

AMENDED IN SENATE JULY 18, 1997

AMENDED IN SENATE JUNE 19, 1997

AMENDED IN ASSEMBLY APRIL 8, 1997

AMENDED IN ASSEMBLY MARCH 12, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

Assembly Concurrent Resolution

No. 4

Introduced by Assembly Members Perata, Ortiz, Gallegos, Torlakson, Alquist, Aroner, Bowen, Brown, Cardoza, Davis, Escutia, Figueroa, Granlund, Havice, Hertzberg, Honda, Kaloogian, Keeley, Knox, Kuehl, Kuykendall, Lempert, Mazzoni, Migden, Napolitano, Scott, Shelley, Strom-Martin, Thompson, Thomson, Villaraigosa, Vincent, Washington, Wayne, Wildman, and Wright

(Coauthors: Senators Burton, Hughes, Karnette, Kopp, Lee, Solis, Vasconcellos, and Watson)

January 13, 1997

Assembly Concurrent Resolution No. 4—Relative to cigarette advertisement.

LEGISLATIVE COUNSEL'S DIGEST

ACR 4, as amended, Perata. Tobacco products: advertisement.

This measure would ~~urge the shareholders of R.J. Reynolds Tobacco Company to vote to discontinue the use of the character "Joe Camel" in advertisements of Camel brand cigarettes,~~ would concur with the Federal Trade

Commission’s May 28, 1997, decision regarding R.J. Reynolds Tobacco Company, and would oppose the marketing or promotion of tobacco products to minors.

Fiscal committee: no.

1 WHEREAS, According to the Food and Drug
2 Administration, every day nearly 3,000 young people start
3 to smoke in this country, and every year one million
4 children take up smoking even though it is illegal to sell
5 cigarettes to them; and

6 WHEREAS, A recent study by the University of
7 Michigan determined that smoking rates among 8th,
8 10th, and 12th graders have been increasing steadily over
9 the last five years; and

10 WHEREAS, In 1993, the Centers for Disease Control
11 and Prevention estimated that health care costs,
12 nationwide, from smoking-related disease and death was
13 \$50 billion; and

14 WHEREAS, According to the California State
15 Department of Health Services in 1992, 42,000
16 Californians die every year due to smoking and tobacco
17 use; and

18 WHEREAS, According to a national study by the
19 University of Michigan between 1991 and 1994, the
20 percentage of 8th graders who smoked increased 34
21 percent nationwide; and

22 WHEREAS, Cigarette smoking among American teens
23 rose again in 1995, according to the Centers for Disease
24 Control and Prevention; and

25 WHEREAS, According to National Household Surveys
26 on Drug Abuse in 1991, more than 70 percent of smokers
27 begin the habit before 18 years of age with the average
28 smoker beginning at 15 years of age; and

29 WHEREAS, According to the California State
30 Department of Health Services, smoking is on the rise
31 among those under 19 years of age both in California and
32 nationally; and

33 WHEREAS, According to the Centers for Disease
34 Control and Prevention, more than 5 million Americans
35 under the age of 18 years who smoke today will eventually



1 die prematurely and an estimated \$200 billion in
2 projected health care costs will result from
3 tobacco-related illnesses; and

4 WHEREAS, According to a 1994 Surgeon General's
5 report, of the 3,000 young people who start smoking every
6 day, 1,000 of them will die as a result; and

7 WHEREAS, Six-year-old children are as familiar with
8 the character "Joe Camel" as they are with the character
9 "Mickey Mouse" (Paul M. Fischer et al., "Brand Logo
10 Recognition by Children Aged 3 to 6 Years," Journal of the
11 American Medical Association, 1991:266:3145-3148); and

12 WHEREAS, An October 1995 study in the Journal of the
13 National Cancer Institute found 60 percent of adolescents
14 who have never smoked could name a favorite cigarette
15 advertisement, with the character "Joe Camel" cited
16 most often; and

17 WHEREAS, A study in Health Psychology concluded
18 that the sudden rise in teen smoking coincided with
19 sizable cigarette promotions; and

20 WHEREAS, Camel-brand cigarettes' brand-share
21 among the under-18-years-of-age market has risen from
22 one-half of 1 percent before the Joe Camel advertising
23 campaign to almost 33 percent now (Joseph R. DiFranza
24 et al., "RJR Nabisco's Cartoon Camel Promotes Camel
25 Cigarettes to Children," Journal of the American Medical
26 Association, 1991:266:3154-3158); and

27 WHEREAS, Sales to the under-18-years-of-age market
28 have been estimated to account for about one-quarter of
29 all Camel-brand cigarette sales (Stuart Auerbach, "FTC
30 Staff Takes Aim at 'Joe Camel': Reynolds Denies Ad
31 Campaign Is Aimed at Enticing Teens to Smoke,"
32 WashPost, 8/12/93); and

33 WHEREAS, According to a 1993 study by the Centers
34 for Disease Control and Prevention, after the character
35 "Joe Camel" was introduced in 1988, adolescent interest
36 skyrocketed, with more than 13 percent of 12- to
37 18-year-olds saying they preferred the brand; and

38 WHEREAS, Tobacco companies continue to market
39 cigarette and tobacco products directly to our youth
40 manipulating shamelessly deceptive techniques such as



1 the use of the character “Joe Camel”; now, therefore, be
2 it

3 ~~Resolved by the Assembly of the State of California, the~~
4 ~~Senate thereof concurring, That the Legislature urges in~~
5 ~~the strongest possible terms that the shareholders of R.J.~~
6 ~~Reynolds Tobacco Company exercise their~~
7 ~~responsibilities as shareholders, taxpayers, citizens, and~~
8 ~~family members and vote at the next quarterly~~
9 ~~shareholders’ meeting to discontinue the use of the~~
10 ~~character “Joe Camel” in all advertisements of the~~
11 ~~company’s Camel brand cigarettes; and be it further~~

12 ~~RESOLVED,~~
13 ~~RESOLVED BY THE ASSEMBLY OF THE STATE~~
14 ~~OF CALIFORNIA, THE SENATE THEREOF~~
15 ~~CONCURRING, That the Legislature concurs with the~~
16 ~~May 28, 1997, Federal Trade Commission decision to seek~~
17 ~~an order that would prohibit the R.J. Reynolds Tobacco~~
18 ~~Company from using the character “Joe Camel” in~~
19 ~~advertising, except advertising in bars and nightclubs~~
20 ~~that restrict access for minors; require R.J. Reynolds~~
21 ~~Tobacco Company to conduct 10 years of antismoking~~
22 ~~education for teenagers; and require R.J. Reynolds to~~
23 ~~supply data regarding the consumption by teenagers of~~
24 ~~each of the company’s cigarette brands; and be it further~~

25 *Resolved,* That the Legislature opposes the marketing
26 or promotion of tobacco products to minors.

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