



STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL

410-576-7036
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March 13, 2008

Richard D. Parsons, Chairman of the Board
Jeffrey L. Bewkes, President & CEO
Time Warner
1 Time Warner Center
New York, NY 10019

Dear Mr. Parsons and Mr. Bewkes:

On behalf of the Attorneys General of the States listed below,¹ we would like to thank you for the leadership you have shown in addressing the harmful effects of tobacco imagery in movies. Research shows that depiction of smoking in movies encourages young people to initiate smoking, and thus poses a major public health problem. Two very recent articles in the journal *Pediatrics* provide additional evidence of the strong connection between kids' exposure to smoking imagery in movies and their initiation of smoking.² These studies underscore the importance of the actions we have for many years urged the motion picture studios to take, to prevent or counteract the deleterious impact on young viewers of on-screen portrayals of smoking - particularly in youth-rated movies.

¹ Arizona, Arkansas, California, Connecticut, Florida, Hawaii, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Mississippi, Montana, Nebraska, Nevada, New Jersey, New Mexico, Ohio, Oregon, Pennsylvania, Puerto Rico, Rhode Island, South Dakota, Tennessee, Utah, Vermont and Wyoming.

² Titus-Ernstoff L., Dalton M., et al., Longitudinal Study of Viewing Smoking in Movies and Initiation of Smoking by Children, *Pediatrics* 2008; 121; 15-21 (available at www.pediatrics.org/cgi/content/full/121/1/15); Hanewinkel R. and Sargent J., Exposure to Smoking in Internationally Distributed American Movies and Youth Smoking in Germany: A Cross Cultural Cohort Study, *Pediatrics* 2008; 121; e108-e117 (available at www.pediatrics.org/cgi/content/full/121/1/e108). The first describes a study that enrolled children ages 9-12 and updated exposures to movie smoking longitudinally. It concludes that exposure to movie smoking during early childhood (as young as 6-7 years) has as much influence on smoking risk as does exposure at later ages, and that movie smoking may be responsible for one third of smoking initiation in this age group. "The present study findings suggest that parents also need to consider the smoking content of movies with lower ratings. Most (59%) of the movies seen by these children in elementary school were youth rated (G, PG, or PG-13) and youth rated movies accounted for most (79%) of the movie smoking exposure. . . ." The second article shows that the effect of American movies on smoking among German adolescents is almost identical to that found on kids in the United States. The authors noted, "If one accepts a causal interpretation, then this suggests that reductions in the prevalence of smoking in US-produced movies could affect youth smoking outside the US."

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We have now heard, through your Vice President of Corporate Responsibility, Michelle Crozier, that you will be inserting in movies with tobacco depictions, a certification of your company's due diligence affirming that no compensation was provided for the depiction of tobacco products: "No person or entity involved in the making of this film received anything of value in exchange for the depiction of tobacco." We understand that this certification will be included, at a minimum, on all domestically distributed DVDs of Time Warner entertainment companies' movies released in theaters after January 1, 2008 that depict smoking. We applaud you for taking this very positive step, which is one of four recommendations of public health experts, recently endorsed by the Harvard School of Public Health. ¹

We also understand that, in addition, on DVDs of Warner Brothers movies that portray smoking, released in theaters after January 1, the movie will be preceded by an anti-smoking message. Research demonstrates that youth prevention messages, if viewed prior to a movie showing smoking, can help inoculate young viewers against the pro-smoking influence of exposure to on-screen smoking. We are particularly pleased that your company has chosen to utilize a spot from the highly successful and critically acclaimed **truth**[®] campaign created by The American Legacy Foundation. Published, peer-reviewed studies establish the efficacy of the **truth**[®] campaign in reducing youth smoking rates – and saving lives. We commend your choice, and hope that you will continue to include **truth**[®] messages in additional future releases.

The American Legacy Foundation's **truth**[®] campaign has, by far, the strongest record of any current anti-smoking campaign of actually preventing youth smoking. The Legacy Foundation has offered to make its **truth**[®] spots available to any studio that would like to use them. Studios may select from among a number of effective, youth-oriented smoking prevention messages from the **truth**[®] campaign. We will be contacting other studios, to urge them to follow your example in utilizing this successful, evidence-based smoking prevention campaign.

Again, we thank you and look forward to your continued leadership on this important issue.

Sincerely,



William H. Sorrell
Attorney General
Vermont



Douglas Gansler
Attorney General
Maryland

¹ If, as we understand, you will be embedding this certification in films following the end credits, we encourage you to include the certification in all movies with tobacco depictions, including the versions shown in theaters.