ANNALS OF ADVERTISING

CUTTING DOWN

At midnight next January 1st, all television and radio commercials for cigarettes will go off the air for good. Their removal by that time is mandatory under federal law. This ban is in the principal parts of the Tobacco Health Cigarette Smoking Act, which was passed by both houses of Congress last spring for the purpose of protecting smokers from being exposed, over public airwaves, to advertisements for a product that the Surgeon General of the United States Public Health Service has declared to be hazardous to health. The act is an extraordinary piece of legislation. It was passed in spite of massive pressure that had been brought to bear against it, and against the regulation of cigarette advertising generally, by the tobacco industry, the broadcasting industry, and their lobbyists and publicists. This was a recognition that for years had proved itself invincible against a counterforce of scientists and public-health and public-interest advocates who, armed with formidable statistics on the damage to health and life caused by cigarette smoking, had sought to protect consumers by requiring all cigarette advertising to provide adequate warnings of these dangers.

The emphasis on controlling the content of cigarette advertising rather than the sale of cigarettes themselves is an indication of the power that advertising has attained in American society, particularly for advertising for products that, like cigarettes, have no useful exception but that come under the merchants’ category of "pleasure products," the need for which is essentially subjective. Such subjective needs are capable of being aroused and maintained on a socially acceptable scale with the help of advertising. Fifty years ago in this country, advertising was a mere adjunct to the selling of consumer goods; nowadays it lies at the core of the whole merchandising and consuming process. The merchandising of cigarettes on a large scale became practical with the development, around the time of the First World War, of a slightly acid taste, "drying" which allowed smokers to inhale without an immediate unpleasant effect. (Tobacco smoke that is alkaline produces an automatic cough reflex when inhaled.) Mass production of cigarettes really got under way in the 1930's, with the help of big advertising campaigns that, in further expanding the market, employed such slogans as "Reach for a Lucky instead of a Sweet," and "Blow Some My Way," by way of encouraging women as well as men to take up the habit.

Pushed by such campaigns in the press, the per-capita consumption of cigarettes in the adult population of the United States doubled between 1920 and 1930. Between the latter half of the thirties and the latter half of the forties, cigarette consumption, urged on by hard-driving advertising campaigns on network radios as well as in the press, approximately doubled again. The increase continued in the formative period of commercial television; between 1950 and 1952, for example, the per-capita consumption of cigarettes in the adult population increased from thirty-five hundred and twenty-two cigarettes a year to thirty-eight hundred and eighty-six.

Apart from all the smoke that was being blown everybody's way, these increases in the cigarette habit had certain consequences for the adult population. The nature of these consequences showed up in a series of medical studies on the apparent effects of smoking that were conducted or completed during the fifties and the sixties. In 1950, three medical studies concluded that an ominous association existed between cigarette smoking and heart disease. In 1954, a series of medical studies concluded that an ominous association existed between cigarette smoking and illness. In 1954, three medical studies concluded that an ominous association existed between cigarette smoking and illness. In 1954, three medical studies concluded that an ominous association existed between cigarette smoking and illness. In 1954, three medical studies concluded that an ominous association existed between cigarette smoking and illness. In 1954, three medical studies concluded that an ominous association existed between cigarette smoking and illness. In 1954, three medical studies concluded that an ominous association existed between cigarette smoking and illness.

The early advertisers, that is, the cigarette tobacco companies, were not sufficiently conscious of that habit seem attractive. In 1951, the Surgeon General's report, the sales of cigarettes in the United States showed a significant drop, but sales gradually recovered to the previous level. While the tobacco industry was vehemently denying that there was any causal connection between smoking and health, it was effectively and convincingly caught in the trap of the cigarette maker's own advertising, which, the television advertising for them included without actuality talking about health, were somehow a lot more beneficial, or somehow showing harm, to smokers than unfilled cigarettes.

In a short time, with relentless advertising and promotion, the cigarettes became the cigarettes. In 1950, when commercial television was just beginning, eighty-three per cent of the cigarettes smoked were given over to five brands—Camel, Lucky Strike, Chesterfield, Philip Morris, and Pall Mall. But in the fifteen, with the introduction of the "Health Warning" and "Cigarette Health Warning," in 1964, the Surgeon General's report, the sales of cigarettes in the United States showed a significant drop, but sales gradually recovered to the previous level. While the tobacco industry was vehemently denying that there was any causal connection between smoking and health, it was effectively and convincingly caught in the trap of the cigarette maker's own advertising, which, the television advertising for them included without actuality talking about health, were somehow a lot more beneficial, or somehow showing harm, to smokers than unfilled cigarettes.

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As the New Yorker explained it, the television commercials for Virginia Slims, a hundred-millimetre cigarette that was introduced by the American Tobacco Company, seemed to have been designed for the sub-masochistic crowd as well as the band wagon crowd. They featured a male model with dark wraparound glasses and a suit. The effect of the advertising was to promote the cigarette, the promotion of which was led by the campaign leader, "The Man in the Cowboy Hat," who was a smoker of the new brands. The advertising campaign was led by the California tobacco company, which was known for its skillful commercials that emphasized the cigarette's filter and its low tar and nicotine content.

The message of the Virginia Slims commercials, sung to a strong, contemporary beat, was "You've come a long way, baby, to get where you're at today. You've got your own cigarette now, baby. You've come a long, long way." Within a year of the opening of the campaign of liberation, the sales of Virginia Slims rose to four and a half billion cigarettes, or two hundred and twenty-five million packs. And by the time the cigarette commercials go off the air for good, Virginia Slims will be selling at the annual rate of nearly five and a half billion cigarettes, that is, more than one hundred million packs. One of the considerations underlying the highly successful campaign for Virginia Slims, and the large sales of other brands in the same period, was that over the years the number of women smokers had been increasing steadily and had come to constitute a large share—about forty per cent—of the total cigarette market. Women had also come a long, long way in other respects, and the advertising business, "Mrs. Lawrence told me, 'I am not a scientist.'" The information provided to me on this subject—what it is, how it is done, and what your makeup is cigarettes can cause you to contract these diseases, I'll search my soul about the moral problem." She added, "I sell lipsticks, automobiles, airline travel, and cosmetics—life has all sorts of opportunities. It is impossible for me to run an advertising agency and to have my name on advertising one gaily sold product and not another."

As the promotional gimmicks, the man in the cowboy hat, the laughter in the cigarette commercials, increased, so did the mass of evidence the cigarette brands continued to pump out on television screens across the country with round-up specials in the four-year period. The television companies, according to green fields or sailing on green seas, and with footnotes of jingles. If the problems of being a hardheaded executive among smokers could be solved by song, the television companies, the marketing twenty-five million put out would have eliminated those illnesses in a week.

In this history of the sixties, the big new development in cigarette advertising was the advertising of the cigarette, the promotion of which was led by the campaign leader, "The Man in the Cowboy Hat," who was a smoker of the new brands. The advertising campaign was led by the California tobacco company, which was known for its skillful commercials that emphasized the cigarette's filter and its low tar and nicotine content. The advertising campaign was led by the California tobacco company, which was known for its skillful commercials that emphasized the cigarette's filter and its low tar and nicotine content.

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CROW'S FALL

When Crow was white he decided the sun was too white,
He decided it glared much too whitely.
He decided to attack it and defeat it.
He got his strength flush and in full glitter.
He clawed and fluffed its hair in curl.
He aimed his beak directly at the sun's center.
He laughed himself to the center of himself.

And attacked.

At his battle cry, trees grew suddenly old;
Shadows lengthened.

But the sun brightened—
It brightened, and Crow returned charred black.

He opened his moths but what came out was charred black.

"Up there," he managed,
Where white is black and black is white, I won.

—Ted Hughes

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Benzhaf learned of the F.C.C. decision, he was called in, he says, to the office of the head of the law firm where he worked. "I found out that one of our firm's clients was one of the Big Six tobacco companies. I was then told that I was on the telephone, if I please." he says. "Obviously, it was an awkward situation from a professional point of view. I went off to think things over, and my tentative conclusion was that, having complained what I had in making cigarette commercials subject to the fairness doctrine, I meant to have it well bow out and allow some of the major private health organizations none of the ball from there on. I'd put a great deal of effort into protesting the petition to the F.C.C. for the job I had was the first I'd held with a law firm; my personal financial resources were very limited, to say the least; and I knew that the F.C.C. decision was just the beginning of a long fight, because it was certain to be attacked by tobacco manufacturers and the broadcasting industry in protected legal procedures to challenge the fairness doctrine and the broadcasting industry.

Before long, however, the tobacco industry and the broadcasting industry were in for a hit of a shock. In June, 1967, the Federal Communications Commission ruled that it is "fair" to have "cigarette advertising" on the air. The ruling was the result of a number of complaints from concerned citizens about the advertising of cigarettes on the air.

The Commission's decision on June 2, 1967, was that cigarette advertising was "unfair" to some people who were concerned about the dangers of smoking and the dangers associated with smoking.

The Commission's decision was based on the fairness doctrine, which states that "the fair treatment of all points of view on any matter of public interest is the duty of the Commission and of the broadcasting industry." The Commission ruled that cigarette advertising is not fair because it is not balanced with other forms of tobacco advertising, such as those that promote the health benefits of quitting smoking.

The decision was made after a year of investigation by the Commission. The investigation included over 47,000 radio stations, and over 2,000 television stations. The Commission found that cigarette advertising was often misleading and did not adequately inform the public of the dangers of smoking.

The decision was greeted with mixed reactions. Some people praised the Commission for taking a stand against cigarette advertising, while others criticized the decision as unfair and manipulative.

Some of the objections to the decision were that it was an infringement of the First Amendment's protection of free speech, and that it unfairly restricted the advertising of legal products. Others felt that the decision was a necessary step in protecting the public from the dangers of smoking.

The decision was appealed to the courts, and the case was fought through the courts for several years. In the end, the decision was upheld by the Supreme Court, which ruled that the Commission had the authority to regulate cigarette advertising.

The decision was seen as a turning point in the fight against cigarette advertising, and it led to a decrease in cigarette sales and a rise in the price of cigarettes. It also led to a greater awareness of the dangers of smoking, and to the eventual passage of laws that banned cigarette advertising.
to the National Interagency Council on Smoking and Health—an organization that carries out some coordinating functions between the public-information arms of the American Cancer Society, the National Tuberculosis Association, the American Heart Association, and other health societies—and outlined the steps needed to sustain the F.C.C. decision.

"After I'd sent off the letters, I was invited to a meeting of this Interagency Council, and when I turned up at it I pointed out to the representatives of these health organizations that the first petition opposing the F.C.C. decision had already been filed with the F.C.C.—I forget when it was on behalf of—and that within sixty days someone had to answer that petition with some legal arguments if the F.C.C. decision was to be upheld," Banzhaf said. "I felt very strongly that the decision could not be saved unless responsible health organizations banded together to support it with competent legal counsel. But the representatives of the health organizations I was trying to persuade turned me down, one after another. In words I'll never forget. One of them said to me, 'Let me tell you the economic facts of life. Your organization depends on free broadcasting time for our fund-raising drives. We are not going to jeopardize that time by getting involved in this move.' Another told me, 'We're a health organization, not a legal organization. We can't get involved in legal action.'

"Others suggested that they felt they could get more from the broadcasters by cooperating with them in a friendly way than by becoming their legal antagonists. Even before the F.C.C. decision, the American Cancer Society had been preparing some caustic commercials about smoking. Its representatives felt they could have these spots used on the air here and there, and didn't want to injure their chances of doing that. Also, the health organizations were not thinking of the problem just in terms of disease. Their attitude was that you don't see a disease. They were all very sympathetic, but they felt themselves dependent on the goodwill of the broadcasters, so they simply weren't prepared to get into a fight. In sum, they wouldn't do anything and wanted to leave it to me to act. I felt rather bitter about this."

"All that summer of 1967, petitions to the F.C.C. to rescind its decision were being filed. All together, there were about a dozen of them. The petitions filed included those on behalf of the three major networks, of the National Association of Broadcasters, of well over a hundred individual TV and radio stations, of the six major tobacco companies in this country, of the Tobacco Institute, and even of the Federal Communications Bar Association, a group of attorneys practicing in the communications industry. The petitions were filed by some of the top law firms in the country, including the Washington firms of Arnold & Porter—the firm Abe Fortas left to go on the Supreme Court—and Covington & Burling.

"With great difficulty, I decided to go ahead myself and to prepare arguments for presentation to the F.C.C. in support of my original petition and against the legal arguments opposing it and the F.C.C.'s decision. I was continuing with my job at the law firm, but felt uncertain about my position there, and the time I had available for this outside private project was very limited. But I got my reply brief supporting the original decision in, and I remember that on September 8th, a Friday, I left my office at eleven-thirty at night. I picked up an early edition of Saturday's New York Times and read that the F.C.C. had rejected the broadcasters' and tobacco-industry's petitions and had unanimously reaffirmed its decision requiring a significant amount of free rebuttal time to be offered against cigarette commercials. When I read that, I went right back to my office and got to work again. The reason for that was my knowledge that the reaffirmation of the F.C.C.'s decision could now be reviewed by the federal courts of appeal in the country, and that petitions for review would certainly be presented to those courts. I knew I'd have to be prepared for real trouble."

The trouble that Banzhaf had in mind was the possibility that the tobacco and broadcasting forces, in petitioning the federal courts of appeal to review the F.C.C. decision, might take advantage of Banzhaf's limited resources by deliberately filing a petition in a court difficult for Banzhaf to get to from New York—a court in Los Angeles, for example. Also, he reasoned, they might

"The motion is carried. We agree never, never to eat each other, and anyone who does will be expelled from the sea."
file a petition for review in a court they thought would be friendly to their cause—a court that Banzhaf hoped to reform.

At the Cancer Society, we had mixed feelings about entering the legal action. F.C.C. had ordered free rebuttal time to cigarette commercials on television, and when we urged the Commission to provide financial assistance for the defense of the decision, we offered our own counsel to explore the situation. A member of our firm was in Washington with counsel for the F.C.C., and he reported to us that the Commission felt that the principal burden of defending the F.C.C. decision would fall upon the Commission and that the Commission did not feel that it needed any help from us in defending its decision. Our lawyer agreed. He told us that in his opinion the F.C.C. had a very strong case and had the help of excellent attorneys, and

Banzhaf quickly decided that the best way to reform such a court was to do his own forum shopping. From his point of view, the most convenient forum for consideration of the issue was in Washington—the federal Court of Appeals for the District of Columbia Circuit. Three months earlier, that court had upheld the Constitutionality of the fairness doctrine in vigorous terms. However, he couldn’t pick his court as easily as all that, because the choice of the particular court to review a petition is determined by where the petition for review is first filed. Furthermore, in the normal course of events a petitioner before a court has to lose a case—not win it, as Banzhaf had, in order to present a petition for review. Accordingly, Banzhaf worked very late that night preparing a court petition against the F.C.C.’s reaffirmation of its decision to require an airtime for antismoking messages. The ground he chose for his petition for review was that the Commission had denied what it had interpreted as his original demand for equal time for rebuttal of cigarette commercials and had granted only “a significant amount of time.” Having prepared this petition, he flew to Washington the next morning, rushed, called downtown, and filed the petition with a clerk of the U.S. Court of Appeals, who, fortunately for Banzhaf, happened to be there although it was Saturday. Thus Banzhaf established—or so he hoped—a forum that would be friendly to his cause.

Two days after Banzhaf filed his petition for review, an assembly known as the World Conference on Smoking and Health, which was sponsored by the National Interagency Council on Smoking and Health and was managed by the American Cancer Society, began a series of meetings at the Waldorf-Astoria. The purpose of the conference was to present new medical and scientific findings on the connection between cigarette smoking and all health, and to discuss public and private programs for educating and warning people about the hazards of smoking. One of the introductory speakers at the conference was Senator Robert F. Kennedy, and Banzhaf says that as a result of a talk he had with one of the Senator’s assistants just before the health conference convened, Senator Kennedy incorporated into his speech a recommendation that the health organizations help provide legal assistance for the defense of the F.C.C.’s decision. On the third day of the conference, Banzhaf himself spoke before one of its committees and urged such assistance. The committee made a similar recommendation, but, according to Banzhaf, the major health organizations reconsidered their position and again declined to use their funds to engage in litigation on cigarettes. The same day that Banzhaf made his appeal to the conference, the National Association of Broadcasters, in association with one of its members stations, filed an own petition for review of the F.C.C. decision. They filed with the Court of Appeals in Richmond, Virginia—where, of course, is deep in the heart of Tobacco Country, Banzhaf told me. The broadcasters, having filed their petition in Richmond, then came back to the Court of Appeals in Washington and filed a twenty-page motion citing twenty or thirty cases and claiming that my petition in Washington was defective and should be dismissed—the idea being to change the venue from Washington to Richmond. Under court rules, I had five days to reply to the broadcasters’ motion. It wasn’t much time for me, and normally it’s common custom for one party in proceedings of this sort to permit an extension to the opposite side to give it reasonable time to prepare its arguments. I telephoned my opponents and asked if, in view of the fact that I had a full-time job, they’d grant me a reasonable extension of time. But the other side said no. It was the old technique of overwhelming your opponent, blinding him with papers. I just had to work a little harder.

In five days, I prepared a forty-page answer to their twenty-page motion, and the eventual result of these filings was that the court upheld my position to the extent that the case stayed in the Court of Appeals in Washington.

People in Washington who are familiar with the background of the F.C.C. decision and the appellate-court proceedings in which the decision was upheld find Banzhaf’s act in originally demanding an air time for counter-ads messages about cigarette smoking a most resourceful way of publicizing its hazards at minimal cost, and for that, it is said, he deserves great credit. However, their admiration for his resourcefulness is tempered by reservations concerning what they think is his occasional propensity for personal publicity, in contrast to the manner of others and more self-facing people whose contributions over the years to the cause of informing the public of the relationship between smoking and health have, at least as fundamental. And, indeed, to talk with Banzhaf at any length about public awareness of the relationship between cigarette smoking and health would hardly think that much prime mover in the field is Dr. Hamilton Bass, one of the Surgeons General of the United States between 1961 and 1965, had ever existed. Although Banzhaf’s disappointment at being unable to get financial help from national health organizations is understandable, there are a few matters that his account of his relations with such organizations is somewhat below the mark. This has been dwelt upon by Clifton R. Read, an official of the America’s Health Organizations, in an interview.

“At the Cancer Society, we had mixed feelings about entering the legal action. F.C.C. had ordered free rebuttal time to cigarette commercials on television,” Read told me.

“We were very much pleased at what Banzhaf’s original accomplishment, and when he urged us to provide financial assistance for the defense of the decision, we asked our own counsel to explore the situation. A member of his firm was in Washington with counsel for the F.C.C., and he reported to us that the Commission felt that the principal burden of defending the F.C.C. decision would fall upon the Commission. We were very much pleased with what Banzhaf had accomplished, and when he urged us to provide financial assistance for the defense of the decision, we asked our own counsel to explore the situation. A member of his firm was in Washington with counsel for the F.C.C., and he reported to us that the Commission felt that the principal burden of defending the F.C.C. decision would fall upon the Commission and that the Commission did not feel that it needed any help from us in defending its decision. Our lawyer agreed. He told us that in his opinion the F.C.C. had a very strong case and had the help of excellent attorneys, and

There is a 20 m.p.h. world 700 miles at sea.

After you get off of a 600 m.p.h. jet, it’s kind of nice to wander around our relaxed little island. Everything and everybody runs a little slower here than almost any place else on earth. Golfers don’t rush from hole to hole. Sun lovers don’t have to wade through a sea of people on our pink beaches. We have so many! Sightseers don’t have to wade through waves of people on our tidy little squares.

On our island, you’ll find just about every sport that you’ll find any place else, plus one thing that you’ll never find any other place on earth: Golfers don’t rush from hole to hole. Sun lovers don’t have to wade through a sea of people on our pink beaches. We have so many! Sightseers don’t have to wade through waves of people on our tidy little squares.

And that is our slow, enjoyable way of life. A life where nobody is ever too busy to smile. A place where everybody talks to everybody. That’s why so many people who come to Bermuda keep coming back. Some who come never leave.

They’ve discovered there is only one Bermuda. Tell a travel agent you want to join them. Or write Bermuda:

610 Fifth Avenue, New York, N. Y. 10020 or 6 North Michigan Avenue, Chicago, Illinois 60602.
Did your Dad ever say he expected great things from you?

This Polaroid Land Camera is one of the most automatic cameras in history. (It will let you focus and shoot, but there's not much else it will let you do.)

Our Countdown Model 350.

It not only gives you a color picture in a minute, its electronic development timer even tells you when your picture's "froze." (In any light good enough to read by.)

The electric eye and electronic shutter can take a picture with complete accuracy, even close-ups, even self-portraits. (You frame the picture as you focus, in the same window.)

Or color time exposures up to 10 seconds long. Automatically exposes flash shots for color and black-and-white.

And you can even take black-and-white pictures indoors without flash. (In any light good enough to read by.)

There's a dual image Zeiss Ikon rangefinder-viewfinder. (You frame the picture as you focus, in the same window.)

And with optional accessories you can take portraits, close-ups, even self-portraits.

Beautiful all metal body. Brushed chrome finish.

Under $160. It's what your Dad's best friend might give him.

This instrument decided to submit an amicus-curiae brief in support of the FCC's fairness doctrine. Before the Court of Appeals and argued in the proceedings, he had started the principal burden of defending the FCC's decision in court, as the Cancer Society people had expected, fell upon counsel for the F.C.C., and that the FCC's success was clear-cut. The court held that, "as a public-health measure addressed to a unique danger, authorized by official and congressional action," the F.C.C. ruling on significant time for rebroadcast of "anti-smoking messages to domestic audiences" was proper protection of the public interest under the provisions of the Communications Act.

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The American Cancer Society, under the leadership of Richard J. Lord, who is president of the organization, has developed a new system of anti-smoking messages that have been successful in changing the public's attitude toward smoking. The system involves the use of television commercials that are designed to educate the public about the dangers of smoking and to encourage them to quit.

In addition to the television commercials, the American Cancer Society has also developed a series of warning signs that are placed in public places to remind people of the dangers of smoking. These signs are designed to be eye-catching and to grab the attention of people who are passing by.

The American Cancer Society has also worked with the Federal Communications Commission (FCC) to ensure that television stations comply with the Fairness Doctrine, which requires them to provide equal time for opposing viewpoints on issues of public importance. The FCC has ruled that stations must comply with the Fairness Doctrine, and the American Cancer Society has worked to ensure that the stations comply with the ruling.

In conclusion, the American Cancer Society has developed a comprehensive system of anti-smoking messages that have been successful in changing public attitudes toward smoking. The system involves the use of television commercials, warning signs, and the Fairness Doctrine, and the American Cancer Society has worked to ensure that the stations comply with the Fairness Doctrine. The organization continues to work on improving its anti-smoking messages and to educate the public about the dangers of smoking.
To get the rights to play 'Smoke Gets in Your Eyes,' we went to Chappell & Co., the music publishers who own the copyright. Representatives of a cigarette company had been there before us. They'd tried to buy the song for one of their brands. But Chappell & Co. had turned them down. We explained what we wanted. The man we talked to at Chappell happened to have just given up smoking. We got the rights to play 'Smoke Gets in Your Eyes' in a Cancer Society anti-smoking message for just a hundred and sixty-eight dollars and fifty cents, which represented the bare cost of the legal paperwork involved. The messages have been a pretty big success. I think I've heard that some stations wouldn't run it, but they believed it was too strong. Also, I understand that one tobacco company brought pressure that resulted in our parody of the Western shootout being taken off. That was a hit for a hungry actor. And some actors are afraid that even if they don't happen to be the type for cigarette commercials they might be blackballed by agencies that do cigarette commercials. Well, for this particular anti-smoking message [one paralyzing the happy shown in cigarette commercials] we had to hunt quite a bit to collect a cast. We must have seen forty or fifty people. We'd have actors signed up and then find them backing away. We had one guy signed up for a shooting call at 8 a.m., and at five-thirty the evening before we got a call from his agent, who said he wouldn't let the actor play the part. We pointed out that the guy couldn't lose parts in cigarette commercials by appearing in an anti-smoking spot, because he didn't even smoke. The agent said, 'I'm going to teach him to smoke, if that will get him in a cigarette commercial.' Eventually, we came up with a few people who believed what we were doing. Most of them were nonprofessional. One of them was a waitress at a restaurant on Eighty-sixth Street who looked just like the sort of girl who might appear in a cigarette commercial. They were all great, and really worked hard.

**WHILE** the anti-cigarette forces were gradually mobilizing themselves, the tobacco industry was not idle. During the first quarter of 1969, the tobacco industry spent a good deal more money on television commercials than it had in the corresponding period of the previous year. On network television, the industry spent forty-five million dollars on individual spots; on commercial spots containing such claims as "The nicotine and tar trapped by the exclusive Vicary filter cannot reach your mouth, throat, or lungs," the network spent forty-three million dollars. In the hard sell in television advertising. At Ted Bates in the early fifties, Reeves had seen strong hand in promoting filter cigarettes, such as Vicary and Kid. That was put out by Brown & Williamson. He had helped make the sales of these brands leap wildly with commercials containing such claims as "The nicotine and tar trapped by the exclusive Vicary filter cannot reach your mouth, throat, or lungs." He saw in connection with the medical studies on smoking and health that put the subject on the front pages in 1954. "We had already promoted the health kick."

New Reeves, after having retired from the agency business and doing some dealing in real estate down in Jamaica, had returned to Madison Avenue, set up himself in a suite of fifteen offices on the thirty-fifth floor of the Newsweek Building, and was consulting with half a dozen large corporate clients—\"all big jungle cats, too.\" He said—on whatever public-relations or managerial problems afflicted them. I had an opportunity to interview Reeves on the subject of tobacco shortly after Tidernock took on the Tobacco Institute account, and although I gathered that...
The aroma, superb. And these qualities come through any way you serve it. Let Martell say Noel with eloquence.

In the gift wrap, in the snifter, in the eggnog... Martell Cognac loses nothing in translation. The taste is exquisite. The Martell eggnog... an exquisite possibility.

The corporation was getting nearly half a million dollars for its services to tobacco. I never did get him to tell me exactly what it was doing for the Institute. However, I found him perfectly ready to say at some length that the tobacco industry had come in for much hard and unfair treatment at the hands of the federal government and of the medical people associated with the Surgeon General's report.

"After years of silence on the subject, the tobacco industry has decided that it is refreshing and necessary in any controversy to present both sides," Reeves told me. "I can say that I have been consulted on presenting the side of the controversy that has not been heard properly. The tobacco manufacturers do not claim that cigarettes do not cause cancer. They say very simply that it has not been proved that cigarettes do cause cancer. The question is still an open one. I believe that you should see some of the crank letters I've got. I'm a merchant of death. I should be lashed to the stake. But I happen to be a very rich man—too rich to be sold out for money."

Warming to the subject, Reeves continued, "I went to Washington. I looked into the propaganda machine of the federal bureaucracy and what it has been doing with the facts about smoking. For example, a study made for the Department of Health, Education, and Welfare, and published last May. Let me describe it. Volunteers are lined up. They call Mrs. A. They say, 'How old is your husband?' Or they get her daughter—the father isn't there. 'How much does your father smoke?' 'Like a chimney.' 'How long has he been smoking?' 'Forty years.' 'Does he cough?' 'All the time.' 'Worried about his heart?' 'Yes, as a matter of fact, his heart's thumping.' 'Breathing?' 'He props up like an old locomotive.' Wives and daughters turned into diagnosticians! And you just try to get the raw data on that study, so that competent statisticians can study it on computers. I'll bet you five dollars to fifty thousand dollars you don't get it!"

Further: "The doctor is a layman in this matter. I gave a cocktail party for fifteen top doctors. There are busy men. We poured some gin into them. I told them, 'You know about the smoking controversy?' Oh, yes, we've made a bit of 'opinion-makers' throughout the very profound study. And I found out that not one had read the Surgeon General's report. They'd all got it from the Times or the News."

It was interesting to see a man who had made his fortune out of commercials that habitually conjured up the authority of medical science—doctors who were alleged to recommend Anacin most when headaches strike, eminent skin specialists who were supposed to attest to the glowing results for women who carried out the Fourteen-Day Palindrome Beauty Plan, eminent dental specialists whose studies were made to demonstrate the clear superiority of Colgate Dental Cream—suddenly fall upon the man in white and assail them as deficient in scientific rigor. And it was interesting to see a man who, in his advertising career, had shown such solicitude for the public health that he mounted a vast campaign of television commercials alerting the country to "doctors' tests" proving that "Minute Maid Orange Juice is better for your health than orange juice squeezed at home" now so intent on playing down the dangers of smoking, and acting as the chosen agent of the Tobacco Institute to attack the Surgeon General of the United States for improper use of statistical method.

It was also interesting to see, some time after the Tobacco Institute obtained the services of Reeves' consulting organization, one result of this collaboration. In January, 1968, True carried an article entitled "To Smoke or Not to Smoke—That Is Still the Question," under the byline of Stanley Frank. The article took up the cause of the tobacco industry against the findings of the Surgeon General's report and other stories associating cigarette smoking with ill health, and it concluded, "At the moment, all we can say for sure is that the cause of cancer is not known and that there is absolutely no proof that smoking causes human cancer.

Before its publication, the article was heavily promoted in advertisements appearing in the daily press, and a couple of months after publication it got even more publicity, slightly less favorable. When a story in the Wall Street Journal disclosed that Stanley Frank had become an employee of Hill & Knowlton, the public-relations people employed by the Tobacco Institute. It also disclosed that approximately six hundred and eighty thousand reprints of the article had been sent out, most of them with a covering note signed "The Editors," to a list of "opinion-makers" throughout the country. But the reprints weren't sent out by the editors of True, even though they were printed on the pages of Fawcett Publications, which publishes True. They were sent out—and paid...
for—no one other than the Tidewater Corporation, which, it turned out, had also paid for the newspaper ads about the article. It was later disclosed that the "opinion-makers" who received the reprints included 184,647 doctors and other people in the field of medicine; 2,825 people in the communications field; 41,055 biological scientists; 18,819 educators; 10,142 government officials; including the 50 governors, 100 senators, and 432 representatives; 10,173 security analysts; and 123,379 other people, including lawyers, members of Junior Chambers of Commerce, and the like. In addition, three member companies of the Tobacco Institute—the American Tobacco Company, Philip Morris, and R. J. Reynolds—ordered directly from Fawcett two hundred thousand copies, sixty-five thousand one hundred copies, and a hundred and thirty-five thousand copies, respectively, and, on top of this, Reynolds, Leffurt, Brown & Williamson, and Philip Morris obtained from the Tidewater Corporation a hundred thousand reprints of the article to send to their stockholders, company employees, and sales representatives. The Tobacco Institute and its members must have spent at least a hundred and seventy-five thousand dollars on the True project. Various complaints of unfair trade practices on the part of Tidewater, the Tobacco Institute, and the advertising of the article were subsequently made to the Federal Trade Commission, and these resulted in an F.T.C. report to Congress. According to the report, which was submitted the following June, the True project had its genesis in discussions between Douglas Kennedy, then the editor of True, and a certain Joseph Field, whom the report identified as a public-relations man on retainer to Brown & Williamson. Field told the F.T.C. investigators that before and after the True article appeared he had sought to get national magazines to run stories presenting the tobacco industry’s views on the subject of smoking and health, and he indicated that after his discussions with Douglas Kennedy, although he was given no commitment that such an article would be printed in True, he approached Stanley Frank, a free-lance writer for popular magazines who had done a number of articles for True, and paid him five hundred dollars to develop such an article. Approval of the idea and reimbursement of the five hundred dollars came from Brown & Williamson, Field said. Further inquiry revealed that Field then introduced Frank to an attorney for another tobacco company, and that this attorney supplied Frank with most of the material he used in writing the True article. The article was circulated among four editors, two of whom thought it should be printed. A memorandum from a third editor expanded favorably: "'Andy and Jack think this is great. I find it completely biased, and if actually not bogwash, pretty damn misleading.’" A fourth editor found Frank’s scientific critique of the Surgeon General’s report and other medical documents somewhat surprising. He commented:

"I see old friend [name deleted in the F.T.C. report] had written this long, sober-sister plot for the tobacco industry. I couldn't understand his motives, but coming from Stanley Frank, a man who has spent many years in handwriting diagnostica in laboratories. I am at a loss… Let's really face it: what's wrong here is that our writer didn't go out like a good reporter and do his homework. The result is the truth… Stated, biased, and without present justification."

For the article, Frank was paid an author’s fee of five hundred dollars. In addition, his payment was raised fifty thousand dollars. (Frank went on to work for Hill & Knowlton, the tobacco public-relations firm, where he wrote the appearance of the article in True, and he is still working there, but there is no evidence that he ever told Hill & Knowlton to the True article. As a matter of fact, after the revelations about True’s activities in publishing the True article the Hill & Knowlton people were very unhappy.) Soon after the ramifications of the True article became public, Hill & Knowlton resigned the Tobacco Institute account. (Tidewater and the Tobacco Institute continued relations until the end of 1968.)

Not unexpectedly, a number of liberal senators expressed shock at the tactics used by the Tidewater Corporation. However, Roswell, editor of the little opposition should be considered. He was doing his best to combat what he seemed to see as some vast new, Western-style, doctored plot against the tobacco manufacturers; the business of running off-screen, print-oriented public-relations campaign was something new to him, and probably, in his innocence, the former prince of the band sell was merely trying to apply—as far as Tidewater’s part in the True affair went—standards of addressing the public that are perfectly normal and acceptable in the world of television advertising.

Unfortunately as the revelations concerning the True article were for the tobacco industry, they were
followed by even less welcome developments. In February, 1969, the Federal Communications Commission issued public notice that it intended to propose a rule to ban cigarette advertising from all radio and television broadcasts. Because of "the hazard to public health involved in cigarette smoking, it noted, the ruling was called for by the standard of public interest that broadcasters were legally obligated to adhere to. In taking that stand four months before the expiration date, on June 30, 1969, of those provisions in the Cigarette Labeling and Advertising Act of 1965 which prohibited the F.C.C. and other regulatory agencies from taking action against tobacco advertising on the ground of health, the F.C.C. was plainly notifying Congress that it was prepared to move against cigarette advertising after June 30th if Congress didn't.

The tobacco-industry people were highly indignant at the F.C.C. statement of intention. The Tobacco Institute issued a statement declaring, "In the present state of scientific knowledge about smoking and health, the ruling contemplated by the F.C.C. would be arbitrary in the extreme." The broadcasters were indignant, too, Vincent T. Washlewski, the president of the National Association of Broadcasters, issued a statement declaring, "The F.C.C. has arrogated to itself the formulation of a national policy... outside its field of expertise," and calling the policy one that should be left to Congress itself to determine. And Senator Sam J. Ervin, Jr., Democrat of North Carolina, the tobacco industry's senior defender in Congress, called the F.C.C. proposal "an supreme example of governmental tyranny."

Thus, in the struggle over cigarette advertising the lines were drawn not only between the tobacco interests and the forces convinced of the danger cigarette smoking presents to public health, and between the broadcasting interests and the F.C.C., but also between Congress and a regulatory agency. Taking into account that, in addition to the F.C.C. proposal, the Federal Trade Commission had already made known, the previous year, not only its own opposition to the advertising of cigarettes on radio and television but also that it wished to require a stronger health warning on cigarette packages, the pro-tobacco forces realized that it was most important for them to concentrate on preventing the lapsing of the preemption clauses in the Cigarette Labeling and Advertising Act. Further, they knew that a number of bills proposing the restriction of tobacco sales and advertising were being processed in a number of states, and that the preemption clauses of the Cigarette Labeling and Advertising Act did lapse, such bills might more or less in every state and from a patchwork of regulations that would make nationally organized advertising and sales campaigns for cigarettes extremely difficult.

Consequently, great lobbying pressure was exerted by the pro-tobacco forces on members of the House Committee on Interstate and Foreign Commerce, which in April held hearings on various bills to amend the 1965 Cigarette Act, and on May 28th the committee, by a vote of two-to-one, reported out a bill, known as the Public Health Cigarette Smoking Bill, that would have extended the preemption of any state or federal agency intervention against cigarette advertising for six years—a period longer than one thought the moratorium built into the 1963 act. It looked like a clear victory for the tobacco forces, except for one tactical concession—recommendation by the committee that a stronger health warning be required on cigarette packages. Instead of reading, "Caution! Cigarette Smoking May Be Hazardous to Your Health," the warning was now to read, "Warning: The Surgeon General Has Determined That Cigarette Smoking Is Dangerous to Your Health and May Cause Lung Cancer and Other Diseases." In arriving at this wording, the committee rejected a proposal from the Surgeon General himself that the last part of the warning read, "... and May Cause Death from Cancer and Other Diseases." The word "death" made the tobacco people and their allies too unhappy. Even then, certain members of the committee felt that the modified warning was too much for them. Since the label was not required to be placed on the front of the packages, it meant that it would continue to be put on one side, where it would be visible in cigarette commercials. And since the warning might conceivably help in some manner to relieve the tobacco companies of liability for damages arising out of lawsuits brought by the estate of deceased smokers who died of lung cancer, the tobacco men were uninterested about this concession anyway.

The tobacco industry was under the leadership of Earl C. Clemmer, a former Democratic senator from Ken-
DECEMBER 19, 1970

WHAT THE VERY RICH HAVE ALWAYS KNOWN ABOUT BARBADOS

It's not just another Caribbean resort for Americans. It's a whole new way of life in the tropics, with something for all tastes. The island is so isolated that it's a haven for the rich and famous, and the prices are low enough to suit anyone's budget.

The Barbados Board of Tourism has launched a new campaign to attract visitors from all over the world. The campaign includes a brochure that highlights the island's unique attractions and features articles by well-known writers and artists.

The brochure can be obtained at any hotel or tourist office, or by contact with your travel agent. For further information, call 801 Second Ave., New York, N.Y. 10017.

It's not just another Caribbean island (no wonder the locals call it “the Caribbean on the other island”), it's Barbados, the island of the Barbadian people.

The Barbadian people are known for their hospitality and their love of the outdoors. They enjoy beautiful Barbados, and they enjoy the Barbadian way of life.

The Barbados Tourist Board offers a wide range of activities for visitors, including horseback riding, deep-sea fishing, and simulations of the Barbadian way of life.

And the Barbadian people are always ready to welcome you to their island. It's summer sun and spacious apartments. It's not just another Caribbean island; it's Barbados, the island of the Barbadian people.
The bill was now sent to the Senate, but in reception in the appropriate committee there was far less friendliness than it had been in the House Interstate and Foreign Commerce Committee. Senator Warren G. Magnan, a Democrat of Washington, the politically powerful chairman of the full Senate Committee on Commerce, was on record as being in favor of restrictions on cigarette advertising. Two years previously, he and Senator Robert F. Kennedy had jointly proposed to the major tobacco companies that they allow their cigarette commercials to be broadcast only after ten oclock at night. Furthermore, the chairman of the Commerce Committee's Consumer Subcommittee, which would hold hearings on the cigarette bill, was Frank E. Moss, Democrat of Utah, who represented a large number of Mormons, who are abstainers. For his own part, Senator Moss was so firmly opposed to cigarette advertising on radio and television that he had already promised to filibuster, if necessary, against any Senate bill that would prohibit federal agencies from regulating or banning it. On top of all this, the annual report to Congress of the Federal Trade Commission was due. In 1968, the F.T.C.'s annual report had recommended that a strong warning to the effect that cigarette smoking may "cause death" be placed on all cigarette packages and included in all cigarette advertising and that cigarette advertising be banned from radio and television entirely. And this year the F.T.C. was expected to press these recommendations even harder. In fact, when the report was sent to Congress, early in July, it not only repeated these recommendations but also recommended that broadcasters be required, as part of their public-service responsibilities, to devote a significant amount of broadcasting time to programs and announcements on the health hazards of cigarette smoking. Once again, too, there was the threat that the F.C.C. would intervene directly—unless the Senate as well as the House acted to prevent it—to ban cigarette advertising from the air. Having taken all these circumstances into account, the broadcasters came up with a plan that they thought might forestall the threat from the federal regulators. Around the time of the F.T.C. report, a delegation of broadcasters made a visit to Senator Magnuson's office and advanced a proposal that had been conceived by network policymakers at N.B.C.'s Washington office. Under the N.B.C. scheme, the networks would gradually phase out advertising for the cigarette brands that had the highest tar and nicotine content, thus eventually limiting cigarette advertising carried to the low-tar-and-nicotine brands. They proposed this on the theory that the promotion of low-tar-and-nicotine cigarettes was less objectionable to opponents of cigarette advertising than the promotion of the high-tar-and-nicotine variety. The plan was also in accord with a suggestion that Magnuson himself had once made in regard to limiting cigarette advertising. It was also in accord with the economic interests of the network people, who were calculating that whatever changes might take place in the huddles assigned by the tobacco companies to low- and high-tar-and-nicotine brands, the total revenues from cigarette advertising had a chance of remaining more or less intact.

This plan was a tempting one to Senator Magnuson, not only because it...
Morality: Show United States according. He said that while he led, the problem was really not a smoking really was harmful to health, and pointed out that many smokers were adjusting their smoking habits accordingly. He said that while he thought confusing cigarette advertising to promotion of low-tar-and-nicotine brands might seem a reasonable interim solution to the regulatory problem, the problem was really not a regulatory or scientific one but one of morality. Should the United States government accept the promotion of a habit that had been proved so devastating to the nation's health? After thinking things over, Magnuson decided that the low-tar-and-nicotine advertising scheme wasn't an adequate way of coping with the problem.

At that point, both Senator Magnuson and Senator Mann exerted strong pressure on the broadcasters to come up with more far-reaching concessions on cigarette advertising. They seem to have also taken advantage of cracks that were beginning to appear in the lobbying alliance between the broadcasters and the tobacco manufacturers. The tobacco people were taken aback by the behavior of the broadcasters in proposing a phaseout of high-tar-and-nicotine advertising. "The conversations of the broadcasters on this matter were in secret. I can't understand their not explaining their intentions to the cigarette industry," a staff member of the Tobacco Institute told me in discussing this development. The tobacco men had another complaint, too. In spite of all the advertising talk about "mildness," many tobacco manufacturers considered the most successful brands of cigarette on the market to be those with higher, rather than lower, tar and nicotine content. And since the most successful brands were those into which the most promotional and marketing money had already been poured, brand managers in the cigarette business now profited unhappily that scores of millions of promotional dollars that had been spent on television campaigns for particular high-tar brands would be spent in vain if the broadcasters' plan went through.

The broadcasters denied that they had been negotiating in secret to the detriment of their friends in the tobacco business. "The tobacco people knew all along what we were doing, but we've never known what they were doing," a man who was involved in the negotiations for the broadcasters told me. In spite of the broadcasters' protests that they were keeping the tobacco manufacturers informed of their political negotiations, the tobacco manufacturers were left in for a further shock. Under pressure from the Senate, and out of fear that if federal regulatory agencies stepped in to do something about cigarette advertising on the air a great deal of advertising for other products might suffer the same fate, the broadcasters gave in. On July 3, the National Association of Broadcasters, through its Television Code Review Board, announced a plan to phase out...
Not only high-tar and nicotine cigarette advertising but all kinds of cigarette advertising from the air over a three-and-a-half-year period beginning January 1, 1970. It was a very heavy blow to the tobacco men, who now saw that either way to advertise, as far as radio and television were concerned, was lost. Even the three and a half years over which the plan was to be carried out gave them no satisfaction, as the respective competitive positions of individual tobacco companies were concerned, it was clear that over this plan period the plan would favor the plans of those brands that were then in a dominant position in the market and place at a disadvantage the less powerful companies that were trying to dislodge them by putting large advertising sums into their own brands.

The tobacco companies felt so overthrowing among themselves. They now seemed united only in their recognition of what they viewed as a solictus by their old friends the broadcasters, to whom they had given vast sums over the years for cigarette advertising.

Already, the tobacco men had been discussing among themselves what contingency measures they might have to adopt to head off a situation in which they might be forced by federal regulators to put a health warning on every kind of cigarette advertising, including point ads. The disparity of the tobacco companies was compounded as a result of a declaration made by their own representatives at a hearing of the Federal Trade Commission on July 2nd concerning the propriety of requiring a health warning to be included in all cigarette advertising. At the hearing, Thomas Austin, of the powerful Washington law firm of Covington & Burling, who was representing the Tobacco Institute, advanced the argument that any such warning in cigarette advertising was unnecessary, because of all the publicity given in the mass media— including the anti-smoking commercials— to the ease of smoking and health "demonstrates that the current public awareness of the hazard in cigarette smoking is now pushing."

"You are everybody knows that cigarette advertising is hazardous to health?" Commissioner Philip Elman asked the Tobacco Institute counsel.

"Yes, I will take on that issue, sir," Austin replied, indicating that he intended to use his privilege in his argument, and he did.

After all the years and all the millions of dollars that the industry had devoted to denying the value of the individual reports of these hazards, this was a horrifying argument for the tobacco men to see reported in the news. It was so horrifying, in fact, that one official of the Tobacco Institute with whom I hoped to discuss the subject a month later reacted to my mention of it as though the Institute's counsel had never advanced such an argument at all. He was the Institute's public-relations director, and he may have just blocked it out of his mind.

Whatever the tobacco people felt about Mr. Austin's characterization of the effects of cigarettes on smokers, there was no doubt that they were increasingly worried about the effects of anti-smoking commercials on smokers and on potential smokers. "The anti-smoking spots are dreadfully effective," a staff member of the Tobacco Institute remarked to me one day that summer, and a few days later a former executive of a major tobacco company who had just been removed from his organization as a result of a corporate merger, and was consequently feeling a bit disillusioned about the tobacco business, told me, "The industry considers that the anti-smoking commercials, on top of the tremendous anti-smoking campaigns that have been mounted in the public schools, the Public Health Service and the various health organizations, and on top of all the other unacceptable public anti-smoking, are really hurting. In fact, the opinion of many top-level tobacco people is that as things stand they will not just now have cigarette commercials banned altogether if by that they could in effect get the anti-smoking commercials banned, too."

Whatever their considerations were, the tobacco forces rallied themselves for a heavy counterattack against the broadcasters. On July 22nd, at a hearing of the Senate Commerce Committee's Consumer Subcommittee, Joseph F. Cullman III, head of Philip Morris, promised, on behalf of the nine leading cigarette manufacturers in the country, to end all cigarette advertising on radio and television not by the 1973 deadline proposed by the broadcasters but by September, 1970. He attached only one condition to this pledge—that Congress grant the tobacco manufacturers immunity in this case from the antitrust laws, under which they might be charged with restraints of trade by thus acting in concert.

Cullman went even further. He informed the subcommittee that if the broadcasters would release the tobacco
If you've ever tasted a chocolate covered cherry, you've almost tasted Cheri-Suisse.

But our Swiss version isn't so sweet and innocent. Enjoy it after dinner. Over ice. Or to perk up a parfait?

Manufacturers from their existing advertising contracts, the tobacco manufacturers would be prepared to withdraw their cigarette commercials from the air by January 1, 1970. This was a very sharp move on the part of the tobacco firms, a man on the subcommittee told me. Suddenly the tobacco companies were putting themselves in a heroic role. According to them, it was now only the greed of the networks that was keeping cigarette commercials on TV. Actually, the companies were angling for a lot more than a mere 68.5 P.R. gesture. What they really after now was legislation that would assemble the idea of getting cigarette commercials off the air but would actually protect the tobacco industry by forbidding the F.T.C. to prevent it from putting a health warning in all tobacco ads. And, in fact, the tobacco industry's chances of foisting that mandatory health warning did begin to look better.

The broadcasters were aggrieved. They had not expected this drastic move by the tobacco people, and they were particularly put out by the manner in which the tobacco men had somehow managed to throw a weight of automatons-wealth over themselves. Worse still, an advance of the deadline from September of 1973 to September of 1970 for removing cigarette commercials from the air was going to cost the broadcasters perhaps a third of a billion dollars in advertising revenue, the amount depending on the terms of a proposed plan.
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If the money you have today is growing in the future toward more income, or for education, travel, leisure, retirement, it must be kept working full time to achieve your investment goals.

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To help solve this problem, clients of N.B.C. have turned to The Danforth Associates Investment Management Plan. We do, believe, that efficient use of personal savings is the key to a life-style that is more comfortable and rewarding. The cost is modest, as low as $100 per year.

For a complimentary copy of a 42-page booklet describing this plan, its complete, up-to-date performance record, and how it may help you, simply write Dept. N-30.

THE DANFORTH ASSOCIATES
WILLIAM H. MILLER, U.S.A. voces
Investment Management - Incorporated 1936
One of the world's best-kept secrets is said to be the recipe for pancakes served at Copenhagen's Town Hall. But what said to be the recipe for pancakes served there?

BIRGER CHRISTENSEN
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By appointment to the Royal Danish Court

Davis makes lasting impressions in solid wood.
This is the Street-Callacette from the Nioka collection by Davis.
Craftsmen of the solid wood furniture.

DAVIS CABINET COMPANY

For "The Glory of Solid Wood Furniture" and 11,000 others.
Dept. SV-15, Davis Cabinet Co., Nashville, Tenn. 37204

Three advertising, or even of turning away further revenues that might follow the proposed cutoff of cigarette commercials from the airwaves. There were very few exceptions. They included the Christian Science Monitor, which had never carried cigarette advertising, and two of the more prominent newspapers that had moved to stop its policy on cigarette ads was the New York Times. On August 29th, the Times ran an editorial saying, "In advance of the steps we urge Congress will take to establish tighter health safeguards by law, The Times is taking a voluntary action to insist that a health warning accompany any cigarette advertisements it carries." As of January 1, 1970, it explained, the paper would accept cigarette ads only if they concluded, in "plainly legible form," a warning concerning the health hazards of smoking.

The tobacco industry's reaction to this move was made clear by a full-page ad that the American Tobacco Company took in the Times, on September 4th. The headline on the ad read, in huge letters, "WE're NOT DROPPING THE NEW YORK TIMES.

The text of the ad declared that the American Tobacco Company had "advised" to take its commercials off television and radio because of "the claim that such media unavoidably reach large numbers of children," and "the fact that we agree with anti-cigarette crusaders (including the New York Times) who would like to make cigarettes for the thousand and one ills that flesh is heir to." Indeed on this bellicose declaration, spokesmen for Liggett & Myers, R. J. Reynolds, the Lorillard Corporation, Philip Morris, and Brown & Williamson made it known that they did not intend to advertise their cigarettes in the Times, either, under the conditions prescribed.

The broadcasters, for their part, kept hammering away at the tobacco industry and the press again, going so far as to make common cause with the federal regulators who had been partly responsible for depriving them of huge potential cigarette-commercial revenues. In October, Wozniak complained to a letter to Senator Moss in connection with the "discriminatory legislation" proposed by the tobacco industry that "there are indications that large sums of money would be diverted by the cigarette companies from broadcast advertising to promote their products by other means," and that it appeared that "these expenditures would be made for promotional programs employing such devices as coupons, premiums, contests, point-of-sale promotion, and samples." As well as advertising in print. Helpfully, Wozniak enclosed a news clipping from the Washington Sunday Star that, he wrote, "States that no change is contemplated in the current level of tobacco subsidies of forty million dollars per year and that $230,000 will be spent annually (for dies) for advertising of tobacco products in friendly foreign countries." And he concluded that, rather than see Congress act on the tobacco companies' proposal, the broadcasters would prefer to have the regulation of cigarette advertising handled by the regulatory agencies.

Aside all this discussion between the formerly inseparable partners in the mass merchandising of cigarettes, the Full Employment Committee, headed by Senator Magnuson, met in October to consider amendments to the House bill governing cigarette advertising on the air. The committee voted an amendment to make mandatory the withdrawal of cigarette commercials from television and radio. Senator Philip A. Hart, Democrat of Michigan, a member of the committee and a strong supporter of anti-trust legislation, had persuaded the committee that it would be wise to accept the terms of the tobacco industry's offer to withdraw its advertising from the air by September, 1970—wise because the exemptions from the anti-trust laws which the industry asked as a condition might prove to be a legal booby trap that could damage future reenforcement of the anti-trust boycott. But the broadcasters could get from the committee on this point, though, was a concession in the form of an amendment that would make the ban on cigarette commercials effective not by September, 1970, as the tobacco people had proposed, but by January 1, 1971—the idea being to let the broadcasters have the benefit of a final shower of cash from the cigarette revenues generated by the fall football season.

The lobbyists for the tobacco industry had a better luck with members of the committee than the broadcasters had. "The tobacco people were very much," a committee staff member told me. "They moved in on the committee and managed to carry two amendments that favored them. First,
"Let's hear it for Wolfschmidt Vodka. It's won 33 medals!"

"Rah. Rah. Let's have the winner in for a drink!"

Wolfschmidt.
The genuine vodka with all the medals.

they won a statutory provision that would prohibit the Federal Trade Commission from acting on the health warning in cigarette ads for eighteen months after the termination of cigarette advertising on the air—which meant they forced an extension by a whole year of a deadline that the F.T.C. had in the meantime set for requiring a health warning in all cigarette ads. Thus the tobacco lobby swung enough votes in the committee to bring about a change in the text of the existing warning label required on cigarette packages. At first, the committee (bypast the text required in the House bill) decided to alter the text of the existing warning on cigarette packages from “Caution: Cigarette Smoking May Be Hazardous to Your Health” to “Warning: Cigarette Smoking Is Dangerous to Your Health.” When the tobacco lobbies learned about that, they put enough pressure on so that the commission changed its mind and, by a narrow vote, further amended the text to read, “Warning: Excessive Cigarette Smoking Is Hazardous to Your Health.” This was a considerable gain for the tobacco lobby, because the use of the word “excessive” made the warning imply that normal smoking was dangerous to health—which was not what the Surgeon General’s report had said. What the Surgeon General’s report had said was that cigarette smoking in normal amounts was indeed dangerous to health.

The amended bill came to a vote in the Senate on December 12th. Before it did, Senators Magnuson and Moss had launched a battle against the de-
naturalized health warning on the cigarette packages and ads. Though fur-
ther amendments, they obstructed the elimination of the word “excessive,” and they also managed to have included by one year the period during which the F.T.C. was forbidden to require a health warning in all cigarette advertising. The F.T.C. could require this warning, after giving Congress six months notice of its intentions to do so, after July 1, 1971. In addition, the Commission would be permitted to im-
pose certain other requirements on cigarette advertising, such that the tar and nicotine content of the brands concerned he included. The bill was passed by a vote of seventy-one to twenty. It was then sent to House and Senate com-
mittees for a resolution of differences between the Chambers. The broad-
casters were to work on the conferences in a final attempt to delay the cutoff date for cigarette commercials to Sep-

A turkey stole the show.

You wouldn’t expect Turkey to be a big part of your Christmas celebration. But as “Paul Stilts’ Story Theatre,” that’s exactly what happens.

It’s no small feat to take a theater full of cruelty, gruesomeness and terror and turn their faces to smiles. The voting rates as thoroughly delightful, enchanting and captivating... - Mike Stein, WFRC Radio

"Paul Stilts’ Story Theatre" is 8 actors dancing, singing and miming 9 Aesop’s and Grimm’s fairy tales. It’s the play for adults that adults thought was for kids.

The show that brings back magic to Broadway... - Olive Batteries, The New York Times

"Talent, invention and subtle sophistication... an appeal that spans small children and the most erudite adults." - Herman Nadel, Scripps-Howard

"Tremendous talent. Marvelous things happened. Story Theatre is an impressive and delightful evening..." - Leonard Harris, CBS-TV

"An astounding enchantment... The first-night audience succumbed to the charming novelty with glee hard to believe. Unless you see it, such beguilement doesn’t seem possible." - William Glover, Associated Press.

Now all the animals, peasants, peasants and kings can be heard singing songs by Dylan, The Beatles and Country Joe on the original cast album of “Paul Stilts’ Story Theatre” on Columbia Records and Tapes.
December 19, 1970

Consider themselves bound under the F.C.C. fairness doctrine to grant the anti-smoking forces, free of charge, that seven-five million dollars worth of air time a year, and it is certain that there will be a considerable fall off in the amount of time spent by the anti-smoking messages. With such developments, the elimination of cigarette commercials from radio and television may be long in the future, rather than a decrease in the profits of the cigarette industry on each of the billions of cartons being sold.

If the tobacco companies may collect business from a sort of the elimination of broadcast cigarette advertising, the gains will not necessarily prove lasting. It seems to me that the long-term prospects for the cigarette industry are not favorable. One cannot begin with what has happened to cigarette sales. Since 1963, the year before the Surgeon General's report, the total number of cigarettes sold in this country has increased from seventy-eight million eight hundred thousand to a billion and a half in that calendar year in 1963, cigarette sales had been higher than at any previous point in smoking history. It is against this trend of seventy-eight million six hundred thousand packs a day in the year ending July 1, 1971. The rise in total sales is, relatively speaking, a small one, because in those six and a half years the adult population of the United States has increased by thirteen million people.

Thus, while the number of adults in the country has gone up by about ten per cent, cigarette sales have gone up by only about one per cent. This means that the per-capita consumption of cigarettes in the adult population has actually gone down by nearly nine per cent. But even this drop does not tell the whole story. Without broadcast advertising, the introduction of new brands into the market—a process that is already excessively expensive for individual cigarette manufacturers—(it may take as much as a hundred million dollars to launch a new brand of cigarettes nationally) is likely to be even more difficult, and certainly slower. As an end to the wild proliferation of new brands will certainly cut the expenses of competing brands, and the tobacco companies may be spared some of the expense that was being used to subsidize the sale of their products.

The main reason for this decrease in the number of cigarette brands is that tobacco companies have been spending considerable less tobacco into their cigarettes than they formerly did. Even though these cigarettes have tended to be lighter and fewer, and have been more efficient, and have been better at justifying the costs of the industry.

\[ \text{CRÉME DE MENTHE} \]

\[ \text{PROD. PRODUCT OF U.S.A.} \]

\[ \text{JOHN DE KUYPER & SON, N.Y., N.Y.} \]

\[ \text{CREME DE MENTHE. 45 PROOF. PRODUCT OF U.S.A. JOHN DE KUYPER & SON, N.Y., N.Y.} \]

\[ \text{Iced Creme} \]

(De Kuyper's delicious instead-of-dessert dessert)

Refreshing after-dinner idea—with a touch of Old World elegance. Green Creme de Menthe can be served over ice or on the rocks. It's more than delicious—it's De Kuyper.

(Shall we have the Dutch do: De-ki-per.)
THE LOCK IS HUNTING!

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DON'T KNOCK IT TILL YOU'VE TRIED IT.

It may sound like the last thing you'd ever want to try. But that's only how it sounds. It's not, how it tastes. Of all straight alcoholic beverages, White Puerto Rican Rum is probably the easiest and smoothest to drink. When you take away all the fruit juices and decorations, you discover why the fancy rum drinks taste good. Our rum is light and clear and dry. Rum tastes good.

At least, Puerto Rican Rum does. Its smoothness of the rum is bound to surprise you. If you never drink your drinks on the rocks, even our rum will not make a rum-on-the-rocks drinker out of you. But it certainly will get rid of any false impressions you have about the taste of White Puerto Rican Rum.

THE RUM OF PUERTO RICO

settle on other consumer products they are putting out. Four years ago, Robert B. Walker, then president and chairman of the board of American Tobacco and presently board chairman and chief executive officer of American Brands, delivered, before a meeting of merchandisers called the Fourteenth Annual Marketing Conference, an oration entitled "What the Chief Executive Expects from His Top Marketing Man," in which he told his audience:

"The law of the marketplace, like Darwin's Law of Evolution, is change or perish. With the persistence of the scientist, we must probe for new concepts, new insights into consumer behavior, new marketing techniques. And with the courage of the explorer, we must be willing to turn from the old that is tamishing to the new that sparks with promise—whether it be marketing procedures, new products, or product improvements. There's a great difference between playing not to lose and playing to win—at American Tobacco we play to win... Gentlemen, my assignment was "What the Chief Executive Expects from His Top Marketing Man." My answer is results.

And now American Tobacco is part of American Brands, and the company, with Walker still at the dual controls, is deep in the fruit juice business as well as the tobacco business, and is planning to enter the soup and hand-lotion business. At some point, it may be that such big and increasingly diversified tobacco companies will choose to concentrate the greater part of their promotional energies on non-tobacco but equally profitable consumer markets whose annual rate of expansion can be matched at least to match the annual growth rate of the population. It is true that in Britain, where cigarette commercials on television were banned in 1965, sales of cigarettes, after an initial dip, have increased by about two and a half per cent over a five-year period in spite of the ban, and that this increase has approximately matched the growth of the adult population of Britain. But the British and American cigarette-marketing experiences are not readily comparable, and television advertising and promotion never will play as big a role in Britain as it has played here. Considering that even with commercial television, in which the American tobacco industry has poured at least a billion and a quarter advertising dollars just since the time of the Surgeon General's report, the industry has failed to keep its sales increasing at the same rate as the adult population, the question arises how well the industry can maintain its economic position over the long run without this constant annual and verbal bombardment of consumers by way of the home screen. Once the marketing of cigarettes falls below a certain threshold of profitability, a great deal of the promotional force that has been behind the selling of this product is likely to be discontinued. And without continuing high-pressure campaigns to make cigarette smoking appear socially acceptable and desirable, the place of the habit in American life may steadily decline.

In the meantime, people who in the past have not been associated with the exercise of much direct power in American life (statisticians, cancer scientists, public-interest lawyers, teachers, public-service advertising men) and a small number of senators, their staff people, and some conscientious public servants in regulatory or other agencies, persisting through years of discourage-ment, have slowly but tellingly gathered momentum. And this force has become sufficiently strong to help reverse—against all the money and the machinery of mass persuasion and the commercial and political influence of a most formidable American industry, against the vast inertia of government, against the habitation, reluctant or otherwise, of millions of regular smokers—the growth of a vast and, it once seemed, ineradicable personal custom. Nothing quite like this large-scale change in personal behavior has ever been accomplished before in the history of the American consumer state. It may well be that the power inherent in these various efforts on behalf of public health and against the merchandising of potions bearing dangerous misconceptions, is collectively, a power not of a far greater power now accumulating. In an increasing degree, the consumer state seems to be perceiving its ability to turn upon the manipulators, to place widespread abuses of commercial privilege under the prohibition of laws that generally do protect the public, and, in effect, to give back to the people a sense of controlling their own lives."

—THOMAS WHITEHEAD

What's on first makes all the difference for what comes after. Our body, brief is just a bit of stretch Antron® nylon and spandex, smooth as your own skin, with a snap of a closing. In black, white or silver, for 32 to 36, one cup size. $10. From our Foundations Collection. Please add 7 1/2% for handling mail or phone orders.

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