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Tobacco – FTC Proceedings



Elizabeth Drye

05/28/97 02:25:42 PM



Record Type: Record

To: Barry J. Toiv/WHO/EOP, Toby Donenfeld/OVP @ OVP

cc: Elena Kagan/OPD/EOP

Subject: Stats on Joe Camel campaign

Here's the key evidence we have on Joe Camel.

In the early 1980s Camel cigarettes were primarily smoked by men over 50 and commanded about 3% to 4% of the overall market and 2% to 3% of smokers under the age of 18. Camel launched the "Joe Camel" campaign targeting younger-adult smokers and by 1989, a year into the campaign, Camel's share of underage smokers had risen to 8.1% and grew to at least 13%, while Camel's share of the adult market remained at 4% (National Center for Health Statistics, CDC, Adult Use of Tobacco Survey, MMWR, 3/13/92).



Elizabeth Drye

05/28/97 02:17:36 PM



Record Type: Record

To: See the distribution list at the bottom of this message

cc:

Subject: FTC going after Joe Camel NOW ON CNN

Good news. FTC is holding a press conference now announcing action against Joe Camel.

FTC announced it has "Reason to believe the law has been violated." Staff of the Commission will proceed to present a case before an ALJ; that judge will conduct a trial to determine whether the evidence supports an unfairness allegation. If FTC is successful, they'll consider remedies. (i.e. this step is not unlike a civil indictment).

remedies it will seek: Reynolds cease and desist use of Joe Camel in places children frequent; Reynolds maintain and make available to FTC data on children's use of each of their brands; require Reynolds to fund public education messages.

HHS/DoJ agree we should applaud FTC, and be clear, if asked, that we're fully confident FDA's advertising provisions will be upheld (i.e., this isn't a move away from use of FDA authority).

Message Sent To:

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Talking Points on FTC "Joe Camel" Action
May 29, 1997

- I applaud the FTC for investigating so carefully the way tobacco companies advertise their products to children. We should do everything possible to stop that kind of advertising, and the FTC charge is a big step in that direction. We need to kick Joe Camel out of our children's lives.
- I should say that the FTC charge is fully consistent with the FDA's rule on tobacco. We're confident that the appellate court will uphold the advertising restriction in that rule, which also will prevent tobacco companies from advertising their products to children.