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May 8, 2012

Rupert Murdoch, Chair and Chief Executive Officer  
News Corporation  
1211 Avenue of the Americas  
New York, NY 10036

Dear Mr. Murdoch:

For many years now, Attorneys General from numerous states have repeatedly called upon the motion picture industry to take meaningful steps to protect the health and lives of children by eliminating depictions of smoking in movies rated G, PG, and PG-13. We are writing to urge you to do your part by leading Twentieth Century Fox to adopt published anti-smoking policies for youth-rated movies, and to take certain other steps outlined below.

Our concerns are grounded in science. The U.S. Surgeon General, in her comprehensive report on youth and young adult smoking issued in March, has concluded that there is “a causal relationship between depictions of smoking in the movies and the initiation of smoking among young people.”<sup>1</sup> Moreover, the Dartmouth Medical School has released research demonstrating that early exposure to depictions of smoking in movies predicts *established* smoking by older teens and young adults.<sup>2</sup>

A meta-analysis of multiple research studies indicates that 44% (95% CI 0.34 – 0.58) of smoking in teens can be attributed to their exposure to on-screen depictions of smoking. Translated into actual lives affected, this means that more than a million American adolescents ages 12-17 currently smoke as a direct result of seeing movie smoking;<sup>3</sup> more than three hundred thousand of these smokers are projected to die prematurely as a result of tobacco-induced

<sup>1</sup> U.S. Department of Health and Human Services, *Preventing Tobacco Use Among Youth and Young Adults: A Report of the Surgeon General*. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Controls and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2012 (“Surgeon General’s Report”), at 602.

<sup>2</sup> Madeline A. Dalton et al., *Early Exposure to Movie Smoking Predicts Established Smoking by Older Teens and Young Adults*, 123(4) *Pediatrics* e551-8 (2009), cited in Surgeon General’s Report at 3, 11, 584, 593, 608.

<sup>3</sup> Based on State Estimates of Substance Use and Mental Health, 2006-07 National Surveys on Drug Use and Health, SAMSHA, Office of Applied Studies, National Survey on Drug Use and Health, 2006 and 2007; Millett C., Glantz S.A., *Assigning an ‘18’ Rating to Movies with Tobacco Imagery is Essential to Reduce Youth Smoking.*”

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diseases.<sup>4</sup> This is a colossal, preventable tragedy. There are specific, meaningful steps your subsidiary can and should take to reduce this harm substantially.

*First*, Twentieth Century Fox should adopt published corporate policies that provide for the elimination of tobacco depictions in youth-rated movies. Companies that have adopted published tobacco policies together reduced tobacco incidents per youth-rated movie by 96% between 2005 and 2010. By contrast, companies such as yours, lacking such published policies, together reduced tobacco incidents per youth-rated movie by less than half as much (42%).<sup>5</sup> Meaningful, consistently enforced policies can substantially reduce youth exposure and correspondingly reduce youth tobacco addiction. Simply put, these policies are practical and effective means for protecting young people and saving lives.

The Surgeon General's report acknowledges that the ongoing varying performance among studios in adopting and enforcing tobacco policies bolsters public health recommendations for giving all movies with tobacco incidents an R rating, except for those films that portray either a historical figure who smoked or the negative effects of tobacco use.<sup>6</sup> Given the scientific evidence, including the Surgeon General's recognition of the causal relationship between viewing movie smoking depictions and youth smoking initiation, the industry cannot justify failing to eliminate smoking from youth-rated movies. Whether this is accomplished through meaningful, consistently enforced policies adopted by each studio across the industry, or through a change in the way movies are rated, or both, the bottom line is that action needs to be taken, now.

*Second*, Twentieth Century Fox should include effective anti-tobacco spots on all future DVDs and Blu-ray videos of its films that depict smoking, regardless of MPAA rating, and stipulate that such spots also appear before broadcast, cable and satellite showings, on-demand viewings, and Internet streams and downloads. Further, Twentieth Century Fox should commit to work with stakeholders and motion picture exhibitors to encourage theatrical exhibitors to run effective anti-smoking spots before all feature films with smoking.<sup>7</sup>

*Third*, Twentieth Century Fox should certify in the closing credits of all of its future motion picture releases with tobacco imagery that "No person or entity associated with this film received payment or anything of value, or entered into any agreement, in connection with the depiction of tobacco products."

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<sup>4</sup> Tobacco-induced mortality among smokers is approximately 32%. *Morbidity and Mortality Weekly Report*, 1996; 45:971-74.

<sup>5</sup> Surgeon General's Report, 570. The Report identifies Disney, Time Warner, and Comcast (Universal) as studios that have adopted written policies designed to reduce the amount of smoking in their films while Viacom, News Corp, Sony and the independent producers are identified as lacking such tobacco policies. According to the University of California, San Francisco, Center for Tobacco Control Research and Education (unpublished), in 2005 studios *without* published tobacco policies accounted for half of all the tobacco incidents in top-grossing G/PG/PG-13 movies; by 2010 these companies accounted for 98% of incidents. This demonstrates the need for all producer-distributors to adopt policies that are conceptually sound, unambiguous, and consistently enforced.

<sup>6</sup> Surgeon General's Report, 571.

<sup>7</sup> As recognized by the Surgeon General's Report, "Experimental studies provide strong and consistent support for the idea that an antismoking advertisement shown before a movie that contains smoking scenes influences how moviegoers view smoking and react to it [by blunting favorable attitudinal response]; several studios have already adopted this practice." Surgeon General's Report, 597, 598.

*Fourth*, Twentieth Century Fox should keep all of its future movies free of tobacco brand display, both packaging and promotional collateral.


The motion picture industry's depiction of smoking in movies has resulted in hundreds of thousands of new youth smokers each year. A point that we made to studios nearly five years ago bears repeating: Each time the industry releases another movie that depicts smoking, it does so with the full knowledge of the harm it will bring to children who watch it. The specific steps outlined above are ones that Twentieth Century Fox can and should immediately adopt.

We would appreciate your promptly confirming Twentieth Century Fox's willingness to adopt the above recommendations and the date by which such recommendations will be implemented. If you have any questions, please contact Rusty Fallis at (206) 389-3888 or [rustyf@atg.wa.gov](mailto:rustyf@atg.wa.gov). Thank you for your attention.

Sincerely,



Mark Shurtleff  
Utah Attorney General



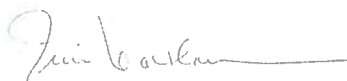
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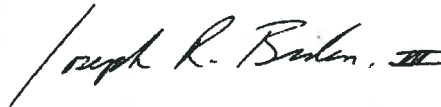
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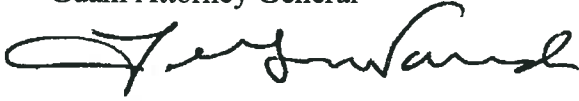
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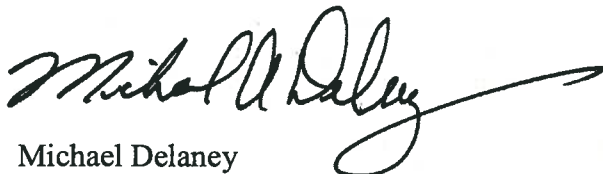
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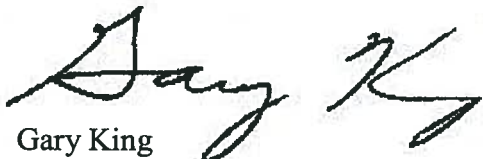
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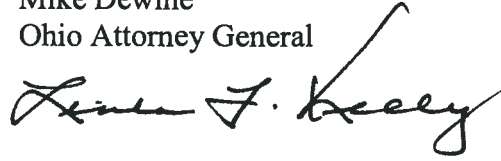
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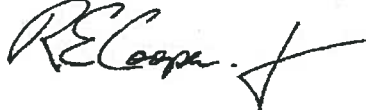


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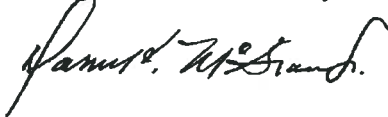
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## **Companies without published tobacco policies**

The May 8, 2012 NAAG letter about movie studios stopping depictions of smoking in youth-rated movies was sent to:

1. Rupert Murdoch, Chair and Chief Executive Officer, News Corporation
2. Howard Stringer, Chair, CEO and President, Sony Corporation
3. Sumner Redstone, Chair, Viacom, Inc.
4. Leslie Moonves, President and CEO, CBS Corporation
5. Stacey Snider, Principal Partner, Co-Chair and CEO; Steven Spielberg, Principal Partner and Co-Chair, DreamWorks Studios
6. Jon Feltheimer, Co-Chair and CEO; Harald Ludwig, Co-Chair, Lions Gate Entertainment Corp.
7. Ryan Kavanaugh, CEO, Relativity Media, LLC
8. Robert Friedman, Co-Chair and CEO; Patrick Wachsberger, Co-Chair and President, Summit Entertainment, LLC
9. Bob Weinstein, Co-Chair; Harvey Weinstein, Co-Chair, The Weinstein Company, LLC
10. Todd Wagner, Co-Owner and CEO; Mark Cuban, Co-Owner, 2929 Entertainment LP