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January 3, 2001

Attorney General Andrew Ketterer, President
National Association of Attorneys General
Maine Department of the Attorney General
Statehouse Station #6
Augusta, ME 04333
via telecopier (207) 287-3145

RE: Are Philip Morris Textbook Covers Luring Children to Tobacco?

Dear Attorney General Ketterer:

We write to request that the National Association of Attorneys General investigate whether Philip Morris Cos. is marketing tobacco products to children directly or indirectly, in violation of the 1998 Master Settlement Agreement between certain tobacco companies and state officials, by distributing free Philip Morris textbook covers to millions of schoolchildren.

According to news accounts, Primedia's Cover Concepts has sent out 13-15 million of the Philip Morris book covers, and intends to distribute 13 million more.¹ The Philip Morris book jackets are ostensibly a part of an anti-smoking educational campaign. However, *Advertising Age* notes that one textbook cover's design "looks alarmingly like a colorful pack of cigarettes."² More importantly, the textbook covers promote to children the Philip Morris brand name, which is synonymous with tobacco and smoking.

¹ Martha Groves, "Tobacco Firm's Gift Viewed as a Marketing Smoke Screen." *Los Angeles Times*, November 29, 2000. Attachment #1 also includes Peter Simon, "Cigarette Maker Criticized For Gift of Textbook Covers." *The Buffalo News*, October 18, 2000. Felice Freyer, "Book Covers Cloud Message on Tobacco Use, Critics Say." *Providence Journal-Bulletin*, September 23, 2000.

² "Blown Cover." *Advertising Age*, September 11, 2000. See Attachment #2.

Branded book jackets are an effective way to increase brand recognition among schoolchildren. According to *Advertising Age*, one market research study found that schoolchildren had an extremely high brand recall of up to 74% for brands promoted on book covers distributed by Cover Concepts.¹ When Philip Morris promotes its name among children, it increases its brand recognition, and builds a relationship with them that can help sell tobacco products. This is especially troubling given that Marlboro, a Philip Morris brand, is the #1 brand of cigarettes among children.

At a minimum, by promoting its brand name among schoolchildren, Philip Morris appears to be indirectly promoting tobacco products to them, which violates the Master Settlement Agreement's broad prohibition against marketing tobacco to children:

No Participating Manufacturer may take any action, directly or indirectly, to target Youth within any Settling State in the advertising, promotion or marketing of Tobacco Products, or take any action the primary purpose of which is to initiate, maintain or increase the incidence of Youth smoking within any Settling State.

Some educators are rightly worried about whether these Philip Morris book covers will encourage children to use tobacco products. For example, on November 27, Delaine Eastin, California State Superintendent of Public Instruction, encouraged California county and district superintendents to "thwart this attempt by the Philip Morris Tobacco Company to reach kids with their message."²

We strongly urge you to determine whether the distribution Philip Morris textbook covers to schoolchildren is a direct or indirect promotion of tobacco products in violation of the Master Settlement Agreement. If so, we urge you to take appropriate action to recall the Philip Morris textbook covers, halt any additional dissemination of these covers, and to take whatever other measures are needed to safeguard the health of schoolchildren from marketing deprecations of Philip Morris.

Sincerely,

¹ Jane Hodges, "Schools Uncover New Ad Niche," *Advertising Age*, September 11, 1995. See Attachment #3.

² Correspondence from Delaine Eastin, California State Superintendent of Public Instruction to County and District Superintendents, November 27, 2000. See Attachment #4.

Enola G. Aird, Director, Motherhood Project, Institute for American Values
John R. Garrison, CEO, American Lung Association
George Gerbner, President and Founder, Cultural Environment Movement; Dean Emeritus, Annenberg School of Communication
Bill Godshall, Executive Director, SmokeFree Pennsylvania
Peter Hanauer, Past President, Americans for Nonsmokers' Rights
Michael F. Jacobson, co-author, *Marketing Madness*
Sut Jhally, Founder and Executive Director, The Media Education Foundation
Jean Kilbourne, author, *Deadly Persuasion*
Diane Levin, Professor of Education, Wheelock College; author, *Remote Control Childhood*
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Susan Linn, EdD, Associate Director, Media Center of the Judge Baker Children's Center
Bob McCannon, Executive Director, New Mexico Media Literacy Project
Robert McChesney, Research Associate Professor, U. of Illinois at Urbana-Champaign; author, *Rich Media, Poor Democracy*
Jim Metrock, President, Obligation, Inc.
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cc: Attorney General Janet Napolitano, State of Arizona
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