



American Academy  
of Pediatrics



DEDICATED TO THE HEALTH OF ALL CHILDREN™



August 26, 2013

Brian L. Roberts, Chairman and CEO  
Comcast Corporation  
Comcast Center  
1701 JFK Boulevard  
Philadelphia, PA 19103

Dear Mr. Roberts:

Over the years, we have repeatedly called on the film industry, including Universal Studios, to ensure that tobacco imagery in films does not contribute to youth smoking initiation. We applaud the steps Universal has taken to date on this issue including the adoption of a comprehensive policy on tobacco depictions. In the last five years, Universal has had one of the most admirable records for sharply reducing tobacco incidents in its youth-rated releases.

We write today regarding Comcast Corporation's Universal Studios promotion of the feature film *Rush*, dramatizing the rivalry between Ferrari driver Niki Lauda and McLaren driver James Hunt for the 1976 Formula One racing championship. Marlboro was a sponsor of James Hunt's team at the time, and the movie prominently features the Marlboro brand name and contains smoking depictions.

Our main concerns regarding this promotion are:

- The Marlboro brand name is prominently branded in the *Rush* trailers;
- The *Rush* trailers contain images of smoking; and
- Despite *Rush* being R-rated youth can access the promotional materials on a variety of media and venues such as YouTube, the movie's website, and theatres during promotional trailer screenings.

Tobacco use persists as our nation's leading cause of preventable death and we are concerned that these promotions and portrayals may be inadvertently playing a role in furthering its promotion and glamorization in our society.

Our concern is that promotional materials for a film that is rated R may nevertheless reach large numbers of youth, exposing them to smoking depictions and brand name appearances. This concern is grounded in research. A 2006 study examined 216 movie trailers that aired in the United States from August 2001 through July 2002 and concluded that 24% of the trailers for R-rated movies depicted smoking. “Trailers pair tobacco use with popular movie stars and edgy action shots,” the authors wrote. “These images translate into positive images of tobacco that are conveyed to a broad audience, including a large population younger than 18 years.” The article, which was in the peer-reviewed journal *Archives of Pediatric & Adolescent Medicine*, stated that televised movie trailers with smoking reach 95% of U.S. 12-17 year olds from 2001-2002. The article concluded that broadcast trailers with smoking undermine restrictions on advertising tobacco to youth.<sup>1</sup>

To counter tobacco industry marketing to youth, the public health community has worked diligently for years to limit tobacco company sponsorship and branding of public events such as motorsports. The 1998 Master Settlement Agreement between domestic tobacco companies and state attorneys general limited such sponsorship and in 2009 cigarette and smokeless tobacco sponsorship in the United States was prohibited by the Family Smoking Prevention and Tobacco Control Act.

Brand name advertising at motorsports events was an effective way to reach youth. While 12-17 year olds made up less than 11% of the total aged 12 and older population in 1996, they made up almost 14% of those who attended NASCAR auto races that year and over 18% of those who attended sports car racing.<sup>2</sup> In the same year, more than 25% of 12-17 years olds watched auto racing on television.<sup>3</sup> In short, it was an effective means of circumventing other marketing restrictions (such as the ban on television advertising) and reaching kids with the message that tobacco use is “cool” and acceptable.

Given this background and the subject matter of *Rush*, we believe it is appropriate and a responsible gesture for Universal to take steps to minimize exposure of youth to brand name appearances and smoking depictions through exposure to promotional

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<sup>1</sup> Heaton, C.G., et al., *Televised Movie Trailers: Undermining Restrictions on Advertising Tobacco to Youth*, 160 Arch. Pediatr. Adolesc. Med. 885, 886 (2006).

<sup>2</sup> National Center for Tobacco Free Kids, July 31 (2000) *Racing to Addiction*.

<sup>3</sup> *Id.*

materials for the movie. Such steps would include:

1. Refraining from depicting smoking in the film's trailers on the *Rush* web site and in any other promotional materials.
2. Refraining from including Marlboro imagery in the film's trailers on the *Rush* website and in any other promotional materials.
3. Including the anti-smoking PSA "Mural" before the movie in all venues, formats and forms of distribution. Legacy would make advertising available.
4. Certifying that nobody associated with the film received anything of value or entered into any agreement in connection with the depiction of tobacco products or brands.

We commend the film industry for the successes achieved so far on this issue and look forward to working with you to ensure that they are not reversed. We would be pleased to discuss this further with you and request you contact Dave Dobbins, COO, Legacy at 202-454-5598.

Thank you for your prompt consideration.

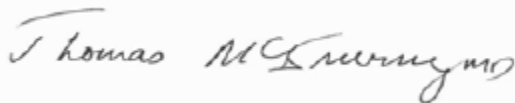
Sincerely yours,



David Dobbins  
COO, Legacy



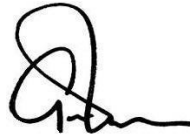
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*Enclosure: Slide show of Rush Film Still Images Depicting Marlboro Imagery*

cc:

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