

**TOBACCO ADVERTISING THAT TARGETS MINORS**

Adopted by Convention Delegates May 6, 1993

*Reviewed by Board of Managers January 2013*

- WHEREAS, The U.S. Department of Health and Human Services has declared that tobacco use is the most important single preventable cause of death in the U.S., that children are beginning to smoke at younger ages, and that the earlier cigarette smoking begins, the less likely the smoker is to quit; and
- WHEREAS, Even those children who experiment only occasionally with smoking are 16 times more likely to become adult smokers than are children who never tried smoking; and
- WHEREAS, Despite widespread information on the adverse effects of cigarette smoking and recent efforts to encourage smokers to quit and young people not to start, cigarette smoking continues to appeal to millions of youth; and
- WHEREAS, The tobacco industries are not following their voluntary advertising codes that limit the use of youth-oriented images and messages and, in fact, they often target those under the legal smoking ages with highly attractive and persuasive advertising and promotion techniques; and
- WHEREAS, Research has shown that advertising and promotion campaigns using techniques such as the “Joe Camel” cartoon character have a significant impact on children; and
- WHEREAS, The California Department of Health Services, state and local agencies, and other organizations are calling for a ban on advertising of tobacco products; and
- WHEREAS, The U.S. Supreme Court has ruled that commercial speech does not enjoy the same protections as regular speech and that government has the right to regulate or prohibit advertising of products that are inherently harmful; and
- WHEREAS, In 1984, the Comprehensive Smoking Education Act imposed labeling requirements on cigarette advertising through Federal statute which requires cigarette manufacturers, packagers, and importers to display four health warnings, rotated quarterly, on cigarette packages and advertisements; now therefore be it
- RESOLVED,** That the California State PTA, its units, councils and districts seek and support legislation, regulation and/or other state and local measures to restrict any tobacco advertising or promotion that tends to encourage tobacco experimentation or use by minors; and be it further

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- RESOLVED,** That the California State PTA join with the California Department of Health Services, California Department of Education, state and local agencies, and other organizations in working toward the prohibition of tobacco advertising and promotion that targets minors; and be it further
- RESOLVED,** That the California State PTA and the National PTA seek legislation and/or regulation to have an additional warning added to the existing Surgeon General’s Warning on tobacco products to say: “Smoking causes lung cancer, heart disease, emphysema and may complicate pregnancy. Smoking is addictive-once you start you may not be able to stop;” and be it further
- RESOLVED,** That the California State PTA forward this resolution to the National PTA for action at the National Convention in 1993.

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### **BACKGROUND SUMMARY**

Historically, the PTA has actively promoted education about the dangers of tobacco and has tirelessly supported efforts to prevent tobacco use among minors. Effective anti-smoking campaigns are widely available and most schools now have at least some tobacco use prevention education. But even with the vast body of information about the dangers of cigarette smoking and the efforts to encourage young people not to start, millions of our youth, especially girls, are beginning to smoke at ever younger ages.

Current research findings reported by the U.S. Center for Disease Control/National Center for Health Statistics include the following information:

- Most adult smokers began as children, 90% of them by age 19.
- Smokers who start as children are likely to consume more cigarettes daily, are more likely to become addicted and are less likely to be able to quit smoking.
- About 60% of high school seniors are current smokers or have experimented with smoking; one-fourth smoked their first cigarette by grade 6, one-half by grade 8.
- Even infrequent experimenters with cigarette smoking are 16 times more likely to become adult smokers than are children who have never tried cigarettes.
- The number of high school seniors who are daily smokers has not significantly decreased since 1984.
- The percentage of smokers among teens is the same whether or not they had taken a class on health risks of smoking or had recently seen, heard or read materials about the adverse effects of smoking.
- About three in every four current teen smokers have made at least one serious but unsuccessful attempt to quit.

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There is clear evidence that tobacco advertising tactics are undermining our efforts to discourage smoking among our children. The tobacco industry's own research showed that children relate to cartoon characters more than to photographs. The industry's self-generated advertising codes that would limit the use of youth-oriented images are strictly voluntary and largely ignored. The U.S. Surgeon General and the National Commission on Drug-Free Schools have charged that the tobacco industry often targets youth with clever advertising and promotional techniques. One example is "Old Joe" camel, the cartoon character used to advertise Camel cigarettes; it is as familiar to six-year-olds as Mickey Mouse. Since the "Joe Camel" cartoon was introduced in 1988, Camel cigarette's share of the under-18 market has increased dramatically—from 0.5% in 1988 to 32.8% in 1991.

The U.S. Department of Health and Human Services includes in its "Healthy People 2000" health plan, an objective to "eliminate or severely restrict all forms of tobacco product advertising and promotion to which youth younger than age 18 are likely to be exposed." The American Medical Association, the American Public Health Association and others concerned about health issues also support a ban on advertising of tobacco products.

The U.S. Supreme Court decisions in *Central Hudson* (1980) and in *Posadas* (1986) held that a ban or restriction on commercial speech is constitutional if it serves a substantial governmental interest and the action is necessary to accomplish that interest. The 1989 ruling in *State University of New York v. Fox* confirms provisions of the two earlier decisions, indicating that restrictions on tobacco advertising are likely to be held constitutional.

The PTA must continue its commitment to promote tobacco use prevention education programs and more effective enforcement of laws prohibiting sales to minors. PTA also must work to stop the tobacco industry's attempts to recruit new smokers through clever advertising and promotion aimed at youth.