

Tobacco Control

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Fatal Deception: The tobacco industry's “new” global standards for tobacco marketing

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This report examines the proposed global standards for tobacco marketing and assesses whether it will lead to the responsible marketing of tobacco products. It concludes that the proposed measures will not lead to any substantive changes in current tobacco advertising practices and will not protect children from tobacco marketing.

The report recommends that governments should reject the industry's overtures, and instead rapidly implement past World Health Assembly resolutions on tobacco marketing and ensure that the Framework Convention on Tobacco Control (FCTC) incorporates scientifically sound measures based on international best practice to protect the health of all – young and old, smokers and non-smokers.

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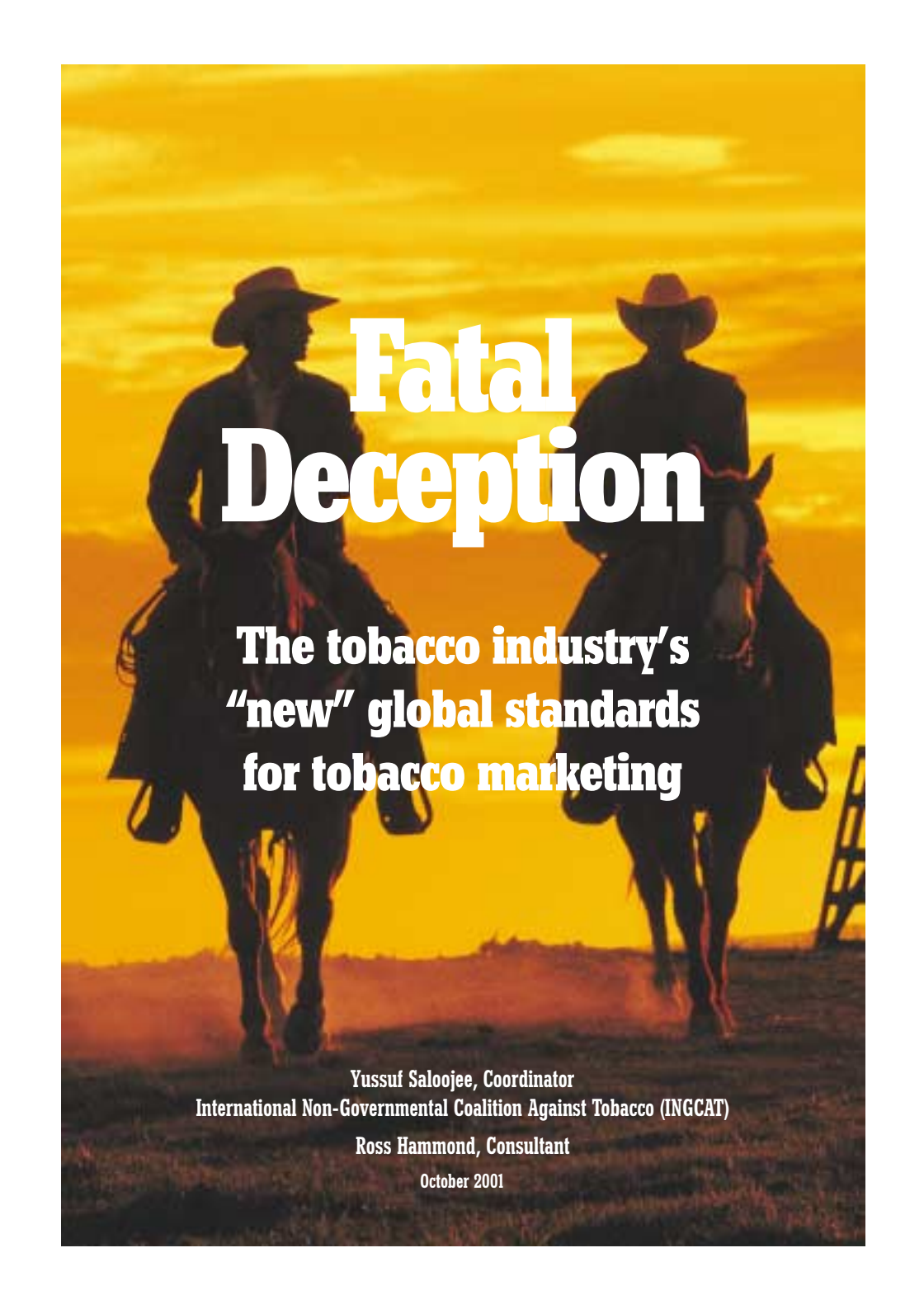
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The report recommends that governments should reject the industry's overtures, and instead rapidly implement past World Health Assembly resolutions on tobacco marketing and ensure that the Framework Convention on Tobacco Control (FCTC) incorporates scientifically sound measures based on international best practice to protect the health of all – young and old, smokers and non-smokers.

A photograph of two cowboys on horseback, silhouetted against a bright, golden sunset sky. The cowboys are wearing hats and riding horses. The scene is set in an open field with a fence visible in the background on the right.

Fatal Deception

**The tobacco industry's
"new" global standards
for tobacco marketing**

**Yussuf Saloojee, Coordinator
International Non-Governmental Coalition Against Tobacco (INGCAT)**

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Legislative measures to eliminate tobacco advertising, promotion and sponsorship are a key component of the draft Framework Convention on Tobacco Control (FCTC), an international treaty currently being negotiated by WHO Member States. Threatened by this development, the cigarette manufacturers have launched a new public relations offensive aimed at pre-empting formal regulation of its marketing activities.

On September 11th, 2001 British American Tobacco (BAT) announced a “new initiative” to establish the *International Tobacco Product Marketing Standards*. Together with rival manufacturers, Philip Morris and Japan Tobacco, the companies agreed to voluntarily adopt measures that will allegedly prevent tobacco marketing activities from being “directed at” or “appealing” to young people. The companies are now asking UN agencies, governments and others to whom the Standards have been distributed to join them in a dialogue on their “new” standards that are anything but new.¹ Voluntary codes of advertising, very similar to those now being offered, were first adopted – and found wanting – by the United States, Canada and Britain in the 1960s.

This report examines the proposed global standards for tobacco marketing and assesses whether it will lead to the responsible marketing of tobacco products. It concludes that the proposed measures will not lead to any substantive changes in current tobacco advertising practices and will not protect children from tobacco marketing.

In fact, it is a fundamental misconception that regulations can be designed that eliminate children’s exposure to tobacco advertising while allowing advertising aimed at adult smokers. It is impossible to design advertisements that appeal to a nineteen year-old but not to a sixteen year-old. Global experience shows that only complete bans on advertising and sponsorship work – partial bans produce less than partial results.

The report recommends that governments should reject the industry’s overtures, and instead rapidly implement past World Health Assembly resolutions on tobacco marketing and ensure that the Framework Convention on Tobacco Control (FCTC) incorporates scientifically sound measures based on international best practice to protect the health of all – young and old, smokers and non-smokers.

Why the Tobacco Companies Need Voluntary Agreements.

As far back as 1963, the trade journal, Advertising Age, noted the political and public relations dilemma that cigarette firms faced. The companies were interested “in picking up new business from new, young smokers” yet did not want “to be seen reaching to the young market”.² The solution to this problem has always been the promotion of voluntary agreements. These create the illusion of responsible behaviour by the industry, while minimally impairing its marketing activities and at the same time pre-empting stronger legislation.

Voluntary action is usually offered by the tobacco industry when pressure for legislation is building and tobacco control laws are in the offing. That the current Standards are being offered at a time when an international treaty on tobacco control is being negotiated by governments is not a coincidence, as the global investment firm Credit Suisse First Boston affirmed in an analysis of the Standards:

“We have analyzed the 9-page agreement and believe that the multinationals’ strategy is proactive and is a way to improve their image. These international marketing standards partly came as a result of increasing pressure from government’s worldwide and anti-smoking activists. Also, by proactively setting new international tobacco marketing standards, the multinationals could be trying to counter a number of proposals that the WHO has been working on to curb the amount of cigarettes that are consumed on an international level.”³

Likewise, the American Medical Association notes that *“tobacco companies will often offer to adopt voluntary codes of conduct, which appear to contain significant concessions. However, these proposals are usually designed for public relations purposes. Once political pressure wanes, they are typically ignored.”⁴*

Voluntary codes of advertising, very similar to the proposed Standards, were first adopted in the United States, Canada and Britain in the 1960s. The tobacco companies did not find the code particularly restrictive and loopholes in the code became apparent within months of their adoption. The U.S. National Association of Broadcasters, in a confidential report in 1966, pointed out the inherent difficulties in such codes:

“Despite the changes which have been brought about in cigarette advertising on radio and television.... smoking is [still] made to appear universally acceptable, attractive and desirable.... The difficulty in cigarette advertising is that commercials which have an impact upon an adult cannot be assumed to leave unaffected a young viewer, smoker or otherwise. The adult world depicted in cigarette advertising very often is a world to which the adolescent aspires.”⁵

As the late Senator Robert Kennedy noted in 1967, *“If we were starting fresh, I would say the first line of action would be industry self-regulation of [tobacco] advertising. But we have witnessed a charade of purported self-regulation for some years. The codes of self-regulation have been largely ineffective, and I see little hope for change.”⁶* The U.S. Federal Trade Commission concurred, stating: *“Self-regulation by the industry has proved to be ineffectual.”⁷*

Industry-inspired voluntary marketing restrictions create the appearance of concern and responsibility, but only include measures known to be ineffective. Their overarching aim is to protect the tobacco business. The agreements are formulated without regard to established research on youth smoking and without any intention to evaluate the results. Internal tobacco industry documents, made pub-

lic as a result of litigation in the United States, make clear that the intent behind industry codes is to forestall effective regulation:

- “...by opening a dialogue [in Hong Kong] followed by a few minor concessions, the industry can be saved from heavy legislation for at least two to three more years.”⁸
- “An industry code will be written [for Pakistan]...so that it can be used as both a lobbying lever and an argument against not introducing formal legislation.”⁹
- “Establish and strengthen [Philip Morris] and Industry goodwill vis-a-vis the public and government officials on the juvenile smoking issue and pursue voluntary self-regulation guidelines with the Industry with a view to pre-empt regulatory restrictions.”¹⁰
- “...complete the removal of road-side cigarette hoardings [billboards] on the Dubai-Abu Dhabi road and capitalise on this minimum concession as an example of voluntary self-regulation by the Industry.”¹¹

History repeatedly reveals that the tobacco industry cannot be trusted when it says it does not market to children. The most recent example is the November 1998 state tobacco settlement in which the U.S. tobacco companies promised not to “take any action, directly or indirectly, to target youth...in the advertising, promotion or marketing of tobacco products.” Instead of reducing their marketing expenditures, just one year later, the tobacco companies spent a record \$8.24 billion to market their deadly products, an increase of 22.3 percent, according to the U.S. Federal Trade Commission. Much of this increase was spent on advertising effective at reaching kids, including in youth-oriented magazines and at convenience stores frequented by youth.¹²

The International Tobacco Product Marketing Standards.

The Standards are allegedly intended to prevent marketing activities directed at, or which particularly appeal to, youth. The Standards relate primarily to five areas: advertising appealing to the young, the distribution of promotional items to the young, the sponsorship of events involving youth, the packaging of tobacco products, and the sale of cigarettes to those under 18 years of age.

The Standards would prohibit advertising or promotions that: “appeal” to youth; feature celebrities; show people under or appearing to be under 25 years of age; suggest that smoking enhances sporting, professional or sexual success or increases popularity; or suggest that most people are smokers. New advertisements must carry an unspecified health warning. Also prohibited are advertisements in printed publications or in cinema unless 75% of the readers or audience are adults; outdoor advertisements located within 100 meters of a school; television or radio commercials unless all viewers or listeners can be verifiably shown to be adults; payments for the placement of tobacco products etc., in motion pictures, televi-

sion programmes and similar media. Only adults may receive promotional materials or participate in promotional or sponsored events. Cigarettes may only be sold in packages of 10 or more and the packs shall carry a health warning, which is not specified. Measures will also be taken to prevent youth having access to tobacco products.

Specific Problems with the Standards:

Even if one were to accept that the tobacco companies have made this offer in good faith there are so many such glaring omissions and failings in the Standards as to cause their outright rejection. The Standards are premised on the fundamentally flawed assumption that tobacco advertising per se does not appeal to youth but only encourages adults to switch brands. This false assumption by itself invalidates the Standards. But there are further shortcomings, which even independent observers, such as Credit Suisse First Boston, have recognized:

“Interestingly, in many countries the existing laws or industry codes are already more restrictive than the provisions of the international marketing standards.... One would think that the elimination of certain marketing practices would effectively decrease advertising spending and hence increase margins, however we believe the modest amount the multinationals actually spend on these types of practices will be redirected into other types of marketing promotions i.e., point of sale activity. We would expect these changes to be very similar to the model in the U.S. after the Master Settlement Agreement (MSA) was signed.”¹³

Leaving aside the cynical motivation behind the release of these standards, there are a number of fundamental problems with the standards themselves. These include:

Dishonest Focus on Ending Ads “Targeted” at Youth: The Standards state that no advertisement shall “be aimed at” youth, yet all advertising – whether by intention or not – reaches children and teenagers, and the tobacco industry knows this. The sheer ubiquity of tobacco advertising makes it impossible for children to avoid being exposed to it. There is simply no magic curtain around children which shields them from the influence of tobacco advertising. Further, it is impossible to prove that a particular advertisement ‘targets people under the age of 18’. This would require a demonstration of intent on the part of the advertiser – an impossible task. Moreover, tobacco advertising nominally aimed at 18-24 year olds is especially attractive to younger teenagers aspiring to enter this age group.¹⁴

Misplaced Emphasis on Ads Which “Appeal” to Youth: Tobacco advertising does not appeal to children by being childish. Adolescents aspire to be adults, not teenagers. The art of advertising tobacco is to make it an aspirational gateway to adult life, with tobacco products positioned as symbols of independence, sophistication and rebellion. Measures that attempt to deal with youth tobacco use sepa-

rately from adult tobacco use reinforce this positioning. The focus on youth is favored by the tobacco companies because it tends to strengthen the definition of tobacco as an 'adult product' – thus making it more attractive to youth.

Proposals Which Fall Far Short of the Global Norm: The Standards allow advertising and promotions on radio and television, even though over 100 countries have banned such advertising. It restricts the placement of outdoor advertising such as billboards near schools, despite the fact that over 50 countries have legislation prohibiting it.¹⁵

Lack of Research-Based Measures: None of the measures proposed by the tobacco industry have been shown to be effective by bona fide research. In fact the companies actively dispute the overwhelming consensus on the link between advertising and consumption.

Ill-Defined Restrictions on What Advertising Will Be Allowed: One way to examine the effects of the Standards is not to consider what is prohibited but to look at what is allowed. In South Africa, a code of advertising practice has since the 1970s forbidden advertising aimed at minors. Under the Code advertising has to be honest and truthful and may not link smoking with romance, prominence, success or personal advancement or use celebrities. The code has not prevented the industry from using strong visual imagery, lifestyle advertisements or from featuring pop stars in advertisements for tobacco sponsored events. Advertisements continued projecting images of independence, adventure, and risk taking behaviour against backdrops of beaches, ski slopes and rugged countryside.

The Standards do not affect some of the largest categories of industry marketing, such as promotional allowances for shelf space and product placement, discounts, giveaways and point-of-purchase advertising.¹⁶ In addition, if passed into law, they could unwittingly fuel a "creative arms race" in which companies vie to outdo each other in finding ingenious ways to skirt restrictions. This has already occurred, for example, with the spread of clothing stores carrying the names of leading cigarette brands. The three largest tobacco-related clothing store chains just happen to be operated by the sponsors of the Standards – BAT, with its Lucky Strike stores, Japan Tobacco, with its Camel Stores, and Philip Morris, with its Marlboro Classics stores.¹⁷

A Step Backwards from Existing Weak Voluntary Codes: Some of the Standard's provisions fall short of even the weak voluntary restrictions that tobacco companies have been willing to accept in countries like the United States or United Kingdom. For example in the United Kingdom the industry has accepted caps on the amount of money it can spend on advertising annually. The companies also propose to cease advertising in publications with more than 25 percent youth readership, when in fact several companies have already stopped advertising in U.S. publications with greater than 15 percent youth readership.

Callous Disregard for the Impact of Advertising on Adults: The Standards are completely silent on the impact of advertising on adults, both current smokers and those who have quit. According to the 1989 U.S. Surgeon General's Report, tobacco advertising can increase tobacco users' daily consumption of tobacco products by serving as a cue to tobacco use, reduce current tobacco users' motivation to quit and encourage former smokers to resume smoking.¹⁸ Although an overwhelming majority of adult tobacco users want to quit, less than half succeed because tobacco-delivered nicotine is so addictive. There are clear health benefits, including longer life, for all tobacco users who quit, no matter how heavy their use, how impaired their health, or the age at which they quit. Unless urgent action is taken, 500 million current smokers will die prematurely from tobacco use.¹⁹

The Purpose of Tobacco Advertising

With millions of their customers either dying from tobacco-related illnesses or quitting, it is obviously crucial for the success of the tobacco industry to keep recruiting new smokers. Since studies show that the overwhelming majority of smokers begin before the age of 18,²⁰ the logic of the industry dictates that it must somehow reach young people.²¹ This 1984 tobacco industry memorandum makes the point quite clearly: "*Younger adult smokers have been the critical factor in the growth and decline of every major brand and company over the last 50 years.... Younger adult smokers are the only source of replacement smokers....If younger adults turn away from smoking, the industry must decline, just as a population which does not give birth will eventually dwindle.*"²²

Recently disclosed industry documents paint a clear picture of the tobacco industry's deliberate targeting of young people. Numerous documents describe studies undertaken on behalf of the industry studying children's habits and analyzing the factors which lead young people to take up smoking. As a 1981 Philip Morris research report put it, "*Today's teenager is tomorrow's potential regular customer, and the overwhelming majority of smokers first begin to smoke while still in their teens...The smoking patterns of teenagers are particularly important to Philip Morris.*"²³

The tobacco industry has studied child psychology, with for instance, Imperial Tobacco of Canada launching Project 16. This project unashamedly targeted children: "*Since how the beginning smoker feels today has implications for the future of the industry, it follows that a study of this area would be of much interest. Project 16 was designed to do just that – to learn everything there was to learn about how smoking begins, how high school students feel about being smokers, and how they foresee their use of tobacco in the future.*"²⁴

As the UK Secretary of State for Health recently stated:

"There is little doubt among informed scientific and medical opinion that

tobacco advertising and sponsorship is nothing less than a recruiting sergeant for children and young teenagers to start the tobacco habit, and it is precisely to safeguard these children and generations yet to come that we are introducing the ban on tobacco advertising and sponsorship."²⁵

The overwhelming majority of independent, peer-reviewed studies show that tobacco advertising does indeed lead to increases in consumption.²⁶ Cigarette advertising has a powerful effect among young people. Studies have shown tobacco promotional activities are causally related to the onset of smoking in adolescents and that exposure to cigarette advertising is predictive of smoking among adolescents. Research has also shown that following the introduction of brand advertisements that appeal to young people, the prevalence of use of those brands, and even prevalence of smoking altogether, increases:

- According to a 1995 study published in the Journal of the National Cancer Institute, advertising is more likely to influence teenagers to smoke than even peer pressure,²⁷ while a 1996 study in the Journal of Marketing found that teenagers are three times as sensitive as adults to cigarette advertising.²⁸
- A survey conducted in the United States showed that 86 percent of children who smoked prefer Marlboro, Camel and Newport which are the three most heavily advertised brands. Only about one-third of adult smokers (the supposed target of this advertising) preferred those brands. Marlboro for example – which is the most heavily advertised brand in the United States – is used by almost 60 percent of youth smokers, but only about 25 percent of adult smokers.²⁹

As the U.S. Institute of Medicine has said, "*the sheer amount of expenditures for advertising and promotion assures that young people will be exposed to these messages on a massive scale. It is clear that society's efforts to discourage young people from smoking are obstructed – and perhaps fatally undermined – by the industry's efforts to portray their dangerous products in a positive light.*"³⁰

The Fallacy of Tobacco Industry Arguments on Advertising

The tobacco industry claims that it only advertises in order to reach current adult smokers. It argues that the tobacco market is a "mature" market, where demand is stable. In the words of BAT, "*cigarettes, petrol or soap powder advertising is not about increasing the number of smokers, drivers or people owning washing machines. Advertising can only shift market shares between brands.*"³¹ Indeed, the Standards define advertising as any communication that has the aim of encouraging smokers "*to select one brand of tobacco product over another*". However a closer look at the realities of the cigarette market show this to be a completely unsupported position.

The industry claims that it advertises to get smokers to switch brands. But common sense, logic and simple arithmetic indicate that the brand switching argu-

ment is false. Smokers are very brand loyal, and very few smokers switch brands in a given year. In the United States, for example, less than 10% of adult smokers switch brands in any given year, and much of that switching occurs within brand “families” (e.g. from Marlboros to Marlboro Lights). For example, in 1986 only 6.7% of smokers switched to a rival company brand.³²

It is estimated that the total profit derived from 6.7% of customers switching from a rival product was US\$362 million. However, in that same year, US\$2.4 billion was spent on cigarette advertising. If the tobacco industry were only interested in brand switching, they would be spending \$6.60 to get back a return of \$1—an enormous commercial blunder.³³

Advertising, clearly, is not just about brand switching. For instance, the tobacco companies advertise heavily in countries where they have a virtual monopoly in sales. BAT has over 98% market share in countries like Nicaragua, Honduras, Ghana and Sri Lanka.³⁴ If advertising was only about promoting brand loyalty, it would make sense for the company to advocate for an end to all promotional activities, thus locking in their market share. Yet the company continues to spend millions of dollars on advertising in all of these countries. Why? Because the market for cigarettes is potentially limitless. Everyday, hundreds of thousands of children are deciding whether or not to start smoking. And everyday, hundreds of thousands of adults are deciding whether or not to stop smoking. If the tobacco business is to remain profitable, children must start and adults must continue to smoke.

In its less guarded moments, the tobacco industry itself admits to trying to boost consumption. In the words of a Philip Morris marketing plan for China from the early 1990s, “*We will continue working to stimulate consumer demand through intensive quality marketing support.... We will maintain [Marlboro’s] extensive media mix, with particular focus on wide-reach media like television to stimulate consumer demand.*”³⁵ Or, as the head of the Indian Tobacco Company (partially owned by BAT) put it, “*Our primary aim is to expand the market for cigarettes. We have the responsibility, being market leader, to do so.*”³⁶

As advertising executive Emerson Foote, former CEO of McCann-Erickson, which has handled millions of dollars in tobacco industry accounts, puts it:

*“The cigarette industry has been artfully maintaining that cigarette advertising has nothing to do with total sales. This is complete and utter nonsense. The industry knows it is nonsense. I am always amused by the suggestion that advertising, a function that has been shown to increase consumption of virtually every other product, somehow miraculously fails to work for tobacco products.”*³⁷

The Case for Comprehensive Advertising Bans

A World Bank study published in 2000 examined data from 102 countries and found that per-capita cigarette consumption in countries with comprehensive bans declined by about 8 percent, while consumption rates in countries without such bans declined by only about 1 percent. Furthermore, the rate of decline in smoking was much steeper in those countries with relatively comprehensive bans.³⁸ Based on the strength of current studies, the World Bank recently concluded, "*bans on advertising and promotion prove effective, but only if they are comprehensive, covering all media and all uses of brand names and logos.*" However if governments only ban tobacco advertising in one or two media, the industry will simply shift its advertising expenditures, with no effect on overall consumption.³⁹

WHO recommends that countries "*prohibit all tobacco advertising and promotions, including free samples and other giveaways, sale of non-tobacco products that carry a tobacco brand name, point of sale advertising and tobacco company sponsorship of sporting and cultural events.*"⁴⁰ Member states have also backed such a prohibition. In 1990, the World Health Assembly adopted WHA Resolution 43.16 which specifically called on governments to include in their tobacco control programs "*progressive restrictions and concerted action to eliminate eventually all direct and indirect advertising, promotion and sponsorship concerning tobacco.*"⁴¹ Most recently, support for total advertising bans was expressed by a majority of WHO Member States during the second negotiating session on the FCTC in May 2001.

Obviously, the tobacco companies are terrified at the prospect that a comprehensive advertising ban will be enshrined in the FCTC, and are thus promoting these Standards in an effort to ward off such a ban. As the tobacco analysts at Morgan Stanley Dean Witter recently concluded, "*one of the biggest risk areas will be advertising and promotion restrictions. It would be politically difficult for Philip Morris or BAT to be seen to be advertising their cigarette brands in an emerging market, particularly on billboards or on TV, if a WHO treaty had recently been passed banning this type of advertising.*"⁴²

Conclusion

Self-regulation has a number of supposed advantages over legislation as a policy instrument that may have some superficial appeal to legislators. For governments, voluntary agreements hold the promise of an amicable solution to a potentially contentious problem. Agreement is reached by negotiation and consensus between the parties, so avoiding conflict. For businesses, it can lay down clear criteria for responsible conduct. Self-regulatory systems are also supposedly easier, faster and less expensive to establish, implement, adapt and enforce than legislation.

However, the history of voluntary agreements on tobacco marketing reveals that in country after country it has neither achieved the advantages listed above nor the objective of protecting adolescents from tobacco marketing. Canada, Australia, New Zealand, South Africa are all countries that have replaced voluntary agreements with legal bans on tobacco advertising and/or promotion. Self-regulation invariably fails for the simple reason that it was never meant to succeed.⁴³ The tobacco industry only willingly accepts agreements that it knows are worthless and to forestall more meaningful governments action.

Motivated by a desire to head off government regulation and stem public anger, the industry offers concessions designed to make it appear reasonable, accommodating and a legitimate partner with governments and international agencies in regulating tobacco use. Its real purpose, however, is to control the legislative agenda.

The recently released Standards are designed to create the illusion of change, while allowing the tobacco industry to continue with business as usual. The tobacco companies only propose what looks good at first sight, but that they know will not work in practice. The Standards are not even neutral in their ineffectiveness because they could cause harm by delaying the implementation of measures that will work. In essence, the tobacco industry is promoting a set of guidelines for marketing a lethal product which still kills half of its regular users and are asking governments to legitimize this activity. No amount of contrition can erase that fact.

In offering its new International Standards the tobacco companies want to move into the future still using the methods of the past. It is therefore recommended that:

1. WHO and its Member States reject the industry's International Tobacco Marketing Standards as being ineffective and outdated and that WHO should instead urge governments to rapidly implement past resolutions on tobacco marketing adopted by the World Health Assembly.
2. WHO urge governments to intensify their efforts to secure a strong FCTC incorporating international best practice so as to truly protect the health of all people (young and old, smokers and non-smokers).
3. The WHO maintains its position that there is still not sufficient reason to review its current policy on dialogue with tobacco companies.

Countries with Bans on Tobacco Advertising

Australia – 1993
Belgium – 1997
Botswana -1993
Finland – 1978
France – 1993
French Polynesia – 1982
Iceland – 1972
Italy – 1962
Maldives – 1994
Malaysia – 1994
Mongolia – 1994
New Zealand – 1990
Norway – 1975
Papua New Guinea – 1987
Portugal – 1983
Republic of Korea
Singapore – 1970
Slovenia – 1997
South Africa – 1999
Sweden – 1994

Thailand – 1989

Resources:

Campaign for Tobacco Free Kids and ASH-UK, Trust Us: We're The Tobacco Industry

<http://www.ash.org.uk/html/conduct/html/trustus.html> (html)

<http://tobaccofreekids.org/campaign/global/framework/docs/TrustUs.pdf> (pdf)

Quotes from internal tobacco industry documents

U.K. Cancer Research Campaign and Tobacco Control Research Center, Keep Smiling: No One's Going to Die (An Analysis of Internal Documents from the Tobacco Industry's Main UK Advertising Archive)

<http://www.ctcr.strath.ac.uk/KeepSmilingReport.pdf>

ASH-UK and the U.K. Cancer Research Campaign, Danger! PR in the Playground: Tobacco Industry Youth Anti-Smoking Programs,

<http://www.ash.org.uk/html/advspo/html/pmnu.html>

Background on industry-funded youth anti-smoking programs

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- ¹ In fact, the Standards are mostly a repackaging of Philip Morris' "International Cigarette Marketing Code" which the company has been touting for years. See: http://www.pmintl.com/corp_resp/global.html
- ² Advertising Age, "Cigaret (sic) Promotions on College Campuses End, 1963;34(26).
- ³ Credit Suisse First Boston, International Tobacco Marketing Standards, 25 September 2001.
- ⁴ Comments From the American Medical Association on the Proposed World Health Organization Framework Convention on Tobacco Control, October 2000; <http://www-nt.who.int/whosis/statistics/fctc/Submissions/F1960192.pdf>
- ⁵ National Association of Broadcasters, "Broadcast Cigarette Advertising Report," Washington, DC; September 1966.
- ⁶ Robert Kennedy, Proceedings of the First World Conference on Smoking and Health. New York, American Cancer Society, 1967: 4-13.
- ⁷ Quoted in J.W. Richards Jr., J.B. Tye and P.M. Fischer, "The Tobacco Industry's Code of Advertising in the United States: Myth and Reality," Tobacco Control, 1996, Vol. 5.
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- ⁹ Philip Morris, "Pakistan— Meeting in London," 1994, Bates Number 2504024765-67; <http://www.pmdocs.com/getallimg.asp?DOCID=2504024765/4767>
- ¹⁰ "Middle East Corporate Affairs 1993-1995 Strategic Plan Priorities", 15 October 1992, Bates: 2501052309-2317, <http://www.pmdocs.com/getallimg.asp?DOCID=2501052309/2317>
- ¹¹ "GCC Marketing Freedoms", Memo from Bisharah Baroudi to Harald Schedel, 12 August 1992, PM 2501052285-2293 <http://www.pmdocs.com/getallimg.asp?DOCID=2501052285/2293>
- ¹² See Massachusetts Department of Public Health, Cigarette Advertising Expenditures Before and After the Master Settlement Agreement: Preliminary Findings, 15 May 2000; <http://tobaccofreekids.org/reports/addicting/magazines/connolly.pdf>; and Melanie Wakefield, et. al, Tobacco Following the 1999 Tobacco Billboard Ban, ImpacTeen Research Paper No.4, July 2000; <http://tobaccofreekids.org/reports/stores/adbanpaper0717.pdf>
- ¹³ Credit Suisse/First Boston, International Tobacco Marketing Standards, 25 September 2001. Following the MSA in the United States, tobacco companies increased their expenditures on marketing by over 22%. Much of the increase took place "in categories effective at reaching kids, including high-visibility store shelf displays, two-for-one promotions that make cigarettes more affordable to kids, giveaways such as hats and lighters, in-store advertising, and magazine advertising." See Campaign for Tobacco Free Kids, "Tobacco Industry Continues to Market to Kids," <http://tobaccofreekids.org/research/factsheets/pdf/0156.pdf> (September 2001).
- ¹⁴ According to the U.S. Institute of Medicine, "the sheer amount of expenditures for advertising and promotion assures that young people will be exposed to these messages on a massive scale. It is clear that society's efforts to discourage young people from smoking are obstructed — and perhaps fatally undermined — by the industry's efforts to portray

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- ¹⁵ Suisse/First Boston, *International Tobacco Marketing Standards*, 25 September 2001.
- ¹⁶ Campaign for Tobacco Free Kids, "Tobacco Marketing that Reaches Kids: Point-of-Purchase Advertising and Promotion," <http://tobaccofreekids.org/research/factsheets/pdf/0075.pdf> (June 2001).
- ¹⁷ Ernest Beck and Gordon Fairclough, "BAT Plans Retail Chain Stores To Promote Lucky Strike Brand," *Wall Street Journal*, 27 October 2000.
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- ²⁰ In low-income countries, very few women smoke, representing another reservoir of potential customers for the industry who could be persuaded to smoke by advertising. See: World Health Organization, *Women and the Tobacco Epidemic*, (WHO: Geneva, 2001); <http://tobacco.who.int/documents/WoMonograph01.pdf>
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