

## PROHIBITING THE PROMOTION OF TOBACCO PRODUCTS

Adopted by Convention Delegates April 30, 1987

*Reviewed May 2006*

- WHEREAS,** The U.S. Surgeon General has stated: Tobacco products, especially cigarettes, are the most important individual health risks in this country, responsible for more premature deaths and disability than any other known agent; and
- WHEREAS,** Between 350,000 to 500,000 Americans die annually from causes attributed to cigarette smoking and tobacco use; and
- WHEREAS,** Sixty percent of current smokers started by the age of 13 or 14, usually before having a tangible understanding of the health risks involved in tobacco use; and
- WHEREAS,** Tobacco products are the most heavily advertised items in America and place great emphasis on adolescent-oriented themes and images; and
- WHEREAS,** Studies have shown tobacco advertising's monetary power drastically limits the amount of information disseminated to the public concerning its lethal addictive guidelines; and
- WHEREAS,** The U.S. Supreme Court has ruled that prohibiting the promotion of harmful products or activities is constitutional and does not infringe on First Amendment rights; and
- WHEREAS,** The PTA continuously strives for laws which promote the education, health and welfare of children and youth; now therefore be it
- RESOLVED,** That the California State PTA and its constituent organizations vigorously lobby their respective members of Congress to support legislation to prohibit the promotion of tobacco products; and be it further
- RESOLVED,** That this resolution be forwarded to the National PTA for action at the June 1987 Convention.

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### BACKGROUND SUMMARY

The Surgeon General of the United States has stated: "It is nothing short of a national tragedy that so much death and disease are wrought by a powerful habit often taken up by unsuspecting children, lured by seductive multi- million dollar cigarette advertising campaigns."

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Research has shown the use of tobacco in any form to be unsafe. In spite of this evidence tobacco companies have been allowed to continue advertising their lethal products, spending between two and three billion dollars annually.

Tobacco companies claim they advertise to foster competition among various brands. However, an analysis of current advertisements for cigarettes strongly suggests that what is being sold is social acceptance of cigarette smoking. Advertisements are frequently youth-oriented and present images of healthy, glamorous, intelligent-looking, romantic, “going-places” people.

There are some fears that there may be First Amendment problems with banning advertising of a legally-sold product. Two United States Supreme Court decisions, *Central Hudson* in 1980 and *Pedestal* in 1986, ruled that no First Amendment right exists to advertise a harmful product. *Central Hudson* also posited that there is an immediate connection between advertising and demand.

Studies have shown that a majority of United States publications refuse to accept material condemning tobacco for fear of offending and losing their high-paying tobacco advertisers.

According to a Gallup poll, a significant percentage of the population is unaware that smoking is a major cause of heart disease and emphysema. Tobacco products fail in every respect to meet the current safety criteria and standards of the Food and Drug Administration (FDA) and the Consumer Products Safety Commission; and, therefore, if such products were being introduced today, they would not be permitted to be sold in the United States.