distinction of age. Intentional or fortuitous, teenagers appear to be a prime target for televised cigarette advertising.

Also during the week of January 11, 1967, an estimated 37.2 million viewers under 21 years of age watched sports events sponsored by cigarette products. In addition, persons under 21 years of age comprised 45% or more of the audience of three cigarette product-sponsored programs shown during the week, viz., Beverly Hillbillies (45%), Rango (47%), and Dick Van Dyke (49%).

While no data has been secured concerning the size and composition of audiences reached by cigarette radio advertising, the great potential of radio as a medium for reaching teenagers should be recognized. The following statements appearing in a Radio Advertising Bureau, Inc. press release help assess this potential - 18/

Teenage boys surveyed averaged 4.3 hours of radio listening daily; teenage girls surveyed averaged 5.3 hours;

"in every half-hour segment from 8:00 P.M. until 11:00 P.M. radio delivers a minimum of 24.1% of all teenagers"; and

"87.9% of teenage boys" and "89.5% of teenage girls hear radio on the average day."

Under these circumstances, it would appear difficult to advertise on radio without reaching a substantial teen audience.

Whatever effect this exposure of youth to cigarette advertising may have, it is a fact that in this country the general trend is toward starting smoking at an ever earlier age. The only national survey on the subject, conducted in 1955 by the Bureau of Census under the auspices of the United States Public Health Service, revealed that the median age at which males began smoking cigarettes was 19.3 for those born prior to 1900;

18.4 for those born in the decade 1901-1910; and 17.9 for those born during 1921-1930. The female experience has been even more pronounced, the median ages for the three periods being respectively 39.9, 26, and 20. 19/

More recent surveys, each confined to a single metropolitan area, indicate a significant amount of cigarette smoking by teenagers. Illustrative of this fact and of these surveys are the 1958 Portland, Oregon, survey 20/ and the 1959 Newton, Massachusetts, survey. 21/ The results of these surveys with respect to the percentage of high school students who smoke regularly may be summarized as follows:

| <u>Name of Survey</u> | <u>High School Grade</u> | <u>% Male Smokers</u> | <u>% Female Smokers</u> |
|-----------------------|--------------------------|-----------------------|-------------------------|
| Portland | 9 | 14.5 | 4.6 |
| Newton | 9 | 20.4 | 10.6 |
| Portland | 10 | 25.2 | 10.6 |
| Newton | 10 | 38.2 | 27.6 |
| Portland | 11 | 31.1 | 16.2 |
| Newton | 11 | 45.6 | 41.6 |
| Portland | 12 | 35.4 | 26.2 |
| Newton | 12 | 45.5 | 54.7 |

Thus, teenage smoking appears to be widespread; youth are apparently smoking at ever earlier ages; and everyone, particularly teenagers, is constantly exposed to cigarette advertising. The messages contained in this advertising are discussed next.

4. Current Advertising and Promotional Themes.

— In Its Trade Regulation Rule and accompanying statement published on June 28, 1964, the Commission reviewed themes and appeals appearing in then current advertising. It found such advertising to contain two principal elements - a portrayal of the desirability of cigarette

smoking and assurances of the relative safety of smoking. Desirability was portrayed in terms of the satisfactions engendered by smoking and by associating smoking with attractive people and enjoyable events and experiences. ^{22/} Thus, cigarette smoking was depicted as being satisfying in itself; associated with desirable persons and pleasurable activities; and carrying relatively little risk.

As noted earlier, the Commission recently received representative specimens of current ^{23/} cigarette advertisements from the various cigarette manufacturers. These submissions were checked against files maintained by the Commission in connection with its monitoring program. Comparison of the current advertising with the advertising reviewed in 1964 in conjunction with the Commission's Trade Regulation Rule proceeding shows that there has been no significant change in the basic appeals made. Advertising continues to depict smoking as an enjoyable activity while ignoring completely the health hazards.

Following is a review and analysis of the advertising submitted by the cigarette companies and monitored by the Commission.

The Satisfaction Theme

Portrayal of satisfaction, particularly oral satisfaction, continues to be an important element of cigarette advertising. As a Winston Filter ad stated, "the name of the game is flavor."

Taste or flavor of cigarettes is most often described in terms of mildness: Tarcyton filters, Camel regulars, and Carlton filters all taste "mild"; Montclair menthols have "mildness" of taste and Carlton filters possess "exceptional mildness"; the flavor of Lucky Strike filters and Pall Mall filters are "milder"; and Chesterfield kings are "mildest." Similarly, the taste of Tarcyton filters, Pall Mall kings, Newport menthols, and Lucky Strike menthols are either "smooth," "smoother" or "smootheest." Carlton filters taste "light," while the flavor of King Lane filters is "light, bright."

Despite the growth in sales of filter cigarettes, the taste of the tobacco leaf has not been eliminated as an advertising theme. Raleigh filters, Newport menthols,

and Viceroy filters have "real tobacco" or "true tobacco" flavors. Salem menthols have "rich tobacco" flavor and Philip Morris filters possess "great tobacco" taste. Furthermore, the test of flavor is still proclaimed, with some brands previously described as being mild and smooth, also included among the zestful.

Thus, Chesterfield kings have "true" flavor, the taste of L & M and Tareyton filters is "rich" and that of Lucky Strike filters and Chesterfield kings "great." Viceroy filters have "the taste that's right"; Kent and Duke of Durham filters have "more" taste; Camels, regular or filter, have "real" flavor; and L & M and Lucky Strike filters have respectively "good, round" and "plenty of" flavor. The taste of Winston filters is not only "good"; it is the "best."

Invariably, the taste of menthol cigarettes is either cool, fresh, and/or refreshing ("coolest flavor," Lucky Strike Green; "forest-fresh taste...cooler tasting," Pall Mall; "as fresh as you like it," Philip Morris; "most refreshing coolness," Kool; "fresher," Newport; "fresh menthol flavor," Camel; "Springtime fresh" and "refreshes your taste," Salem; "a full, fresh taste," Chesterfield). The impression forms that "menthol taste" relieves smoking irritation, albeit "smoking irritation" is never expressly stated.

In addition to oral satisfaction, generalized satisfactions are occasionally mentioned. Pall Mall kings are "pleasing"; Camel regulars "satisfy longer"; and as for Chesterfield kings, quite simply "they satisfy."

It is noted that the products mentioned in connection with the preceding review accounted for an estimated 71.4% of the 1966 domestic cigarette market. 24/

The Associative Theme

Associating cigarette smoking with persons, activities, places, and things likely to be admired, respected or emulated, i.e., endowing cigarette smoking with a positive associative image, continues unabated in current advertising. Through their diligence on this score, cigarette advertisers may have already achieved an important role as social arbiters.

Outdoor activity of an athletic nature, engaged in by youthful, fit and personable appearing models, serves as a positive backdrop to many cigarette advertisements. This activity also suggests that the smoking depicted in the foreground, if not conducive to rousing good health, is certainly not incompatible with it.

In this connection, the most prevalent outdoor activity in current cigarette advertising is sailboating (Tareyton, Pall Mall, Parliament and Viceroy filters). To a lesser extent, fishing (Viceroy filters and Camel menthols), tennis (Chesterfield filters), hunting (Camel filters), golf and outdoor cooking (Viceroy filters), and bowling and "sandbathing" (Winston filters) are all "in." It is perhaps not astounding therefore that an estimated 58% of the public feel that current cigarette advertising leaves the impression that smoking is a healthy thing to do. 25/

In addition, social events abound in which the viewer is brought into the wholesome, jolly company of cigarette smokers. There is singing aboard the old paddle wheel steamer (with Pall Mall kings); costume parties and county fairs (with Winston filters); picnicking (with Camel filters); and coffee klatching (with Winston filters). There is also that innocent form of larceny at the hunting lodge known as "flavor grabbing" (L & M filters).

Further, frequent appeals are directed to vanity:

Be discriminating: "Particular about taste... I'm particular" (Pall Mall kings); "They like the style of this cigarette" (Parliament filters). Be exclusive: "America's most hard to get cigarette" (Luke of Durham); "exclusive plastic pack" (Philip Morris filters and menthols); "There's no other

cigarette" (Lark filters). Be "on the In": "the filter that's in" (Parliament Filters); "the smokers who know" (Camel filters). Be a success: "tastes rich, good, rewarding" (Viceroy filters); "This man was born rich" (Camel filters). Be a social success: "Come up to the taste of Kool" (Kool menthols); "find something better" (Old Gold filters). Be independent: "break away from the crowd...the cigarette for independent people" (Old Gold filters); "stands out from the crowd" (Salem menthols). Associate with important people: "Chairmen are never bored with them" (Senson & Hedges filters); the charter boat skipper who has "got a good ship, a good crew and a good breeze" (Camel regulars).

There is in all of the array of positive images an element of escape from actuality. Some cigarette advertising transcends mere image association and projects its own separate and unique world. Examples include "Salem Country," a land in which romantic couples romp and preen through shirting, sylvan settings; the "Night People," whose post evening encounters can lead to smoking Parliament filters; and "Marlboro Country," where there daily unfolds the simple male heroic virtues of the "Old West." Worry over health has been vanished from these Shangri-las.

It is noted that the brands and types of cigarettes mentioned in connection with the review of associative themes accounted for an estimated 73.5% of the 1966 domestic cigarette market. 26/

Assuaging Anxiety

During 1957-59, the theme that filter cigarettes substantially reduce the tar and nicotine content of cigarette smoke was promoted extensively. ^{27/} It has been stated that this promotional campaign, termed the "tar derby," coupled with concern over the hazards of smoking, suggested "that the mere addition of a filter to a cigarette is, in and of itself, some kind of claim or assurance relating to the health aspects of smoking" ^{28/} The belief appears to be widely held that filter cigarettes are less hazardous to health than regular cigarettes. ^{29/} A recent study by the Roswell Park Memorial Institute indicates, however, that many of the most popular brands of filter cigarettes contain as much or more tar and nicotine as many brands of nonfilter cigarettes. ^{30/}

The public's concern over the health hazard and its belief that filter cigarettes minimize that hazard is evidenced by the increasing sales of filter cigarettes as compared to nonfilter cigarettes. Between 1963 and 1966 the market share held by filter cigarettes jumped from 58% to 68%. And, in 1964, when cigarette sales declined by about 10.7 billion, the sales of regular cigarettes dropped 20 billion while filter cigarette sales increased almost 10 billion.

On March 25, 1966, the Federal Trade Commission advised the cigarette industry that it would not object to disclosure of tar and nicotine content in cigarette labeling and advertising, provided that no health claims were made. ^{31/} Despite this opportunity, the industry has made only limited use of tar and nicotine disclosures. The only brands making such disclosures in current advertising are Carlton, True, Marvel, Cascade, King Sano, and Duke filters, all of which have relatively low tar and nicotine yields. With the exception of True, these brands accounted for an insignificant share of the 1966 market. ^{32/}

*cc. Roydard
True
file*

True cigarettes present an interesting case study and provide evidence of the public's desire to smoke a less hazardous cigarette. Introduced nationally in August of 1966, True experienced phenomenal sales for a new brand, and based on total cigarette sales for the year 1966, True ranked 22 among all brands of cigarettes. ^{33/} The probable reason for True's popularity is the fact that in

late August 1966, shortly after True was introduced, the Roswell Park Memorial Institute published the results of tests it had conducted on the tar and nicotine levels of 12 brands and types of cigarettes. On the basis of those tests, True ranked lowest in tar and nicotine. ^{34/} Following publication of the test results, P. Lorillard, the manufacturer of True, made use of the study, distributing display cards to retail outlets that listed the brands and types of cigarettes tested by Roswell Park in order of tar and nicotine content, and sales of True immediately spurted.

The only other comparatively overt attempts to allay health anxieties have been made by manufacturers of charcoal filter cigarettes. These attempts have consisted of pictorial details of the filters in question, creating the impression that these filters prevent the passage of tars and gaseous effusions (Tareyton, Lucky Strike, Tennyson, Cold Harbor, King Sano, Tempo, Duke and Lark).

For the most part, however, assuaging of smoker anxiety has been in a very low key. As previously indicated, the belief that filter cigarettes are less hazardous appears to be widespread. It may be assumed therefore that to people holding this belief, the word "filter" itself connotes "less hazard". And through addition of suitable adjectives to the word "filter", this impression of relative safety can be enhanced. Thus, in current advertising there are "recessed filters" (Benson & Hedges and Parliaments), "white filters" (Yorks), "menthol filters" (Springs) and "filters with coconut shell charcoal" (Philip Morris).

By far the greatest use of the word "filter" and whatever charisma it projects has been in connection with the taste theme. For to enjoy cigarette taste in comparative safety is in this day and age to have your cake and eat it too.

On the other hand, acclaiming the taste of filter cigarettes is not an all downhill task, as is attested to by the following excerpts from current advertising: "Show me a filter cigarette that really delivers taste and I'll eat my hat" (Lucky Strike filters); "can't stand filters with no flavor...why smoke then?" (Old Gold filters); "They like a mild smoke but just don't like filters" (Chesterfield kings).

One approach for associating taste with filters is to emphasize the safety factor while reminding the viewer that the cigarette is not devoid of taste. This approach is illustrated by "only Lark's filter has two outer sections plus an inner chamber of charcoal granules. For a taste people really like." The L & M filter ad "flavor through the white filter" represents a somewhat more equal balance between safety and taste. The Winston filter ad "up front and the tobacco end the flavor comes from the filter-blend" reflects a subtle approach.

The word "filter" is present with its assurance to the smoker that he has indeed shopped around for a "safe" cigarette. However, to the word "filter" is adjoined "blend," a word associated with taste, *i.e.*, tobacco blends. "Filter-blend" then indicates "safe-taste." This "taste" is enhanced by the omission of any reference to smoke traveling through the filter - enjoy safe, tobacco taste, without a trace of cardboard or cellulose. Finally, by underplaying the function of the filter, the risk of frightening jittery viewers is avoided. The ad contains just enough "safety" and quite a lot of cigarette taste.

Possibly because the word "filter" standing alone can have negative implications regarding taste, euphemisms for filter taste are sought. No euphemism is more frequently used in this connection than the word "mild." Thus, Carlton filters have "Good mild taste...created for those who are interested in the amount of tar and nicotine in the smoke of their cigarette"; similarly, "Montclair (menthol filter) cigarettes are made especially for smokers who seek exceptional mildness" and "(Lucky Strike filters) with charcoal and rolled tobacco in the tip to give you a milder taste."

The word "mild" is also used as a euphemism for cloaking the dangers of increased cigarette smoking -- "You get Pall Mall's famous extra length of fine tobaccos ...and a filter tip. Result? A new longer length, a -- full 100 millimeters long and a new milder taste" and "(Chesterfield kings) made to taste even milder through longer length."

Apart from euphemism, cigarette manufacturers desirous of avoiding the negative implications to taste of the word "filter," have urged (1) that the filter lets the flavor

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through (although presumably filtering out other substances in the smoke): "We get a tip of charcoal we get a white one too...to bring all the flavor through" (Tareyton filter) and "lets real tobacco taste come through" (Newport menthol); (2) that the filter improves the flavor: "Your taste is enhanced by a charcoal filter" (King Sano filter) and "charcoal tip. It actually improves the flavor" (Tareyton filter); or (3) that special tobaccos have been used: "filter-blend... bright golden tobaccos specially selected for the best taste in filter smoking" (Winston filter) and "in a completely different way, Camel filters were born rich - rich in...real taste and quality."

Some filter cigarettes are not only supposed to taste good but they are supposed to taste good each time they are smoked, e.g., "for good taste every time" (Winston filter). In such advertisements, it is not always clear whether it is the lasting quality of the taste or the lasting quality of an implied immunity to the ill effects of smoking, which is being promoted. Examples of this ambiguity include "taste extra coolness everytime you smoke" (Kool menthols) and "right anytime of the day...anytime you light up" (Viceroy filter).

It is noted that products mentioned in connection with the preceding review of assuaging of anxiety themes in current advertising accounted for an estimated 52% of the 1966 domestic cigarette market. 35/

Miscellaneous Themes

In addition to the satisfaction, associative, and assuaging of anxiety themes, a "loyalty" theme and a "bonus" theme exist in current cigarette advertising. This last includes promoting longer cigarettes at popular prices, as well as coupon promotions.

Representative of advertisements which extol loyalty to a particular cigarette brand are the following: "Right ~~then~~ I knew I was sticking" (Kool menthols); "change to Winston and change for good"; "I've changed to Tempo"; and "come on over to the L & M side." Tareyton filter advertising copy features the most intransigent loyalty - "the unswitchables" who would "rather fight than switch."

The purchase of Raleigh cigarettes has long been rewarded with coupons redeemable for goods. Today, Belair menthols, Old Gold filters, York filters, Spring menthols, and Domino filters also carry coupons redeemable for goods. Menthol and filter Chesterfields and Philip Morris carry coupons redeemable for more cigarettes.

Obtaining free cigarettes may or may not result in more smoking. The intention behind much 100 millimeter cigarette advertising leaves no doubt on this score, however --

"3, 4, maybe 5 puffs longer than king size ...the extra puffs are on us" - Benson & Hedges. "And look Luckies are longer now. A full 100 millimeters long. That's a lot more Lucky." At the utterance of this last word, the television camera cuts to a man smoking a cigarette, i.e., "a full 100 millimeters long. That's a lot more Lucky /Smoking/" (emphasis added). Winston 100 millimeter menthols are said to "outlast any ordinary size filter." Most candid of all is the Pall Mall 100 millimeter ad which states "smokes longer because it is longer."

With a definite relationship having been established between amount of cigarette smoking and incidence of lung cancer and other diseases, 36/ a fitting motto for the 100 millimeter cigarette campaign might be "extra health hazard at no extra cost." 37/

5. Themes that are NOT Used in Cigarette Advertising.

As mentioned many times in this report, cigarette advertisements totally ignore the health hazards posed by smoking. Another aspect of cigarette smoking that is also ignored, and has vital implications in terms of health hazard, is the fact that cigarette smoking is strongly habit-forming. Cigarette advertisements associate cigarette smoking with pleasurable activities but nowhere disclose that few people can limit their smoking to such moments. There is no indication in any advertisement that after a person smokes cigarettes regularly for

a while, smoking is no longer a matter of choice for him, but becomes a matter of need. (The need may not be physiological as in the case of addictive drugs, but it is nonetheless a compelling psychological force.) 38/

After the Surgeon General's report was published, cigarette clinics (some similar to Alcoholics Anonymous) were formed throughout the country to help people stop smoking. Yet, most of them have now been dissolved because of the poor results. Advertisements for cigarettes never show this side of smoking. They never show an habituated cigarette smoker with a hacking cough, groping for a cigarette upon awakening in the morning. They never suggest the tension felt by a chain smoker when he runs out of cigarettes. In terms of public understanding of the health hazards, knowledge of this aspect of smoking is essential. Only when one realizes that cigarette smoking cannot automatically be stopped and started at will, can he fully understand how dangerous it is even to start. In making a decision on whether to start smoking, youngsters especially have a right to know that once they start, they may never be able to stop. A viewer of cigarette commercials and advertisements would never hear of this aspect of smoking.

6. Self Regulation of Cigarette Advertising.

The cigarette industry and the radio and television industries have each adopted voluntary regulations relating to aspects of cigarette advertising. Producers of approximately 89% of today's output of domestic cigarettes have placed themselves under the "Cigarette Advertising Code" (hereinafter referred to as the Cigarette Code), which went into effect on January 1, 1965. The radio and television networks, as well as a number of independent stations, have subscribed for some time to either "The Radio Code" or "The Television Code."

The Cigarette Code (Article IV, Section 1(a)(i)(ii)) prohibits cigarette advertising directed primarily to persons under 21. It was reported in May of 1966 that when 45% or more of an audience consists of persons under 21 (as ascertained by two successive Nielsen Reports), then that audience is directed "primarily" to persons under 21. 39/ As previously indicated, the American Research Bureau reported that during the week of January 11, 1967, each of three network television programs carrying cigarette commercials 40/ had an audience at least 45% of

which was composed of persons under 21. During May of 1967, two of these three programs continued to carry cigarette commercials. ^{41/} More importantly, in view of the fact (previously alluded to) that 322.7 million viewers under 21 watched cigarette product-sponsored television during a single week, it would seem that other criteria than percentage composition of an audience might be appropriately considered under Section 1(a) of the Cigarette Code. This is all the more so when it is remembered that the average American teenager sees more cigarette commercials on network television than does the average American.

Article IV, Section 1(a)(iii) of the Cigarette Code prohibits cigarette advertising in school, college or university media and Section 1(c) of the same Article prohibits passing out cigarette samples on school, college or university campuses. A survey of 1,232 institutions of higher learning indicates that there has been compliance with these provisions. ^{42/} Also, the Commission's review of current cigarette advertising indicates compliance with the Radio and Television Codes' "Guidelines" ^{43/} and the Cigarette Code's provisions interdicting the use of prominent athletes in cigarette commercials.

A closely related prohibition --forbidding depiction of smokers participating in or appearing to participate in athletic activity requiring physical exertion --is contained in both the Guidelines and in the Cigarette Code. Great debate centers over the degree of physical exertion that is proscribed. However, so long as the smoker is not a prominent athlete and does not appear to participate in a rigorous sport or in rigorous activity, there are virtually no limitations on the use of sporting themes in cigarette commercials. It is arguable that even these boundaries can be crossed through sponsorship of sporting events. That cigarette companies sponsored televised sporting events viewed by 125 million in one week lends support to this view.

The Cigarette Code states "cigarette advertising shall not represent that cigarette smoking is essential (emphasis added) to social prominence, distinction, success or sexual attraction." The wording would appear to permit indicating that smoking may contribute to or even cause success, sexuality, etc., provided there is no representation that cigarette smoking must be present for these results to occur. A more serious attempt to regulate "acceptance by association" appears in the Radio and

Television Codes, which prohibit representations to youth (most representations on television and radio are viewed by substantial numbers of youths) "That the use of cigarettes contributes to individual achievement, personal acceptance, or is a habit worthy of imitation." However, as was pointed out in the preceding discussion of associative themes, the current advertising of cigarette brands accounting for 73.5% of domestic consumption does represent smoking to be a habit worthy of imitation. This is accomplished by featuring cigarette smoking in connection with respected, liked or desired persons, places and things.

The Radio and Television Codes prohibit stating that the presence or construction of a filter is beneficial to health or well being. Under the Cigarette Code, advertising concerning the filters in cigarettes "should not be deemed a representation with respect to health" unless the Code's Administrator holds otherwise. Whether filter advertisements, regardless of their explicitness, constitute representations with respect to health and well being, can best be judged by the following: 44% of the public and 57% of filter cigarette smokers believe that filters reduce the health risk in cigarette smoking. 44/

Although minor changes have been made in some advertisements since promulgation of the Cigarette Code, their themes and basic impact remain unchanged. Cigarette advertising continues to promote the idea that cigarette smoking is both pleasurable and harmless. On their face, the various advertising codes may appear to set proper guidelines for cigarette advertising, but in practice it is possible for cigarette manufacturers to comply with the codes without making known the health hazards of smoking or diminishing in any way the appeal of their advertisements.

For example, Article IV, Section 1(e) of the Cigarette Code states in part that "Natural persons depicted as smokers in cigarette advertising shall be at least twenty-five years of age and shall not be dressed or otherwise made to appear to be less than twenty-five years of age." Although advertisers have complied with this provision, they continue to use models who may be just over 25 years old and show them smoking cigarettes while engaged in activities (such as strolling through woods and picnicking, etc.,) that have special appeal to younger people.

Thus, the prohibition of use of young models has not resulted in elimination of advertising aimed at young people. The most startling example of an advertisement that does not violate any of the specific prohibitions of the Cigarette Code is the Lucky Strike jingle that states: "Lucky Strike separates the men from the boys --but not from the girls." In which category--with "the men" or with "the boys"--would any normal teenage male want to place himself?

7. The U.S. Public Health Survey and the Commission Opinion Survey as They Relate to Cigarette Advertising and Promotions.

With respect to the Public Health Survey, 69% of those surveyed in 1966 (as opposed to 63% of those surveyed in 1964) felt that a warning statement should be required in cigarette advertisements to the effect that smoking may be harmful. ^{45/} With respect to those surveyed in 1966, 64% felt that advertising of cigarettes should be controlled or limited but only 34% of all sampled agreed that such advertising should be stopped completely. ^{46/}

With respect to the Commission Survey, 78% of those surveyed felt that the cautionary labeling statement now required under the Federal Cigarette Labeling and Advertising Act should be required in cigarette advertising and promotion as well. In the event that a stronger cautionary labeling statement were adopted, 71% favored requiring the statement to be in cigarette advertising and promotions. ^{47/}

Eighty-one percent felt that the overall impression fostered by recent cigarette advertising has been that it is less hazardous to smoke filter than regular cigarettes. Seventy-one percent felt recent cigarette advertising has encouraged young people to smoke and 70% felt it has encouraged people who already smoke to continue smoking. ^{48/}

On the question of placing controls on cigarette advertising, 66% felt that cigarette advertising should be restricted as to such things as types of programs or hours; 64% felt it should be prohibited from certain media (the illustrative examples were "television or magazines whose principal appeal is to youth"); 46% felt cigarette advertising should be prohibited completely; and 52% would require tar and nicotine content information in all advertising and promotions. ^{49/}

Summary

The Commission believes that the warning label on cigarette packages has not succeeded in overcoming the prevalent attitude toward cigarette smoking created and maintained by the cigarette companies through their advertisements, particularly the barrage of commercials on television, which portray smoking as a harmless and enjoyable social activity that is not habit forming and involves no hazards to health.

It appears to the Commission, from the switch toward filter cigarettes and the popularity of low tar and nicotine cigarettes, that a substantial segment of the public is most concerned about the health hazards of cigarette smoking. Many smokers would like to give up the habit, but don't and won't. Some of these have switched to brands that they believe, often erroneously, to be less hazardous. The Commission favors giving smokers as much information about the risks involved in smoking as is possible and to that end favors mandatory disclosure of tar and nicotine content, as measured by a standard test. Until this is done, millions of smokers will continue to be deceived by false claims of "mildness" and misleading portrayals of filters.

Non-cigarette smokers, particularly the teenagers who constitute an ever-increasing class of potential customers, seem in large part to have been unaffected by the warning on the package alone. The cigarette advertisements, especially on television and radio, that are more frequently viewed and heard by teenagers than other segments of the population, have been successful in their subtle but effective attempts to persuade teenagers to smoke despite the known health hazards. To protect this group the Commission feels it imperative that adequate health warnings be included in all cigarette advertising.

Cigarette smoking today poses a very great but preventable public health menace. It is strongly habituating, and habitual smokers subject themselves to a number of debilitating illnesses and early death.^{50/} Despite this, cigarette companies have spent billions of dollars (in 1960 almost \$100 million) on inducing the people to take up this habit so dangerous to health. In the interest of fairness to the youth of tomorrow,

advertising without an adequate warning should not be permitted to continue. Self-regulation by the industry has proved to be ineffectual.

Cigarette commercials continue to appeal to youth and continue to blot out any consciousness of the health hazards. Cigarette advertisements continue to appear on programs watched and heard repeatedly by million of teenagers. Today, teenagers are constantly exposed to an endless barrage of subtle messages that cigarette smoking increases popularity, makes one more-masculine or attractive to the opposite sex, enhances one's social poise, etc. To allow the American people, and especially teenagers, the opportunity to make an informed and deliberate choice of whether or not to start smoking, they must be freed from constant exposure to such one-sided blandishments and told the whole story.

C. Recommendations

The Commission believes that legislation accomplishing the following objectives is necessary:

(1) Section 4 of the Federal Cigarette Labeling and Advertising Act should be amended by changing the required warning statement to read:

"Warning: Cigarette Smoking is Dangerous to Health And May Cause Death From Cancer And Other Diseases."

(2) The warning statement should be required to appear in all advertisements as well as on all cigarette packages;

(3) A statement setting forth the tar and nicotine content of each cigarette should be required to appear on the package and in all cigarette advertising; ii

(4) Increased appropriations should be made to the Department of Health, Education, and Welfare for education of the public (especially young people) as to the health hazards of smoking;

(5) Appropriations should be made for research under the direction of the National Institutes of Health on the development of less hazardous cigarettes.

FOOTNOTES

- 1/ Actually, the questionnaire was sent to ten selected categories of persons, agencies and institutions. The categories and bases for selection are broken down as follows: — —
- I. State Health Officers - (Every state and the District of Columbia.)
 - II. State Interagency Councils on Smoking and Health - (Every council of record.)
 - III. Municipal Health Officers - (The twenty (20) most populous cities.)
 - IV. Chairmen, Departments of Preventative Medicine of Various Medical Schools - (Two-thirds of the schools, selected at random.)
 - V. Schools of Public Health - (All which were readily ascertainable.)
 - VI. Health, Education and Youth Leadership Agencies - (Those most active and concerned with smoking and health.)
 - VII. Psychologists; VIII. Health Educators; IX. Researchers; X. Surgeons and Internists - (Those most concerned with smoking and health based upon past participation in Commission and Congressional hearings and a review of the medical literature on this subject, including in these categories those who took positions in opposition to any warning statement in labeling or advertising.)

- 2/ Commission Survey, Ques. 1.
- 3/ Commission Survey, Ques. 5(b).
- 4/ Commission Survey, Ques. 5(a).
- 5/ Public Health Survey, Part A, Ques. 4.
- 6/ Public Health Survey, Part A, Ques. 7.
- 7/ William Haenszel, Michael S. Shimkin, and Herman P. Miller, Tobacco Smoking Patterns in the United States, Public Health Monograph No. 48, Government Printing Office, Washington, D.C. 1956, p. 56. (Table reprinted in Trade Regulation Rule for the Prevention of Unfair or Deceptive Advertising and Labeling of Cigarettes in Relation to the Health Hazards of Smoking, p. 44.) Although none of the more recent studies of the age at which people start smoking are as thorough as the one cited which was conducted in 1956, its conclusions have been borne out by more recent, but more limited, studies. See, e.g., the studies cited in Smoking and Health, Report of the Advisory Committee to the Surgeon General of the Public Health Service, p. 20; Salber, Goldman, Buka, and Walsh, "Smoking Habits of High-School Students in Newton, Massachusetts," The New England Journal of Medicine 270 (Nov. 10, 1961).
- 8/ Smoking and Health, supra, p. 371-373.
- 9/ Printer's Ink, February 14, 1967, page 10.
- 10/ It has been stated that cigarette advertising accounts for 2.1% of total advertising revenue, for 7% of the television industry's revenue, for 1 1/2% of the radio industry's revenue, and for 3% of the advertising income of magazines. See Frederick C. Becker, "The Economic Effect of Reduced Cigarette Consumption on Advertising," American Journal of Public Health, December, 1966, page 1--.
- 11/ During 1965 and 1966, many regular brands introduced filter-type cigarettes and thus filter-type and regular-type cigarettes were sold under common brands. In a number of such instances, advertising expenditures as between the two types were apportioned in direct ratio to the sales of each type. This basis fails to

allow for the start-up costs of introducing new filter cigarettes and for this reason, it is likely that the 77.3% and 75% figures for 1965 and 1966 are low.

- 12/ BAR Network TV, January 1967, white section under the headings: American Tobacco Co., Brown & Williamson, Liggett & Myers, P. Lorillard Co., Philip Morris, Inc., and R. J. Reynolds. Published by Broadcast Advertisers Reports, Inc.
- 13/ Network Television Target Audience, January 1967, published by American Research Bureau, Inc.
- 14/ Population Estimates (Series P-25, No. 352), November 1, 1966, Bureau of the Census, U.S. Department of Commerce.
- 15/ Advertising Age, April 3, 1967, page 106.
- 16/ Trade Regulation Rule for the Prevention of Unfair or Deceptive Advertising and Labeling of Cigarettes in Relation to the Health Hazards of Smoking and Accompanying Statement of Basis and Purpose of Rule, Federal Trade Commission, June 22, 1964. (hereinafter referred to as Trade Regulation Rule) p. 47.
- 17/ Population Estimates, supra footnote 14.
- 18/ The statements are based on surveys conducted in Chicago during May of 1963 and in Philadelphia during August of 1964 by Market Dynamics, Inc., Princeton, New Jersey.
- 19/ Tobacco Smoking Patterns in the United States (Public Health Monograph No. 45), 1963, Public Health Service, U.S. Department of Health, Education, and Welfare, page 10 (Table 3).
- 20/ Horn, Courte, Taylor, and Coleman, "Cigarette Smoking Among High School Students," American Journal of Public Health, November 1969. See page 1 (Table 1).
- 21/ Galber, Goldman, Bink, and Walsh, "Smoking Habits of High School Students in Newton, Massachusetts," New England Journal of Medicine, November 18, 1969. See page 970 (Table 1). American Cancer Society statisticians have projected the Newton results nationally and have determined (assuming the Newton results to be representative) that during 1965, an

average of 4,000 persons per day aged 12-17 took up cigarette smoking, for a total during the year just under 1.5 million. See Cancer, July-August 1962, page 164 (Chart B).

22/ Trade Regulation Rule, page 53.

23/ The request was for all advertisements disseminated during the year preceding March of 1967.

24/ This figure is based upon addition of the appropriate market share figures appearing in Printers' Ink, December 9, 1966, at pages 12 and 13.

25/ Public Health Survey, Part C, Ques. 2.

26/ See footnote 24, supra.

27/ Trade Regulation Rule, pages 60-63.

28/ Id, page 60.

29/ Public Health Survey, Part C, Ques. 1.

30/ Moore, Brosu, Shamberger and Bock, "Tar and Nicotine Retrieval From Fifty-six Brands of Cigarettes," Cancer, March, 1967. Roswell Park, a leading cancer research institution, reported that (1) of 50 different types of cigarettes tested, the 28 with the lowest tar content were all filter-type cigarettes but (2) that Chesterfield regulars, the cigarette containing the least tar and nicotine among the regular cigarettes tested, contained less tar than 11 other filter cigarettes and less nicotine than 20 other filter cigarettes. (3) that Pall Mall filters contained more tar than 54 of the cigarettes tested, including all different regular cigarettes, and (4) with respect to the Pall Mall, Camel, Lucky Strike and Chesterfield brands, the regular cigarettes of each brand contained less tar and nicotine than the filter cigarettes of each corresponding brand. Roswell Park's testing procedures, although not the results, have been attacked by five of the six major cigarette manufacturers (see Hetsko, Yeaman, Haas, Smith and Ramm, A Critique of the March, 1967 Roswell

Park Memorial Institute Report on Cigarette Testing, April 10, 1967. It is noted that on May 15, 1967 the Commission established its own laboratory for testing tar and nicotine content - hopefully, the operation of this laboratory will serve to eliminate the type of controversy surrounding the Roswell Park tests.

31/ See Federal Trade Commission News Release dated March 25, 1966.

32/ See footnote 24, supra.

33/ Maxwell, Jr., "Winston Passes Pall Mall to become Number One", Printer's Ink, December 9, 1966, p. 11.

34/ News release of Roswell Park Memorial Institute, August 29, 1966.

35/ See footnote 24, supra.

36/ The following information is from Smoking and Health - Report of the Advisory Committee to the Surgeon General of the Public Health Service, 1964, Public Health Service, U.S. Department of Health, Education, and Welfare (referred to herein as ACR) and Hammond, "Smoking in Relation to the Death Rates of One Million Men and Women," Epidemiological Approaches to the Study of Cancer and Other Chronic Diseases, January 1966, Public Health Service, U.S. Department of Health, Education and Welfare (referred to herein as Hammond). The information consists of statistics relative to incidences of death, in the form of ratios between the nonsmokers of a given group and the smokers of various numbers of cigarettes in that same group.

Death Ratios, Lung Cancer

| <u>Study</u> | <u>Group</u> | <u>Non-Smokers</u> | <u>Smokers, Daily Consumption:</u> | | | | <u>Source</u> |
|--------------|-----------------|--------------------|------------------------------------|--------------|--------------|------------|--------------------|
| | | | <u>1-9</u> | <u>10-19</u> | <u>20-39</u> | <u>40+</u> | |
| 1. ACR | Men in 9 States | 1 | 5.8 | 7.3 | 15.9 | 21.7 | Table 22, page 106 |
| 2. ACR | U.S. Veterans | 1 | 5.2 | 9.4 | 18.1 | 23.3 | " |
| 3. Hammond | 440,558 Men | 1 | 4.6 | 7.48 | 13.14 | 16.61 | Table 20, page 152 |
| 4. Hammond | 562,671 Women | | 1.06 (1-19) | | 4.76 (20+) | | Table 23, page 154 |

Death Rates, Coronary Artery Disease

| <u>Study</u> | <u>Group</u> | <u>Non-Smokers</u> | <u>1-9</u> | <u>Smokers, Daily Consumption:</u> | | | <u>Source</u> |
|--------------|------------------|--------------------|------------|------------------------------------|--------------|------------|---------------------|
| | | | | <u>10-19</u> | <u>20-39</u> | <u>40+</u> | |
| 1. ACR | Men in 9 States | 1 | 1.2 | 1.9 | 2.1 | 2.4 | Table 21, page 106 |
| 2. ACR | U.S. Veterans | 1 | 1.3 | 1.8 | 1.7 | 1.9 | " |
| 3. ACR | Men in 25 States | 1 | 1.3 | 2.0 | 2.1 | 2.5 | " |
| 4. Hammond | Men, 45-54 | 1 | 2.35 | 3.09 | 3.11 | 3.35 | Table 11a, page 146 |
| 5. Hammond | Men, 55-64 | 1 | 1.54 | 1.92 | 2.04 | 2.13 | " |
| 6. Hammond | Men, 65-74 | 1 | 1.26 | 1.61 | 1.56 | - | " |
| 7. Hammond | Men, 75-84 | 1 | 1.17 | 1.39 | 1.11 | - | " |

Death Ratios, Chronic Bronchitis and Emphysema

| <u>Study</u> | <u>Group</u> | <u>Non-Smokers</u> | <u>Smokers, Daily Consumption:</u> | | <u>Source</u> |
|--------------|--------------------------|--------------------|------------------------------------|------------|--------------------|
| | | | <u>1-20</u> | <u>20+</u> | |
| 1. ACR | Composite of Six Studies | 1 | 5 | 8.5 | Table 23, page 106 |

- 37/ In addition to brands already mentioned, the major cigarette companies have recently introduced 100 millimeter cigarettes under the following brand names: Dover, L & M, 50-50, York, Spring, Colony, Kent, Tareyton, and Salem, with others appearing almost daily.
- 38/ Surgeon General's report, supra, page 351.
- 39/ Advertising Age, May 23, 1966, pages 3 and 82.
- 40/ However, only two of these programs were sponsored by cigarette companies which were subject at the time to the Cigarette Code.
- 41/ BAR Network TV, May 1967.
- 42/ Harold S. Diehl, College and University Policies on Cigarette Smoking, March 3, 1967.
- 43/ Cigarette Advertising Guidelines, effective October 6, 1966.
- 44/ See footnote 29, supra.
- 45/ Public Health Survey, Part B, Ques. 4.
- 46/ Public Health Survey, Part B, Ques. 5 and 6.
- 47/ Commission Survey, Ques. 2 and 4.
- 48/ Commission Survey, Ques. 6 and 8.
- 49/ Commission Survey, Ques. 9-12.
- 50/ Cigarette Smoking and Health Characteristics, Public Health Service Publication No. 1000 - Series 10, No. 34, May, 1967. See also footnote 30 above.
- 51/ The Commission is of the belief that further scientific study may warrant extension of this requirement to include a statement listing the results of quantitative and qualitative analyses of hazardous components in a cigarette's smoke.