



May 20, 2019

Senator Edward J. Markey
Senator Chris Van Hollen
Senator Richard Blumenthal
United States Senate
Washington, D.C. 20510

Dear Senators Markey, Van Hollen, and Blumenthal,

Thank you for your April 15 letter regarding youth exposure to tobacco depiction in on-demand digital content. It's an important issue, and one that we take seriously.

We are deeply committed to ensuring the digital health and well-being of the users of our products and services. We believe it is our duty to create tools that let parents know, and feel good about, what their kids are doing on their devices, whether it's downloading a math app on their iPhone or watching a movie on their iPad.

Parental Controls

We have given parents tools to choose how — and how often — their kids can use their devices. We do this in various ways. Parental controls have been built directly into iOS since 2008 and allow a parent to adjust the settings on an iPhone, iPad, or iPod Touch to prevent access to explicit content as well as control purchases and downloads.

In June 2018, we expanded these parental controls when we introduced Screen Time in iOS 12 to help parents understand and better manage how their children interact with their iOS devices. With Screen Time, a parent can block or limit specific apps and features on a child's device. All of these features are easy to use and instructions for use can be found on our website: <https://support.apple.com/en-us/HT201304>.

Additionally, we offer parents or caretakers the ability to create restrictions in Apple TV, so they can control access to certain content. Movies, TV shows, and apps can be filtered or blocked based on film, TV, or age ratings.

The App Store

In addition to providing parents with tools to manage how their children use their devices, Apple also prohibits the promotion of tobacco use in apps made available to consumers on the App Store, regardless of the intended age audience. The relevant App Store rule states that "[a]pps that encourage consumption of tobacco products, illegal drugs, or excessive amounts of alcohol are not permit-

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ted on the App Store. Apps that encourage minors to consume any of these substances will be rejected. Facilitating the sale of marijuana, tobacco, or controlled substances (except for licensed pharmacies) isn't allowed."

iTunes and Apple TV

At Apple, we license hundreds of thousands of movies and TV shows through our iTunes store. We require Motion Picture Association of America (MPAA) ratings for movies made available in the U.S. via the iTunes Store and Apple TV. Since 2007, the MPAA has included tobacco-related imagery as a rating factor for movies, out of a concern for the public health dangers associated with glamorized images of tobacco, particularly to children. iTunes also currently shows the Common Sense Media (CSM) ratings for movies on tvOS. In publishing its ratings and reviews, CSM specifically takes into account depictions of smoking through inclusion of a "Drinking, Drugs & Smoking" category. Very shortly, we will incorporate the CSM rating on the Apple TV app for both movies and TV. This will include the CSM age guidelines as well as explanatory copy from CSM about the content. In taking these steps with iTunes and Apple TV we are ensuring that we provide our users with an environment that supports account-specific parental controls and extensive integration of CSM ratings, in addition to traditional TV and movie ratings.

Apple TV+

In March, we announced Apple TV+, bringing together the best lineup of storytellers in the world — both in front of and behind the camera. Apple TV+ will be available beginning this fall. We understand the concerns expressed in your letter regarding tobacco depiction and take the issue, and our responsibility as original content producers, seriously.

We have committed resources and put in place internal processes and guidelines to govern Apple-produced content for Apple TV+, consistent with Apple's high standards. We endeavor to provide our customers with information about our content so they can make informed viewing decisions for themselves and their families, including CSM reviews and TV Parental Guidelines and MPAA ratings.

Apple has taken a variety of steps aligned with television and movie industry standards around tobacco depiction, while balancing important First Amendment creative protections. Our practices currently include the following:

- When Apple produces original content for Apple TV+, we will not accept paid product placement in connection with the depiction of tobacco products and brands.
- Apple will avoid depictions of smoking and tobacco products/brands in all original feature films Apple produces for Apple TV+ with an MPAA rating



of G, PG, and PG-13, except for scenes that reflect historical and/or cultural accuracy or otherwise portray smoking unfavorably.

- For all other original content, we evaluate all tobacco depictions thoughtfully on a case-by-case basis, considering factors such as anti-smoking context, historical accuracy, and situations otherwise necessary to plot and character delineation.

We thank you for your work on this important issue, and we welcome the opportunity to discuss these issues further at your convenience.

Sincerely,

A handwritten signature in black ink that reads "Timothy Powderly". The signature is written in a cursive, flowing style.

Timothy Powderly
Director, Federal Government Affairs
Apple