

NEWS RELEASE

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Nader Urges Congress to Restore the FTC's Authority to Protect Children from the Advertising Industry and Its "Commercial Molestations"

Ralph Nader and Commercial Alert sent a letter today urging Congress to authorize the Federal Trade Commission to protect children from harmful advertisements.

The letter was sent to House Speaker Dennis Hastert; Senate Majority Leader Trent Lott; Senators John McCain and Ernest Hollings, Chairman and Ranking Member of the Senate Committee on Commerce, Science and Transportation; and Representatives Tom Bliley and John Dingell, Chairman and Ranking Member of the House Committee on Commerce. The letter follows.

Dear Speaker Hastert, Majority Leader Lott, Chairmen McCain and Bliley, and Ranking Members Hollings and Dingell:

In 1980, the U.S. Congress passed a law to protect adults who prey on children.

You read that correctly. Public Law 96-252 prohibits the Federal Trade Commission (FTC) from enacting rules that would protect the nation's children from advertising that exploits their vulnerable and trusting natures. This law is corporate abuse incarnate. It should be the role of Congress to protect children, not those who would prey upon them. We urge you to repeal it.

Back then, the FTC was trying to respond to an increase in aggressive marketing aimed at children. Now, two decades later, that increase has become a deluge. Kids are literally assaulted from morning to night. The ad industry targets them in their home, in the school, and virtually all points in between. According to Professor James U. McNeal, an expert on marketing to children, "Virtually every consumer-goods industry, from airlines to zinnia-seed sellers, targets kids." It has become nearly impossible for parents to control the influences that come to bear upon their children.

Some advertisers exploit children's weaknesses in order to get them to want products. For example, Nancy Shalek, president of the Shalek Agency, told the *Los Angeles Times* that "Advertising at its best is making people feel that without their product, you're a loser. Kids are very sensitive to that. If you tell them to buy something, they are resistant. But if you tell them that they'll be a dork if they don't, you've got their attention. You open up emotional vulnerabilities and it's very easy to do with kids because they're the most emotionally vulnerable."

Others advertisers want to force children to watch ads. Take, for example, Channel One, a marketing company that coerces about eight million children to watch two minutes of ads in school each day. "The biggest selling point to advertisers," says Joel Babbit, former president of Channel One, lies in "forcing kids to watch two minutes of commercials." School is a perfect setting for advertisers, Babbit argues. "[T]he advertiser gets a group of kids who cannot go to

the bathroom, who cannot change the station, who can not listen to their mother yell in the background, who cannot be playing Nintendo, who cannot have their headsets on.”

Some advertisers explicitly admit that they want to control children’s minds. For example, Julie Halpin, CEO of Gepetto Group, which specializes in marketing to kids, explains that “Kids marketing in general is becoming more sophisticated” in competing for what she calls “share of mind.” Mike Searles, former president of Kids-R-Us, a major children’s clothing store, said that “[I]f you own this child at an early age, you can own this child for years to come. Companies are saying, ‘Hey, I want to own the kid younger and younger.’”

Marketers believe they are succeeding. “Advertising targeted at elementary school children,” Professor McNeal says, “on programs just for them works very effectively in the sense of implanting brand names in their minds and creating desires for the products.”

The problem is that children appear to be developing health problems because they do precisely what the ads tell them. For example:

Alcohol. Alcohol is a major cause of death among teenagers. It contributes significantly to motor vehicle crashes, other injuries, suicide, date rape, and family, school and other problems. It makes no sense to encourage children to drink beer or hard liquor. Nevertheless, the FTC recently found that the alcohol industry often advertises to audiences with large numbers of children. According to their report to Congress, “alcohol product placement has occurred in “‘PG’ and ‘PG-13’ films with significant appeal to teens and children (including films with animal and ‘coming-of-age’ themes); in films for which the advertiser knew that the primary target market included a sizeable underage market; and on eight of the 15 TV shows most popular with teens.”

Anheuser-Busch Co., the world's largest brewer, uses child-enticing cartoon images of frogs, dogs, penguins and lizards in ads for Budweiser beer. These Budweiser cartoon characters are hugely popular with children. Last year, a KidCom marketing study found these Budweiser cartoon character ads are the American children’s favorite ads.

In June, 1996, Joseph E. Seagrams & Sons Co. broke a 48 year old voluntary ban on advertising hard liquor on television. Five months later, the Distilled Spirits Council of the United States (DISCUS) re-wrote its Code of Good Practice to allow its member distillers to advertise on radio and television. Even if such TV ads are aired only after 9 or 10 PM, they may still reach millions of American children.

Tobacco. The deadly effects of tobacco advertising on American children are well-documented by the FTC and the Journal of the American Medical Association. RJR Nabisco’s Joe Camel ads, then recognizable over mickey Mouse by six year olds, helped seduce hundreds of thousands of children into a lifetime of smoking. Each day, another 3,000 children start to smoke; about a third of them will have their lives cut short due to smoking-related illnesses. Almost two-thirds of 12th graders who smoke choose Marlboro. That is no accident. The Marlboro Man plays to the desires of young people for independence.

Violent entertainment. Following the school shootings in Jonesboro, Pearl, Springfield, Paducah, and Littleton, some media experts, psychologists, and elected officials have suggested that violent entertainment -- including violent video games, movies and television -- may be contributing to this violence. For example, Lt. Col Dave Grossman, co-author of the new book *Stop Teaching Our Kids to Kill*, argues that first-person shooter video games -- such as Duke Nukem, Time Crisis, and Quake -- “teach children the motor skills to kill, like military training devices do. And then they turn around and teach them to like it -- like the military would never do.”

Junk food and fast food. Children are subjected to a barrage of clever parent-bypassing ads for Whoppers, Happy Meals, Coke, Pepsi, Snickers bars, M&M’s, and other junk foods and fast foods. Children are urged to buy these products directly themselves. These ads may contribute to skyrocketing levels of childhood obesity. About 25 to 30 percent of American children are now clinically obese. Severe obesity among young children has almost doubled since the 1960’s. Similarly, childhood diabetes is also on the rise.

These are only the most obvious examples of how corporate advertising may harm children. Enclosed is a copy of our book *Children First: A Parent’s Guide to Fighting Corporate Predators*, which documents other examples.

Other countries protect children from advertising. For example, Greece bans television advertising of toys to children between 7:00 a.m. and 10:00 p.m. Sweden and Norway ban all advertising directed at children under the age of 12. When Sweden takes up the presidency of the European Union in 2001, it is expected to try to expand these protections throughout the EU.

As a minimum response, you should now take the initiative to restore the full authority of the FTC to initiate broad-based rule-making on marketing to children to cure these fundamentally “unfair and deceptive practices.” Furthermore, Congress should now affirmatively *direct* the FTC to undertake such rule-making, and authorize, and appropriate sufficient funding to enable the FTC to undertake such rule-making with dispatch, to protect children from this part of the advertising industry and its commercial molestations.

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The letter was signed by Ralph Nader and Gary Ruskin, Director of Commercial Alert. Commercial Alert was founded last year to help families protect themselves against the excesses of advertising, marketing and commercialism. Commercial Alert’s web address is <<http://www.essential.org/alert/>>.