

Tobacco Depiction Policy

Warner Media, LLC firmly believes in freedom of expression and actively supports the creative vision of producers, writers, directors, actors and others involved in making feature films. Consistent with this belief, Warner Media's film studios, Warner Bros. Pictures and New Line Cinema (together, the "Studios"), work closely with creative talent to produce and distribute for theatrical release feature films that appeal to a wide array of audiences. At the same time, the Studios strive to produce and distribute feature films in a responsible manner and remain sensitive to public concerns, industry practices and public health regulations and research in this area as they develop and change over time. Accordingly, the Studios endeavor to reduce or eliminate the depiction of smoking and tobacco products/brands in their feature films, unless there is a compelling creative reason for such depictions. The Studios' practices currently include the following:

1. The Studios do not enter into any product placement or promotion arrangements with respect to tobacco products/brands for any theatrical feature film they produce and distribute in the United States.
2. The Studios endeavor to reduce or eliminate depictions of smoking and tobacco products/brands in any theatrical feature film produced and distributed in the United States that is expected to be rated "G", "PG" or "PG-13", unless (a) the depiction involves a character who is a literary or an actual historical figure known to have used tobacco products; (b) the depiction is otherwise warranted for reasons of compelling literary or historical accuracy; or (c) the depiction is part of a conspicuous anti-smoking reference. Even within these three categories, the Studios consider ways to reduce depictions of smoking and tobacco.
3. The Studios endeavor to reduce or eliminate depictions of smoking and tobacco products/brands in any theatrical feature film produced and distributed in the United States that is expected to be rated "R", unless there are compelling creative reasons for such depictions.
4. For any feature film produced by the Studios for theatrical release outside the United States or where the Studios' influence over the content of any feature film is limited (such as a film co-produced by the third parties or films produced by third parties and only distributed by the Studios), the Studios discourage the depiction of smoking when they believe it is appropriate to do so.

Adopted July 2005; revised October 2018

SOURCE: https://www.warnermediagroup.com/sites/default/files/related-articles/tobacco_depiction_policy_october_2018_revised.pdf

(Editor's note: AT&T bought Time Warner's studio assets in 2019. Warner Media is the filmed entertainment division of AT&T and includes Warner Bros. and New Line. AT&T adopted a revised version of Warner Bros.' tobacco depictions policy.)

Policy Regarding Tobacco Depictions in Films

Mission. In light of the serious health risks associated with smoking, Universal Pictures has undertaken efforts to reduce depictions of tobacco smoking in Universal films that are rated for a youth audience. As a core part of its efforts, Universal Pictures has established a policy and procedures for identifying, evaluating and, where appropriate and feasible, eliminating smoking incidents from its youth-rated films. As used in this policy, the phrase “smoking incidents” refers to both tobacco smoking, whether in the foreground or background of a film, and the appearance of any tobacco-related signage or paraphernalia.

Scope. This policy applies to films produced by Universal Pictures or any wholly-owned Universal Studios film label (including Focus Features and Working Title Films) and anticipated to be released in the United States with a G, PG or PG-13 rating. Sometimes Universal business units are involved in the production or distribution of other films with respect to which they have less or no control over content. These may include films co-produced by Universal and another studio, acquired by Universal complete or in post-production, or distributed by Universal on behalf of a third-party producer. Although this policy does not apply to these other films, Universal Pictures discourages depictions of tobacco smoking in all youth-rated films and will exert its influence, where possible, to minimize the occurrence of smoking incidents in them.

Policy. As a baseline, Universal Pictures presumes that no smoking incidents should appear in any youth-rated film produced by Universal Pictures or any wholly-owned Universal Studios film label and released in the United States. This presumption can be rebutted with respect to a given smoking incident based on the importance of the incident to the film, from a factual or creative standpoint, and/or the difficulty in removing it from the film. Whether or not the film will be marketed to adolescents, either primarily or as part of a mixed audience, will also be taken into account. This presumption against smoking incidents in youth-rated films means that, as a default, smoking incidents should be avoided. Smoking incidents may be permitted in a youth-rated film only when there is a substantial reason for doing so.

In the event that a smoking incident is permitted in a youth-rated film that is subject to this policy, Universal Pictures will release the film with a health warning in certain distribution channels. This warning may appear in or on materials or elements such as end credits, DVD content and packaging, and marketing materials.

In addition, Universal Pictures makes no product placement, tie-in or other promotional arrangements with tobacco companies for any of its films, regardless of rating. No Universal production may receive consideration of any kind in exchange for depicting tobacco or tobacco-related signage or paraphernalia in a Universal film.

Procedures. Universal Pictures has established internal procedures to identify smoking incidents at each stage of the development and production processes, both in films subject to this policy and in all other Universal films (regardless of anticipated rating), to promote dialogue with filmmakers regarding depictions of tobacco smoking, and to govern evaluation of smoking incidents under this policy. In addition, Universal Pictures has formed a “Tobacco Depictions Committee,” comprised of executives with responsibilities across a variety of disciplines. The Tobacco Depictions Committee meets regularly to ensure compliance with these procedures,

assess their efficacy and address any issues that may arise under this policy. From time to time, the Tobacco Depictions Committee may recommend revisions to this policy or to Universal's internal procedures, based on its experience and developments industry-wide.

Effective for films commencing principal photography on or after April 16, 2007

This Tobacco Policy was last updated on 04/16/2007.

SOURCE: <http://www.universalpictures.com/legal/tobacco/>

Smoking in Movies

The Walt Disney Company actively limits the depiction of smoking in movies marketed to youth. Our practices currently include the following:

- Disney has determined not to depict cigarette smoking in movies produced by it after 2015 (2007 in the case of Disney branded movies) and distributed under the Disney, Pixar, Marvel or Lucasfilm labels, that are rated G, PG or PG-13, except for scenes that:
 - depict a historical figure who may have smoked at the time of his or her life; or
 - portray cigarette smoking in an unfavorable light or emphasize the negative consequences of smoking.
- Disney policy prohibits product placement or promotion deals with respect to tobacco products for any movie it produces and Disney includes a statement to this effect on any movie in which tobacco products are depicted for which Disney is the sole or lead producer.
- Disney will place anti-smoking public service announcements on DVDs of its new and newly re-mastered titles rated G, PG or PG-13 that depict cigarette smoking.
- Disney will work with theater owners to encourage the exhibition of an anti-smoking public service announcement before the theatrical exhibition of any of its movies rated G, PG or PG-13 that depicts cigarette smoking.
- Disney will include provisions in third-party distribution agreements for movies it distributes that are produced by others in the United States and for which principal photography has not begun at the time the third-party distribution agreement is signed advising filmmakers that it discourages depictions of cigarette smoking in movies that are rated G, PG or PG-13.
- For movies produced outside the United States or where Disney's influence over the content of films is limited (such as movies co-produced by Disney), Disney seeks to discourage depiction of smoking in its movies that are rated G, PG or PG-13 where we believe it is appropriate and practical to do so.

Disney regularly reviews the incidence of depictions of smoking in movies distributed by Disney entities. Compiled results of such reviews will be made public.

Revised June 2015

SOURCE: <https://ditm-twdc-us.storage.googleapis.com/Smoking-in-Movies.pdf>

(Editor's note: Disney acquired 21st Century Fox studio assets in early 2019. As of June 15, 2019, Disney has not updated its tobacco depictions policy to include future Fox films.)

Smoking Policy

Twentieth Century Fox and its related companies, Fox Searchlight Pictures, Fox 2000 and Fox Animation, (together "Fox") understand that the films we produce and distribute have an impact on a youth audience. Fox takes its responsibility seriously and has implemented policies to address these issues.

Where Fox is the lead or sole producer, we will seek to limit cigarette smoking and tobacco depiction in films that are not rated R or NC-17 to scenes in which smoking is part of the historical, biographical or cultural context of the scene or is important to the character or scene from a factual or creative standpoint, or where cigarette smoking is portrayed in an unfavorable light or the negative consequences of smoking are emphasized. Where Fox is the lead or sole producer, we will seek to limit tobacco company branding in all of our films regardless of rating. Fox's policy is included in the Feature Production Manual that sets forth Fox's policies and procedures to our filmmakers.

Sometimes Fox is involved in the production or distribution of other films with respect to which we have less or no control over content. These may include films co-produced by Fox and another studio, acquired by Fox after principal photography has commenced or in post-production, or distributed by Fox on behalf of a third-party producer. Although this policy does not apply to these other films, Fox discourages depictions of tobacco smoking and other tobacco incidents in all youth-rated films and will exert its influence, where possible, to minimize the occurrence of tobacco smoking and other tobacco incidents in them.

Fox Home Entertainment includes an anti-smoking public service announcement on all North American standard definition DVDs of films produced by Fox that depict tobacco products and are not rated R or NC-17. In addition, any film that depicts tobacco smoking and other tobacco incidents will contain the following certification language in the end credits: "No person or entity associated with this film received payment or anything of value, or entered into any agreement, in connection with the depiction of tobacco products."

Fox has established internal procedures to identify smoking and other tobacco incidents subject to this policy and to promote dialogue with filmmakers regarding depictions of smoking and other tobacco incidents.

Fox makes no product placement, tie-in or other promotional arrangements with tobacco companies for any of its films, regardless of rating. No Fox production may receive consideration of any kind in exchange for depicting tobacco or tobacco-related signage or paraphernalia in a Fox film.

No date

SOURCE: <https://www.foxprivacy.com/us/smoking.html>

(Editor's note: Disney bought 21st Century Fox's studio assets in 2019. This undated policy remains online and Disney has not updated its own policy to include Fox.)

FAQs > Motion Pictures > **What steps is Sony Pictures taking in the U.S. to reduce the depiction of tobacco use in its films?**

Sony Pictures Entertainment (SPE) is committed to reducing depictions of tobacco use in the films produced by the company or any wholly-owned film division.

SPE has adopted a standard protocol to identify, and where appropriate and feasible, eliminate portrayals of tobacco use.

In particular, there will be a working presumption that youth-rated films produced and distributed in the United States shall not feature depictions of tobacco use unless there is a compelling creative justification that may include, but is not limited to, factors such as historical accuracy or an important tie to the creative context of the project and vision of the filmmaker.

SPE will continue its existing policy of not entering into product placement arrangements in connection with the depiction of tobacco products. As part of the commitment to this long-standing ban, SPE will, on a going forward basis, indicate in the end credits of films with tobacco depictions that no product placement arrangement was made.

With regard to film acquisitions, co-productions, and films produced and distributed outside of the United States, Sony Pictures Entertainment may have limited influence over the content. In these instances, SPE will discourage depictions of tobacco use where reasonable and practical.

And finally, Sony Pictures Entertainment strongly supports the continued use of a smoking descriptor in a youth-rated film's MPAA rating so that consumers can make an informed choice when deciding whether a film is appropriate.

*Effective December 1, 2012

SOURCE: <http://www.sonypictures.com/corp/help.html>

Smoking and Tobacco Depiction Policy

Paramount Pictures recognizes the serious health risks that accompany tobacco use. That's why Paramount has developed policies to decrease depictions of smoking and tobacco products in the films it produces, particularly youth-rated films. To that end, Paramount's current policies and practices include the following:

- Paramount Pictures makes no product placement, tie-in or other promotional arrangements with tobacco companies for any of its films, regardless of rating. No Paramount production may receive consideration of any kind in exchange for depicting tobacco or tobacco-related products in a Paramount film.
- Paramount discourages the depiction of smoking or tobacco in youth-rated films. Paramount will communicate this policy to its filmmakers, but also will take into account the creative vision of the filmmakers recognizing that there may be situations where a filmmaker believes that the depiction of smoking or tobacco is important to a film.
- If a Paramount youth-rated film contains depictions of smoking or tobacco, the end credits of the film will include the following language: "Paramount Pictures Corporation did not receive any payment or other consideration, or enter into any agreement, for the depiction of tobacco products in this film".
- If a Paramount youth-rated film contains any depiction of smoking or tobacco, subject to any contractual requirements, Paramount will include on all domestic DVDs an anti-smoking PSA produced by the California Health and Human Services Agency.

Paramount will regularly review the implementation and effectiveness of this policy and may also recommend revisions to this policy.

Effective January 1, 2013

SOURCE: <http://www.paramount.com/inside-studio/studio/business-conduct/smoking-and-tobacco-depiction-policy>