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## Key Principles of Tobacco Promotion and Rationales for Regulation

*The promotion of tobacco products represents an important part of tobacco industry efforts to create demand for its products. Tobacco advertising campaigns are often held up as leading examples of product marketing. This chapter explores the key principles of tobacco advertising and promotion and reviews important developments in regulating this promotion. Specific areas discussed here include*

- *Use of market segmentation by tobacco firms to target consumers by demographics, geographic region, behavioral factors, and the psychographics of specific population groups*
- *Tools and strategies used by tobacco firms in communicating a consistent brand image, including brand logos, taglines, pictorial elements, and color, as well as the development and repetition of a consistent brand message*
- *Arguments for the regulation of tobacco promotion, including the health consequences of tobacco use, the use of deceptive or misleading promotional tactics, the failure of tobacco industry efforts to self-regulate, and the ineffectiveness of partial restrictions on tobacco advertising and promotion*

## Introduction

This chapter examines the promotion of tobacco products from two perspectives: its economic importance to the tobacco industry and the growing argument for its regulation as part of global tobacco control efforts. First, the chapter gives an overview of tobacco company efforts to build strong brands with an identity, a market position, and an execution aimed consistently over time at well-defined target audiences. The second part of the chapter describes the fundamental determinants that led the World Health Organization (WHO) to make a case for a comprehensive ban on all forms of tobacco promotion as part of the Framework Convention on Tobacco Control (FCTC).

Tobacco advertising and promotion efforts have been remarkably effective in the eyes of both consumers and the advertising industry, as evidenced by the consistent high rankings of cigarette advertising campaigns among lists of leading twentieth-century advertising campaigns reported by advertising and marketing trade publications. For *Advertising Age*, the Marlboro Man was the top advertising icon of the century, reflecting that this image had the most powerful resonance in the marketplace with respect to effectiveness, longevity, recognition, and cultural impact. Furthermore, Marlboro was ranked as the third-best advertising campaign of the century, surpassed only by Volkswagen and Coca-Cola. Advertising campaigns for Benson & Hedges, Winston, Camel, and Lucky Strike were also on the *Advertising Age* top 100 list.<sup>1</sup> During 2003, *Business Week* regarded Marlboro as the world's ninth most valuable global brand.<sup>2,3</sup> These honors speak to the pervasiveness of tobacco advertising as well as the strength of cigarette brand imagery. The value of these tobacco trademarks has been quite durable, persisting despite growing awareness

of the health consequences of cigarette use, an increasingly stringent regulatory environment, and ongoing litigation against the industry.

In response to the global health impact of these promotional efforts, combined with the failure of industry self-regulation and the ineffectiveness of partial bans on marketing—discussed in detail later in this chapter in the section, “A Rationale for Regulating Tobacco Promotion”—the WHO FCTC has called for countries to undertake a comprehensive ban of all tobacco promotion directed toward consumers (see chapter 8). As a global public health issue that is now being addressed through international law and treaty, important developments and illustrative examples from outside the United States are reviewed to lay out the broader context in which tobacco marketing—and efforts to restrict this marketing—are occurring. However, the focus of this chapter, like that of the monograph as a whole, is on the promotion of tobacco products in the United States, within the context of its corresponding legal environment.

## Key Principles of Tobacco Advertising and Promotion

The development of a *marketing strategy* involves specifying a target market and establishing a related marketing mix, which is commonly broken down into four classes known as the 4Ps—product, price, place (i.e., distribution), and promotion. The fourth P, *promotion*, pertains to the seller communicating information and lifestyle dimensions to a potential buyer, in an attempt to influence the buyer's attitudes and behavior.

The primary purposes of promotion are to inform, persuade, and remind. *Informing* is

considered particularly essential for newly developed or “introduced” products, and related communications efforts are meant to tell potential customers something about the product. Promotions with an aim of *persuading* often focus on the reasons that one brand is better than competing brands. The promoter seeks to develop a favorable set of brand beliefs and attitudes among customers so that they will buy and keep buying the product<sup>4</sup> (see chapter 2 for a discussion of persuasion-based processes and expectancy-value models of attitude change). In addition to focusing on brand beliefs and attitudes, persuasion-based promotions also commonly link products with desirable images (such as lifestyle imagery) and identities (such as slogans, jingles, or brand symbols). The aim is for consumers to associate the brand or product use with either positive emotions or the reduction of negative emotions. Persuasion strategies that focus on desirable image and identity characteristics are particularly important for product categories such as cigarettes, because differences among various brands are often very subtle or intangible. Finally, promotions with the goal of *reminding* are typically directed toward buyers who already have positive, well-established attitudes about a product, including its price, features, availability, or image.<sup>4</sup>

## Defining the Target Market: Market Segmentation

Promotion planning starts with a clear target market. The audience may consist of potential buyers, current users, those who make the buying decision, or those who influence it. *Segmentation* is a commonly used approach for defining the target market, in which specific audiences are identified for a product by dividing a mass market into subsets on the basis of variables such as demographics, geography, preference for product benefits, consumption patterns, and psychographics.

Few products are promoted in an undifferentiated manner, with the total potential market treated as a whole. Rather, promotions tend to be directed toward well-defined consumer groups according to dimensions such as age, gender, ethnicity, income, occupation, religion, family life cycle, place of residence, lifestyles, interests, and values. Chapter 5 discusses several population groups defined by these dimensions that have been targeted by tobacco companies.

The message in a segmented marketing campaign typically has reasonably broad appeal (i.e., referring to popular culture) yet at the same time will be most salient and resonant to a specific cluster or segment. The target audience will heavily affect communication decisions regarding *what* will be said, *how* it will be said, *when* it will be said, *where* it will be said, and *who* will say it.<sup>4</sup> The objective is to meet the needs typified by a specific group of consumers in an efficient manner, whereby the product’s characteristics and promoted attributes can clearly match what is desired by the user(s).<sup>5,6</sup>

### **Demographic Segmentation**

*Positioning* is defined as the place a product, brand, or group of products occupies in consumers’ minds (with respect to brand identity and value) relative to competing offerings.<sup>4,7</sup> The positioning of various cigarette brands to appeal to a specific group of consumers, on the basis of demographics, is easily illustrated with concrete examples from the advertising world.

#### **Gender**

Tobacco marketing aimed at women dates back to the 1920s, when American Tobacco urged women to “Reach for a Lucky instead of a sweet,” playing directly to concerns about body weight<sup>8,9</sup> (chapter 5). In more recent times, Virginia Slims and Eve exemplify U.S. cigarette brands that

are promoted as “feminine” and explicitly targeted toward women (chapter 5 also includes discussion about cigarette brands targeted toward men). During the late 1960s, initial advertising campaigns for Virginia Slims included the claims, “Now there’s even a cigarette for women only,” and, “This is the slim cigarette made just for women.... Tailored slimmer than the fat cigarettes men smoke.” John Landry, vice president of tobacco products marketing at Philip Morris USA, indicated in 1969 that early ideas of a thin-circumference cigarette did not gain a positive response among market research respondents, but “it worked beautifully when we added the idea of female orientation.”<sup>10(p.76)</sup> The Virginia Slims tagline, “You’ve come a long way, baby,” implied that women had become liberated.<sup>11</sup> In an analysis of competition in female-oriented cigarette advertising during the early 1970s that included Virginia Slims, the Lorillard Tobacco Company stated, “The campaign line ‘You’ve come a long way, baby’ hit the cigarette market in 1968, just as women’s lib was entering the national consciousness. The cigarette is positioned specifically for today’s liberated woman with a unique, swinging image.”<sup>12(Bates no. 03375510)</sup> Reflecting the specified target audience, Virginia Slims’ advertising was circulated in magazines such as *Cosmopolitan*, *New Woman*,

*Vanity Fair*, *Harper’s Bazaar*, *Woman’s Day*, *Ladies’ Home Journal*, and *Vogue*.

Liggett & Myers’s Eve serves as a second example of a cigarette brand that is explicitly targeted to women. Eve, featuring a feminine floral design on the filter, was introduced to the U.S. marketplace in 1971.<sup>13</sup> Early advertising for Eve included the following advertising copy: “The lady has taste. Farewell to the ugly cigarette. Smoke pretty. Eve.” Wernick, who provides a semiotic analysis of advertising for Eve cigarettes, states, “Eves are shown as the embodiment of a certain—mid-1970s, socially independent but safely fashionable and ideologically compromising—conception of femininity.”<sup>14(p.29)</sup> Other U.S. cigarette brands with ultrafeminine positioning include Lorillard’s *Satin* and Brown & Williamson’s *Capri* and *Misty*. Brands explicitly targeted at women account for roughly 5%–10% of the U.S. cigarette market.<sup>13</sup> In contrast, *Marlboro* and *Winston* exemplify brands with rugged and masculine brand images, yet these brands have proven popular among both men and women.

#### **Race/Ethnicity**

Roughly three-fourths of African-American smokers consume mentholated cigarettes, with *Newport*, *Kool*, and *Salem* representing the most popular brands.<sup>15</sup> Mentholated

#### **Gender and Cigarette Branding**

Features of tobacco products and their promoted images largely determine the masculine-feminine dichotomy of U.S. cigarette brands. For example,

- Brands offering relatively high tar content and strong flavors are promoted as “masculine,” often corresponding with appeals that have an action, excitement, and adventure orientation.
- Conversely, low tar, mild taste, longer length, and slimness of cigarettes are considered “feminine” product characteristics, which often carry image platforms related to relaxation, stress relief, self-indulgence, and women’s independence.

Gender positioning takes place within a broader context of market segmentation and targeting, such as the tendency to promote mentholated cigarette brands to African-American audiences. Brands with cross-gender positioning often use promotional appeals designed to attract both sexes, such as messages about upward status and being upscale.

brands are commonly depicted in cigarette advertising that is targeted toward African Americans. As documented by Balbach and colleagues,<sup>16</sup> internal tobacco industry documents show that advertising for menthol brands was designed around lifestyle appeals relating to “fantasy and escapism,” “expensive objects,” and “nightlife, entertainment, and music” themes. Appeals designed around concepts of “youthfulness, silliness, and fun” were also aimed at African Americans, as well as messages conveying the refreshing and medicinal aspects of menthol.<sup>17,18</sup> Advertising campaigns meant to reach African Americans are likely to feature models or celebrities who are African American.<sup>19</sup> During the mid-1980s, for example, marketing research for Kool stipulated, “Generic media will contain only White models and Black media, Black models... An exception can be mixed groups.”<sup>20</sup>(Bates no. 670249931) Similarly, the 1984 Kool Operational Plan stated, “One campaign should be continued for all ethnic groups with Black musicians only in Black media and White musicians only in generic media.”<sup>20</sup>(Bates no. 670249938) Targeted advertising in black media would be placed in magazines such as *Ebony*, *Essence*, and *Vibe*, as well as weekly newspapers that circulate where the largest African-American populations are located (i.e., New York, Los Angeles, Chicago, Houston, and Philadelphia). Detroit, Baltimore, Washington, Memphis, Birmingham, Jackson, and New Orleans are other U.S. cities that have populations with a notably high percentage of African Americans.<sup>21</sup>

### Age

The tobacco industry’s use of age segmentation has been well documented. Reviews of internal tobacco industry documents reveal that cigarette trademarks are successfully marketed to youth, including consumers who are classified as “starters” or “new smokers” (chapters 5 and 7). The rationale for directing promotions toward youth is that the pivotal period for smoking initiation in the United States is early

adolescence. Smokers are also known to be extremely brand loyal, so the brand choice of consumers during the early stages of their smoking “careers” becomes crucial. In the United States, less than 10% of smokers switch brands annually, with less than 8% switching companies.<sup>22</sup>

Tobacco industry representatives have publicly denied that they market their products to youth, but internal documents indicate otherwise. Several investigators have examined U.S. tobacco industry documents that were obtained through whistleblowers and tobacco litigation and found that youth are a target of tobacco marketing activities<sup>23–27</sup> (also see below and chapter 5). Researchers who examined tobacco industry documents that are accessible primarily as a result of two sets of court proceedings in Canada—the 1989 federal trial to decide the constitutionality of the Tobacco Products Control Act and the 2002 Quebec Superior Court trial to determine the constitutionality of the Tobacco Act—have reached similar conclusions.<sup>28–35</sup> Furthermore, internal documents from both the British and Australian tobacco industries and their leading advertising agencies reveal that youth constitute a key group for marketing purposes.<sup>36,37</sup> Below are some specific examples from the U.S. tobacco industry.

Philip Morris’s Myron Johnston explained in 1981, “It is important to know as much as possible about teenage smoking patterns and attitudes. Today’s teenager is tomorrow’s potential regular customer, and the overwhelming majority of smokers first begin to smoke while still in their teens.... The smoking patterns of teenagers are particularly important to Philip Morris.”<sup>38</sup>(Bates no. 1000390808) The Philip Morris report monitored smokers as young as 12 years old. Market research for Lorillard Tobacco revealed, “The success of Newport has been fantastic during the past few years. Our profile taken locally

shows this brand being purchased by black people (all ages), young adults (usually college age), but the base of our business is the high school student.”<sup>39</sup>(Bates no. 03537131) Regarding Kool, a menthol brand directly competing with Newport, Brown & Williamson’s market research stated that the “Kool media target audience principle remains the same. Most valuable prospect is young adult male and female *new smoker* and switcher.... Promotion philosophy of trial generation and meeting competition approved”<sup>20</sup>(Bates no. 670249932) (*italics added*). According to an advertising agency advising the R.J. Reynolds marketing department, “Many manufacturers have ‘studied’ the 14–20 market in hopes of uncovering the ‘secret’ of the instant popularity some brands enjoy to the almost complete exclusion of others.... Creating a ‘fad’ in this market can be a great bonanza.”<sup>40</sup>(Bates no. 501167050)

Although it has been demonstrated that the tobacco industry has an interest in the attitudes and behaviors of preteens and

adolescents, researchers have also called attention to the importance of young adults as a target of tobacco industry marketing strategies.<sup>41–44</sup> The importance of this segment reflects its relatively high prevalence of smoking—23.9% of 18- to 24-year-olds in 2003.<sup>45</sup> Although adolescents are the main group that initiates smoking, it is during the period of young adulthood that more established and committed cigarette use begins to take place. Cigarette advertising that is targeted at 18- to 24-year-olds often can appeal simultaneously to young adults and adolescents because many teenagers start smoking as a way to propel themselves into maturity (i.e., smoking serves as a tool for attempts to look older).<sup>34</sup> Furthermore, as advertising restrictions become increasingly stringent, licensed (age of majority) venues become a key setting for tobacco promotion.<sup>46–50</sup>

#### **Geographic Segmentation**

*Geographic segmentation*, which involves accounting for market density,

#### **Joe Camel—When a Cartoon Character Becomes a Brand Identity**

During the late 1980s and much of the 1990s, R J. Reynolds underwent particular scrutiny for its Camel advertising campaign, in which a cartoon camel (Old Joe) was the central figure, with the theme “smooth character.” Many company documents about the origins and aims of the “Joe Camel” campaign and its effects on youth were disclosed publicly as a result of the *Mangini v. R.J. Reynolds Tobacco Company* lawsuit.<sup>a</sup> The “Joe Camel” advertising campaign, which is discussed in further detail in chapters 5 and 7, was later the subject of a 1997 Federal Trade Commission complaint<sup>b,c,d</sup> that was an important antecedent for the curbs imposed on youth-oriented advertising through the Master Settlement Agreement between the attorneys general of 46 states and the major tobacco companies.

<sup>a</sup>Coughlin, P. J., and F. Janacek, Jr. 1998. A review of R.J. Reynolds’ internal documents produced in *Mangini vs. R.J. Reynolds Tobacco Company*, Civil Number 939359: The case that rid California and the American landscape of “Joe Camel.” [http://legacy.library.ucsf.edu/mangini\\_report.html](http://legacy.library.ucsf.edu/mangini_report.html).

<sup>b</sup>Federal Trade Commission. 1997. In the matter of R.J. Reynolds Tobacco Company. [www.ftc.gov/os/199705/d9285cmp.pdf](http://www.ftc.gov/os/199705/d9285cmp.pdf).

<sup>c</sup>Cohen, J. B. 2000. Playing to win: Marketing and public policy at odds over Joe Camel. *Journal of Public Policy and Marketing* 19 (2): 155–67.

<sup>d</sup>Etzioni, A. 2004. Symposium: Do children have the same First Amendment rights as adults? On protecting children from speech. *Chicago-Kent Law Review* 79:3, 23.

regional differences within a domestic or international market, and climate, may also play a role in the development of promotional strategies for various brands. For example, during the early 1980s, market research for Philip Morris distinguished smoking trends among four U.S. regions: Northeast, North Central/Midwest, South, and West.<sup>38</sup> It was observed that teenage smoking was most pronounced in the Northeast and smoking prevalence was lowest in the West (this pattern was described by the Philip Morris researcher as consistent with data collected from 1968 through 1980). More recent marketing efforts for new “niche” cigarette brands, such as Camel’s special “exotic” blends or Moonlight Tobacco, have largely focused on urban centers. Within this strategy, there is an apparent selectivity for cosmopolitan cities. It is not clear whether such a distribution indicates a long-term strategy or whether these cities are meant to act as test markets. New cigarette products, including line extensions, are commonly test-marketed on a geographically limited basis. In 2004, Phoenix served as the test market for Brown & Williamson’s Advance cigarette brand. Advance is targeted at “health conscious” smokers with a campaign that includes the following advertising copy: “Great taste—less toxins,” “Advance the way you smoke,” and “Everyone knows quitting is the best thing. But for those who continue to smoke, now there’s Advance.”<sup>51</sup>

Ethnic targeting of Asian Americans, Hispanics, or African Americans ultimately generates media plans and distribution patterns that are regionally focused on locations where the ethnic populations are most densely situated. U.S. census data pertaining to the geographic distribution of the Asian population reveal that more than one-half (51%) reside in just three states: California, New York, and Hawaii.<sup>52</sup> The Hispanic population is most concentrated in the western (44%) and southern (33%) regions of the

United States, with California and Texas representing the top two states. Notably, more than 4 million Hispanics reside in Los Angeles County, California.<sup>53</sup> When cigarette billboard advertising was still permitted, before the 1998 U.S. Master Settlement Agreement (MSA) stipulations took effect, a disproportionate number of tobacco promotions in San Francisco and Chicago were found in neighborhoods that were predominantly African American.<sup>54,55</sup> When media buys increased for local markets, this was traditionally done by using billboard or newspaper advertising.

Although geographic segmentation plays a role in the development of advertising strategies and media buys, for the most part it is national brands that dominate the U.S. marketplace. These brands are sold on a national basis by using national media. Regional variations in cigarette brand success do not seem nearly as pronounced in the United States relative to other markets such as Canada and Australia. Marketing research for Imperial Tobacco Ltd., Canada’s largest tobacco manufacturer, has identified that “Quebec and the Atlantic continue to be full-flavoured markets; British Columbia and Ontario tend to be milder markets,”<sup>56(p.47)</sup> indicating which line extensions are most favorably received in various regions of Canada. A review of internal tobacco industry documents reveals that the Australian cigarette market is also decidedly regionalized. Escort is a popular brand in South Australia, while Winfield has been a brand leader in Western Australia, New South Wales, and Victoria. During the mid-1980s, Sydney, the most populated city in Australia, was identified as a largely image-based market, while consumers in Melbourne, Australia’s second most populated city, were recognized as considerably more responsive to discounting. Melbourne was thus classified as a value-based market.<sup>57</sup>

Climate—in relation to seasonal variation and geographic or regional setting—can

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play a role in the development of product and related promotional strategies. Camel Exotic Blends includes flavors such as Kauai Kolada and Twista Lime, which are identified as “summer” blends.<sup>58,59</sup> The Kauai Kolada and Twista Lime line extensions, with hints of coconut, pineapple, and citrus, are limited-edition offerings.<sup>58</sup> In addition, promotions circulating during the summer months are expected to commonly depict summer settings (e.g., beaches, baseball games); those during the winter months more often portray activities such as skiing and skating.<sup>60</sup>

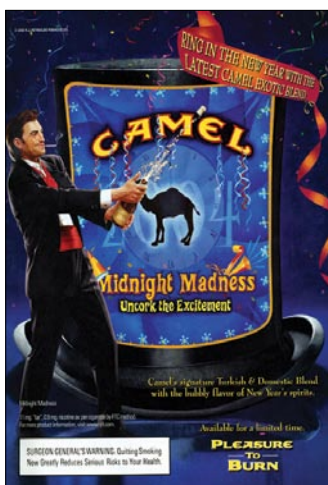
#### **Behavioral Segmentation**

*Behavioral segmentation* involves dividing consumers into groups according to occasions of use, usage situation, extent of use, user status, and benefits sought.<sup>61</sup> Some cigarette promotions are designed to link cigarette brands or smoking with specific occasions such as Christmas, Halloween, or Independence Day. Philip Morris’s market research reveals that during the 1970s and 1980s, the Marlboro Resort Program included promotional activities during the Christmas holiday period at vacation settings such as Daytona Beach and Fort Lauderdale, Florida.<sup>26</sup> In the early 1990s, Kool ads featuring the

“Willy the Penguin” cartoon character had themes associated with Thanksgiving and Christmas.<sup>62</sup> Camel’s more recent “Pleasure to Burn” advertising campaign featured occasion-themed pictorials.

With respect to occasions of use as a segmentation variable, marketers assess whether consumers are likely to use a product primarily on special occasions or more regularly. Product consumption patterns often fluctuate from month to month (described in management and marketing as “the rhythm of the business”), and cigarettes are no exception. In the United States, cigarette sales peak during the summer months, June through August.<sup>63</sup> Moreover, this summer period represents the time when youth smoking onset is most likely to happen.<sup>64,65</sup> A higher instance of cigarette consumption during the summer months may reflect that time is less structured for adults and youth alike. The warmer weather during the summer months may also prompt smokers to more frequently go outside to smoke in locales where indoor smoking laws have been enacted. The seasonal smoking rates also correspond with alcohol consumption patterns.

The situation in which products are used can be considered as a market segmentation variable.<sup>66</sup> Tobacco firms recognize which products are often used concurrently with cigarettes. Smoking is frequently done in conjunction with the consumption of alcohol or coffee, and cigarette promotions may include pictorials that encourage the co-use of these products. The statement “Complements Your Cocktail” is found on the packaging of Camel Izmir Stinger, which is one of the Exotic Blends line extensions. Reflecting the synergy between smoking and drinking alcohol, as well as a similar target consumer, several examples of industry efforts co-promote cigarette brands with particular liquor and beer brands whose cultural identity



*Camel’s “Pleasure to Burn” occasion-themed advertisement*



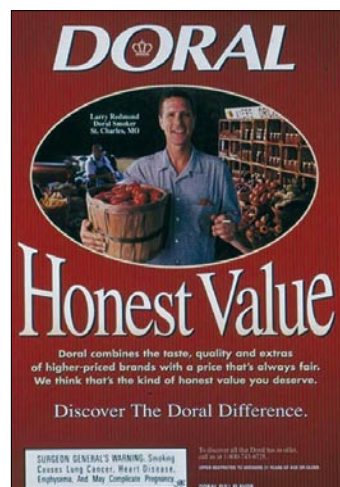
and status are complementary.<sup>34,67</sup> Kool and Jim Beam, for example, were both sponsors of a Champ Car auto racing team, whereas in 2003, Molson Canadian “bubbas” (i.e., minikegs) depicted the Player’s Champ Car racing uniforms. Player’s Light and Molson Canadian are leading brands in Canada in cigarettes and beer product categories, respectively.

In terms of the usage situation, from a marketer’s perspective, products such as alcohol and cigarettes should be complementary on the basis of function (i.e., the products are often used together), symbolic imagery, and quality. As cultural anthropologist Grant McCracken explains, “The meaning of a good is best (and sometimes only) communicated when this good is surrounded by a complement of goods that carry the same significance. Within this complement, there is sufficient redundancy to allow the observer to identify the meaning of the good.”<sup>68(p.121)</sup> Thus, it might be expected that an upscale cigarette brand such as Dunhill would be depicted with a martini, whereas Marlboro and Budweiser are likely to be seen by marketers as more suitable product complements. Conversely, Winston cigarettes combined with a bottle of fine wine would seem inappropriate.

When segmenting a market, marketers also account for user status, which may involve classifying groups of consumers into nonusers, ex-users, potential users, first-time users, sporadic users, and heavy users of a product.<sup>61</sup> Thus, some smokers might be best described as “social smokers” or “chippers,” whereas others would be clustered as “committed smokers.” On the basis of a review of internal tobacco industry documents, Pollay<sup>33</sup> concludes that two key typologies of cigarette consumers used by cigarette firms are “new users” (young starters) and “latent quitters” (concerned smokers who need reassurance). An appearance of healthfulness and

reassurance is particularly likely to be seen in the advertising of cigarette brands such as Carlton and Merit Ultra Lights, which are promoted with messages about their low-tar yields.<sup>69</sup> Despite the demonstrated seasonality of cigarette sales, it is during the first few months of the year that the frequency of cigarette advertising tends to be higher. These advertisements may be more likely to target “health-concerned” smokers and to counter the common New Year’s resolution to quit smoking.<sup>60,70</sup>

It is also common for marketers to cluster a market according to the various benefits that consumers seek from a product. Basic, GPC, and Doral exemplify “value” brands and are positioned to appeal to consumers who are looking for discount prices or getting a “bang for their buck.” Doral advertising that circulated in 1998 included the following advertising copy: “Doral combines the taste, quality, and extras of higher-priced brands with a price that’s always fair. We think that’s the kind of honest value you deserve. Discover the Doral difference.” During 1999, the tagline “Imagine Getting More” was used for Doral with the implication that the tobacco was “slow burning” relative to other brands. Meanwhile, cigarette brands such as Marlboro and Camel are both classified



“Value” brand advertisement for Doral cigarettes

and promoted as “premium” brands. The “premium” moniker conveys that the product is of high quality and a market leader, suggesting status redemption for its user.

Tobacco advertisements are also used to link smoking with a variety of other supposed benefits such as affording pleasure, improving social confidence, advancing relaxation, reducing stress, aiding concentration, and helping in weight reduction<sup>71</sup> (chapter 5). According to internal documentation of R.J. Reynolds that detailed an assessment of various product designs, consumer benefits can include “prestige,” “cost,” “time management,” “social interaction,” “mood enhancement,” “health,” “implied health,” and “taste burnout.”<sup>72</sup>(Bates no. 504663481/3484) Tobacco industry documents also reveal that many consumers seek a cigarette brand that will deliver reduced irritation to their throats, although it has been documented that several supposedly harm-reduced products that were launched in the marketplace did not in fact meet this desired consumer benefit.<sup>73</sup>

#### ***Psychographic Segmentation***

*Psychographics*, also referred to as *lifestyle analysis*, is another commonly used segmentation approach in which the personality, activities, interests, and opinions of the target market are considered. According to Kapferer,<sup>74</sup>(p.23) one primary consumer benefit served by brands is “to have confirmation of your self-image or the image that you present to others.” Brands can help provide an identity for consumers, making them feel as though they belong to a special group.<sup>75–77</sup> When selecting a particular brand of cigarettes, consumers engage in an act of distinction (i.e., the brand says something about them, much like the clothes they are wearing, the music they listen to, or the car they drive). Several content analysis studies reveal that health and vitality,

risk and adventure, independence, status redemption, romance, recreation, and relaxation are common themes associated with cigarette products in advertising<sup>78,79</sup> (chapter 5 presents an overview of the content analysis literature that pertains to cigarette advertising).

Tobacco companies, and the market research firms that do contract work for them, extensively study the personality characteristics of smokers. Personality characteristics identified by Lorillard during the mid-1980s included the rugged man, pleasure seekers, unsettled dreamers, outdoor individualists, refined ladies, satisfied secludes, and social strivers.<sup>71</sup> Labels used by Philip Morris during the early 1990s to describe the psychographics of men included macho hedonists, ‘50s throwbacks, enlightened go-getters, and new age men, whereas women were classified as ‘90s traditionalists, uptown girls, mavericks, and wallflowers.<sup>80</sup>

#### **Importance of Communicating Brand Image**

*Promotional planning*, therefore, involves establishing advertising objectives and determining the target audience. As discussed in chapter 4, there are several ways to communicate with consumers, including advertising, event sponsorship, celebrity endorsements, packaging, coupons, personal selling, sampling, contests, publicity, product placement, and public relations. For conventional advertising, the copy platform entails the formation of creative promises (i.e., communicating what benefits the product will provide or, alternatively, what problems the product will solve), supported by reasons why the customer should buy the product rather than a competing offering (i.e., focus is often placed on one or two key points of differentiation).

Communicating brand image is considered particularly crucial for product categories

such as cigarettes and beer; several brands possess minimal product differentiation, yet have a high degree of social visibility. Such characteristics are the basis for these goods sometimes being coined *badge products*. Particular brands are depicted as expressions of success, sophistication, femininity, rebellion, and so on.<sup>7</sup> Marlboro, for example, represents masculine, rugged, tough, and no-nonsense qualities, while Virginia Slims typifies feminine, sexy, and glamorous.

### **Cornerstones for Effectively Communicating Brand Image**

*Brand equity* is defined as “a set of assets (and liabilities) linked to a brand’s name and symbol that adds to (or subtracts from) the value provided by a product or service to a firm and/or that firm’s customers.”<sup>7(pp.7-8)</sup> These assets include brand loyalty, brand name awareness, perceived quality, and brand associations. A cigarette brand’s identity or image is collectively constructed through the use of brand names, logos, taglines, typography, pictorials, and primary and secondary colors.<sup>81</sup> Several principles are considered as cornerstones for effectively communicating brand identity or image. Effective media messages are typically

repetitive, consistent across various media contexts and across brand elements over time, and relevant to a contemporary market of consumers.

### **Branding**

The use of a name, term, symbol, or design to identify a product is known as *branding*.<sup>7</sup> Effective brand names are often short and simple; easy to spell, read, and pronounce; distinctive and memorable (easy to recognize and remember); pleasant sounding (not offensive, obscene, or negative); applicable for multinational use; timely (unlikely to become out-of-date); and legally available for use (not in use by another firm).<sup>82</sup> Moreover, a good brand name commonly suggests something about the product’s benefits, is adaptable to packaging and labeling needs, and is appropriate to new products that may be added as line extensions at a later date.<sup>83</sup>

The *logo*, meanwhile, is the visual element used to define a firm or brand.<sup>82</sup> Common objectives when designing logos are (1) having a style that is highly memorable (e.g., a logo with a totally unique shape); (2) helping identify the company’s product; and (3) being bold, simple, and easily readable.<sup>83</sup> Lucky Strike’s target motif,

### **Tobacco Branding: What’s in a Name?**

Tobacco product brand names spring from a wide range of sources, from product-positioning factors to company history. Virginia Slims, for example, is a brand name that is rich in meaning for U.S. consumers. Virginia conveys a woman’s name as well as the name of a U.S. state well known for tobacco farming and production. Slims, meanwhile, refers to a reduced-circumference cigarette; this product feature was innovative when the brand was launched in 1968.<sup>a</sup> Slims may also be intended to refer implicitly to the weight-controlling effects of smoking.

The Winston and Salem cigarette brand names reflect that the head office of producer R.J. Reynolds is based in Winston-Salem, North Carolina; Kent, launched in 1952 by Lorillard, was named after the company’s president, Herbert A. Kent.<sup>b</sup>

<sup>a</sup>Kluger, R. 1997. *Ashes to ashes: America’s hundred-year cigarette war, the public health, and the unabashed triumph of Philip Morris*. New York: Vintage Books.

<sup>b</sup>White, L. C. 1988. *Merchants of death: The American tobacco industry*. New York: Beech Tree Books, William Morrow and Company.

for example, is legendary. Raymond Loewy, widely considered to be the father of industrial design and well known for designing several celebrated brand icons, including the Exxon and Shell Oil logos and the U.S. Postal Service seal, produced the modern package design of Lucky Strike in 1941. He was paid \$50,000 for the design, in which he replaced the green background with white (the brand's advertising campaigns, meanwhile, included the advertising copy "Lucky Strike Green has gone to war! So here's the smart new uniform for fine tobacco"), sharpened the typography, and made both sides of the package identical by depicting the circular motif or "target" on the front and back.<sup>84</sup> Loewy's design remains largely unchanged more than 60 years later.

#### **Taglines and Slogans**

Taglines (or slogans) are another integral part of a promotional campaign and are commonly developed with the objective of being understandable and memorable as well as linking benefits or positive images to a brand.<sup>82</sup> According to Andrew Stodart, president of the Toronto-based consulting company Brand Builders, "A slogan that works can offer constant reinforcement for a product. It can be money well spent if it is created in a way that consumers identify with it immediately.... A tag line becomes shorthand for your company's message."<sup>85</sup>(p.B11) Enduring cigarette advertising taglines include "I'd walk a mile for a Camel" and "Come to Marlboro Country"; Virginia Slims' "You've come a long way, baby"; Benson & Hedges' "The length you go to for pleasure"; and Newport's "Alive with Pleasure!" The slogan, "Winston tastes good like a cigarette should," was named as one of the top 10 jingles of the twentieth century in *Advertising Age*.<sup>1</sup>

#### **Pictorials**

In pursuit of effective communication, advertisers attempt to create a message

that is simple, familiar, easily recognized, comprehensible, and distinctive. Acknowledging that many advertisements attract limited and indirect attention from the viewer amid all of the "clutter," advertisers often design messages that draw attention or stand out but do not require large amounts of time and effort to understand. This is facilitated through the visual imagery predominating in many advertisements, with its function illustrated by the aphorisms, "A picture is worth a thousand words," and "Seeing is believing." Market research is typically conducted that both informs (i.e., pretesting) and validates (i.e., posttesting) promotional planning efforts.

Brand imagery is further reinforced or enhanced in advertising visuals through the use of lifestyle portrayals, which do not necessarily require depictions of people. Cobranding, event sponsorship, and endorsements exemplify three ways of enriching the symbolic value of brands or trademarks.<sup>82</sup> Distinct trademark meanings (and implied product users) will be communicated if one advertisement features tickets for an opera performance on the dashboard of a Mercedes while another depicts tickets for a stock car race on the dashboard of a Chevy pickup truck. Product endorsement from an Olympic gold medalist would potentially associate a trademark with qualities of nationalism, leadership, and high performance. The personality of the particular athlete might also be transferred to the endorsed brand. Clearly, associating a brand or trademark with other objects, settings, and people that are rich in meaning can effectively convey lifestyle imagery and brand personality.<sup>86-88</sup>

#### **Use of Color**

Tobacco promotions are commonly dominated by visual imagery, with color playing an important role in distinguishing trademarks and communicating both

imagery and product characteristics.<sup>89</sup> Generally, red evokes strong feelings related to passion, danger, anger, love, sex, strength, and power, whereas gold is the conventional color of money and can bring to mind feelings of security, wealth, and abundance. Blue is frequently associated with calmness, coolness, introspection, wisdom, and solitude, and green suggests nature, renewal, new beginnings, healing, health, and harmony.<sup>90</sup> Some brands have used colors as main features of marketing campaigns, such as the “What can brown do for you?” advertising campaign for the UPS package delivery company,<sup>91</sup> and the promotions for the Orange Savings Account marketed by the Internet bank ING Direct.<sup>92,93</sup>

With respect to the marketing of cigarettes, red normally communicates strong flavor, blue commonly symbolizes a “mild” brand extension, and green usually conveys that a brand is mentholated.<sup>94</sup> Moreover, industry documents and trade sources indicate that the color and imagery used in advertising executions and packaging are meant to imply product “lightness.”<sup>95(pp.217–219),94(pp.i76–i77)</sup> Promotions for brands with supposedly low-tar yields often use lighter color shades or white-on-white executions, which may signify cleanliness or a less harmful product and dissociate cigarettes from unpleasant aromas. According to British American Tobacco, “‘light-lighter-lightest’ were achieved by insistence [*sic*] on lighter presentations - product story imagery - white packs - pale colours - mildness dominated copy.”<sup>95(p.14)</sup> Colors have also been associated with specific cigarette brands, such as red for Marlboro and purple for Silk Cut, as described below in the section on surreal advertising in the United Kingdom.

### **Repetition, Consistency, and Relevance**

Repetition of a promotional message or brand identity, over time, across multiple media, and across advertising executions

leads to familiarity and increased advertising effectiveness.<sup>96–99</sup> A dense environment of cigarette promotion and imagery gives the impression that tobacco use is socially acceptable, desirable, and prevalent.<sup>100</sup> The large promotional budgets that are apparent for leading cigarette brands reinforce and elevate consumer perceptions about the popularity of those brands, and popularity is considered to be a crucial factor in brand desirability among youth.<sup>101</sup> The persistence and pervasiveness of tobacco promotion are notable. The major cigarette manufacturers in the United States spent \$13.1 billion in 2005 on advertising and promoting cigarettes<sup>102</sup> (chapter 4). Repeating a basic promotional message with a variety of advertising executions requires a considerable advertising budget. Firms often spend a large proportion of advertising expenditures on one or two leading brands (i.e., those that have demonstrated popularity).

It is considered important among marketers to have promotional messages that are consistent with the overall image and characteristics of the brand.<sup>7,75,82,103</sup> Companies are diligent about protecting their brands from negative effects related to inconsistent brand associations.<sup>104,105</sup> According to Wells and colleagues,

Because the effects of image advertising build up over time, consistency is critical to the process. You can't say one thing today and something different tomorrow ... every ad contributes to the image. The message must focus on what the image is supposed to be, and should be consistent over a long time.<sup>106(p.207)</sup>

When a promotional message is consistently portrayed across different media contexts (i.e., accounting for the setting of media consumption, such as New York City's Times Square compared to the living room of one's home) and across different elements of the brand (e.g., logos, slogans, product

package, product message, characters, brand community events), it is generally more effective.<sup>76,107-110</sup>

Marlboro serves as a good example of a brand or trademark that has been successfully linked to consistent imagery over a long time. Wernick explains that

the meaning of any single message is modified by, and depends on, the ones that came before. The same is true for sub-campaigns, where even the launching of a new product may build on meanings previously achieved. During the 1980s, for example, ads for Marlboro Lights projected a soft focus version of the leathered cowboy which had already become ultra-familiar in previous advertising for its parent brand.<sup>14(p.92)</sup>

Yet, while the image(s) communicated may remain the same, different symbols can be used to help the brand remain relevant, contemporary, and appealing to an ever-changing audience.<sup>75,82</sup>

Marketing practitioners are mindful that the target market is likely to evolve; that is, even though the target age group (e.g., 18–24 years) may remain unchanged, the individuals receiving the message will vary over several years. For promotional campaigns to remain effective over time, practitioners need to maintain message salience for a contemporary audience, including those not yet affected by a particular campaign, and account for a cohort effect (i.e. with an age segment of 18–24 years, for example, a set of people will move in and out of the target market each year).

Ellen Merlo, Philip Morris's vice president of marketing services, makes clear why the company makes such a heavy investment in Marlboro's being an auto-racing sponsor:

Everything we do at Philip Morris is an extension of our overall brand positioning

and brand imagery. We perceive Formula One and Indy car racing as adding, if you will, a modern-day dimension to the Marlboro Man. The image of Marlboro is very rugged, individualistic, heroic. And so is this style of auto racing. From an image standpoint, the fit is good.<sup>111</sup>

Thus, the Marlboro brand image of rugged masculinity has been communicated consistently over a considerable period of time, yet modified over the years. Thus, ways of communicating rugged masculinity may be adjusted over time, including activities and celebrities depicted.

#### ***Integrated Marketing Communications: Marlboro as a Case Study***

The importance of the cornerstones for effectively communicating brand image, such as repetition, consistency, and relevance to a contemporary or modern audience, are well illustrated in a case study of Marlboro and Philip Morris's use of integrated marketing communications (IMC). A brief case study of Marlboro and IMC is presented below.

IMC involves "the intentional coordination of every communication from a firm to a target customer to convey a consistent and complete message."<sup>4(p.433)</sup> The market dominance of Marlboro, for example, is in part explained by Philip Morris's well-integrated marketing communication efforts (relative to competitors' trademarks) and the firm's ability to appeal to the all-important youth market (for examples of IMC efforts that are substantiated by Philip Morris's internal documentation, see the written direct testimony of Krugman.<sup>112</sup> Dewhirst and Davis<sup>113</sup> provide a case study of brand strategy and IMC for Player's, which is a leading cigarette brand in Canada with a positioning similar to Marlboro's).

Philip Morris has communicated a consistent, complementary message to the

target consumer over time and through different elements of the promotional mix. “Marlboro Country” conjures up visual images of the American West, including cowboys on horseback, the herding of beef cattle, and vistas of mountains, tree-lined streams, high rock faces, and canyons. A cowboy has been used as a Marlboro symbol since 1954. Earlier, Marlboro had been targeted to women “as the essence of femininity,”<sup>8</sup> with advertising slogans such as “Mild as May.”<sup>13(p.493)</sup> However, the Marlboro brand was reissued and repositioned in 1954 and featured, in addition to the cowboy character, other rugged, ultramasculine figures, typically with tattoos. By 1964, Marlboro had become linked nearly exclusively with a cowboy, considered an ideal symbol of rugged masculinity, freedom, escapism, adventure, independence, simple pleasures, and heroism.<sup>31,114</sup> Legendary ad maker Leo Burnett conceived the initial idea of using a cowboy.<sup>115</sup> To this day, the Leo Burnett advertising agency, which is based in Chicago, handles the Marlboro account.

Marlboro’s brand image is also consistently conveyed through various elements of the communications mix. Marlboro cigarettes are offered in a flip-top package, which is publicized as solid and “crush-proof.”<sup>114</sup> Philip Morris has launched a lifestyle magazine titled *Unlimited*, which is distributed by direct mail to those in the firm’s database. The magazine content—hailed as “Action, Adventure, and Good Times”—closely matches the psychographics of the target market for the Marlboro brand. Labels for the Marlboro Classics clothing line point to the garments’ combination of “strength” and “endurance,” implying that the garments can endure harsh outdoor activities like those expected of a cowboy. Marlboro Unlimited Gear, which includes branded items such as trail watches,



*Marlboro advertisements featuring a cowboy character*

transportable gas grills, and gear bags, is promoted as durable, “without limits,” and “built for adventure.” During the late 1990s, promotional initiatives dubbed “Party at the Marlboro Ranch” provided sweepstakes winners with vacation opportunities to ranches located in Montana and Arizona. These advertising campaigns were preceded by “Marlboro Adventure Team” holiday promotions, which stipulated that

a hand-picked team of ten will meet in Grand Junction, Colorado, to take a journey down white water and rock walls, across deserts and over trails that lead to places that aren’t even considered places yet. Hell Canyon, Lizard Rock,



*Advertisement for the “Marlboro Adventure Team”*

Thunder Pass. This is the West—where you find your adventure, you don't wait for it to find you ... for eleven days, experience Marlboro's unforgettable world of freedom and adventure.<sup>116(p.43)</sup>

During the 11-day vacation, contest winners were engaged in activities such as white-water rafting, dirt biking, 4 × 4 automobile driving, and horseback riding.

The key sponsorship properties of Marlboro are automobile racing and motorcycle racing. During the early 2000s, Philip Morris, in its Formula One partnership with Ferrari, spent roughly \$23 million each year toward race-car driver Michael Schumacher's salary and about \$65 million each year to have Marlboro placed in multiple locations on the race car, helmet, and overalls of Schumacher and his teammate Rubens Barrichello.<sup>117,118</sup> Schumacher's performance has been unprecedented; he holds numerous Formula One records such as most wins in a single season, winner of the longest string of races within a season, and seven overall drivers' titles.<sup>119</sup> With Schumacher often a race leader, Marlboro received considerable television coverage during Formula One events, compounded by the fact that the winning driver often appears in magazines, newspapers, and television newscasts worldwide. It is estimated that 300 million people watch each Formula One race on television.<sup>120</sup> Similarly, during a 94-minute broadcast of the 1989 Marlboro Grand Prix, the Marlboro brand name was shown or mentioned 5,933 times, and the name was seen for a total of 46.2 minutes, or about one-half of the total broadcast time.<sup>121</sup> For viewers, it was easy to make the link between Schumacher as a leader in the auto-racing field and the Marlboro brand as the market leader in the cigarette product category. In addition, it is easy to see that the various Marlboro promotional efforts collectively communicate a cohesive and powerful message.

Nowak and Phelps<sup>122</sup> note a trend in greater usage of databases and new expectations from marketing communication suppliers such as sponsorships (e.g., staging contests at event sites that require contestants to submit their demographic profiles and correspondence details) to assist in database development. Duncan has defined IMC as “a cross-functional process for creating and nourishing profitable relationships with customers and other stakeholders by strategically controlling or influencing all messages sent to these groups and encouraging data-driven, purposeful *dialogue* with them.”<sup>123(p.8)</sup> Several tobacco firms, such as Philip Morris, have demonstrated their strong commitment to IMC, moving away from traditional mass media promotion to integrated forms of communications such as sponsorship, public relations, direct marketing, and sales promotion. For tobacco companies such as Philip Morris, regulated restrictions on access to different media further compelled seeking a variety of nontraditional media (making use of emerging technologies and new media). A greater use of databases and new expectations from marketing communication suppliers to provide database-building capabilities indicate an IMC approach. A highly targeted customer-focused strategy and a strategically consistent brand positioning, which are key tenets of an IMC mindset, have contributed to Marlboro becoming the best-selling and dominant brand in the U.S. market.

#### ***“Surreal Advertising” in the United Kingdom as a Case Study***

“Surreal advertising” for cigarettes in the United Kingdom provides another powerful illustration of the cornerstones for effectively communicating brand image that are discussed above—especially branding, pictorials, use of color, and repetition. A case study of this advertising genre is presented below.



The Tobacco Advertising and Promotion Act in the United Kingdom prohibits tobacco advertising in the print media and on billboards as well as by direct mail and other promotions, effective in 2003. The act also banned tobacco sponsorship of sporting events (other than international events) in July of that year, and tobacco sponsorship of Formula One motor racing ended in July 2005. Regulations on *indirect advertising* (i.e., the use of tobacco product brand names on nontobacco products and services) and point-of-sale advertising were issued in 2003.<sup>124</sup>

Before passage of this act, tobacco advertising in the print media and tobacco sponsorship of sporting events in the United Kingdom were governed by two voluntary agreements periodically negotiated between the tobacco industry and the government.<sup>124</sup> One of these agreements required, among other things, adherence to the Cigarette Code.<sup>125</sup> The code, which was developed jointly by the U.K. Department of Health, cigarette manufacturers and importers, and the Advertising Standards Authority (ASA), promulgated rules on the content of tobacco advertising. The ASA, which was responsible for certifying advertisements as acceptable before they were published, described the rules as follows:

The essence of the Code was that advertisements were not to encourage people to start smoking nor were they to entice smokers to smoke more or to excess.

As with every other part of the Codes, the Cigarette Code's rules were applied in the spirit as well as the letter. Broadly, they included the following requirements:

Youth: Advertisements were not to be designed or presented in a way which had a greater appeal to those under 18 than to the general public. Anyone shown

smoking was required to be clearly over the age of twenty-five. Advertisements were not to play on the susceptibilities of the immature or vulnerable nor were they to feature heroic, cult or fashionable figures in a way that might appeal to the young. In the 1995 edition of the Codes, the rules were tightened to prohibit humour being used to attract young people.

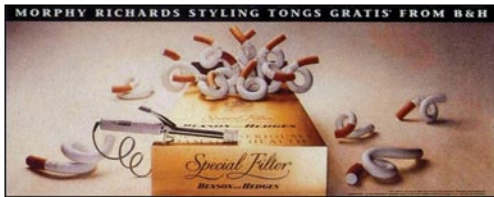
Health, context and environment: Advertisements were not to suggest that smoking was safe, popular, natural, healthy or necessary for relaxation and concentration. Cigarettes were not to be shown in the mouth and smoking was not to be associated with healthy eating or a wholesome life-style.

Social success: Advertisements were not to link smoking with people who were evidently wealthy, successful or fashionable or who possessed other qualities that might command admiration or encourage emulation. They were not to claim or imply that smoking was a sign of masculinity or that it enhanced feminine charm. Nor were they to imply a link between smoking and social, sexual, romantic or business success. The attractions of smoking were not to be exaggerated.

Promotions: Advertisements for coupon brands were not to feature products unless those products could be obtained through the redemption of coupons collected over a reasonable period of average consumption.<sup>126</sup>

Advertising for several cigarette brands appeared in British media, demonstrating creative and often bizarre uses of color, symbols, and imagery that were still permitted under the code. Silk Cut and Benson & Hedges (sold in the United Kingdom by Gallaher Group Plc), as well as Marlboro, were the most notable brands employing surreal advertising. In most of these advertisements, the only indication

### 3. Key Principles of Promotion and Rationales for Regulation



Surreal advertisements for Benson & Hedges showing cigarettes curled by a curling iron (above) and an oversized cigarette box buried on a rocky beach (right)

that cigarettes were being promoted was the government-mandated health warning shown at the bottom of the ad.

According to the *Wall Street Journal*,<sup>127</sup> Benson & Hedges (B&H) “pioneered the genre” of surreal advertising with a series of ads showing the brand’s gold box in strange ways:

One [ad in 1977] showed the box in front of a mouse hole—likening it to a trap. Another [ad in 1980] showed it being carried away by ants as if it were something dead. A recent ad shows someone being hypnotized by a gold watch.

Other advertisements showed the B&H box floating on blue water, looking like a can of sardines, partially opened to reveal the cigarettes; a pack of B&H in a bird cage; a giant B&H box floating on a pond, next to a flock of ducks being fed by an elderly woman; a large B&H box on top of which rested a curling iron, with many curled cigarettes strewn about; and yet another oversized box buried on a rocky beach, reminiscent of the image of the Statue of Liberty buried in the sand at the end of the original *Planet of the Apes* movie. A B&H ad in the 1990s showed “a dentist with a perverse grin who has just pulled a gold tooth.”<sup>128</sup> A cinema commercial

showed a giant B&H packet swinging from a helicopter above the Arizona desert, watched by bug-eyed iguanas and then dropped into a swimming pool.... It was, they said, the most expensive cinema

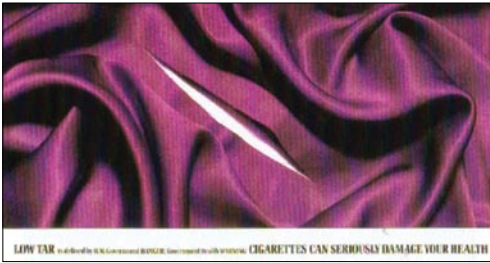


commercial ever produced. And almost certainly the best-remembered.<sup>129</sup>

The advertising campaign for Silk Cut, which was launched in 1983, used a series of images showing purple silk that had been cut, or purple silk with something sharp (the brand’s package is purple and white). The first advertisement in this series “showed a pool of silk gathered in a dreamy haphazard way—and cut with a significant slit.”<sup>129</sup> A similar ad showed the silk with a bandage on it, presumably covering a tear. Other ads in the campaign were described in the *Wall Street Journal* as follows:

One award-winning ad shows a row of scissors dancing the cancan in purple silk skirts. Another shows a rhinoceros whose horn protrudes through a purple silk cap. In an obscure twist on the theme, one ad simply showed a purple shower curtain. The implication was that the silk curtain would be slashed as in Alfred Hitchcock’s “Psycho.”<sup>127</sup>

Many Silk Cut advertisements included images of scissors, knives, and other cutting instruments. One showed strips of purple silk falling from the holes of giant, building-like cheese graters, resembling a ticker-tape parade. Another featured a purple brassiere, cupping two round and spiny cacti.



*Surreal advertisements for Silk Cut cigarettes (above and right)*

Surreal advertisements for Marlboro cigarettes also appeared in the United Kingdom, typically showing one prominent item in red within an otherwise black-and-white scene that one might expect to find in “Marlboro Country” (i.e., the American West). As in the case of many of the surreal ads for Silk Cut and B&H, many of these Marlboro ads did not show cigarettes or depict smoking. Although some of the ads proclaimed “Welcome to Marlboro Country,”<sup>127</sup> other ads had no obvious connection to cigarettes, except for the health warning at the bottom of the ads. The red color—the only feature identifying the brand being advertised—was a link to the color of the well-known Marlboro chevron used in the brand’s logo and on its packaging. One surreal Marlboro ad, for example, showed a red river flowing through the valley of a broad and desolate canyon. Another showed a bright red motorcycle alongside a bleak and deserted country road. McIntosh<sup>128</sup> has described other ads in this campaign.

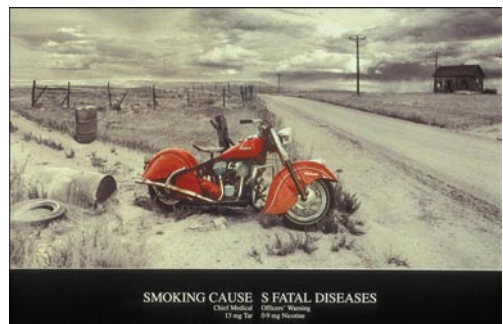
What are these surreal advertisements attempting to accomplish? They may have been designed to achieve one or more of the following goals: (1) to get noticed in a “noisy” marketing environment; (2) to engage the viewer in attempting to discern the meaning of the ad; (3) to affirm the intelligence of the viewer who solves the riddle of the ad; (4) to evoke humor; (5) to elicit feelings of eroticism, violence, or death; and (6) to influence smoking behavior and attitudes toward smoking while navigating through or around the provisions of the Cigarette Code.



These purposes are addressed below in greater detail.

To be successful, an advertisement must break through the cluttered sensory environment in modern society to get noticed. The average consumer is exposed to about 2 million brand messages each year across all media channels.<sup>130</sup> No matter how well an advertisement is constructed, it will be ineffective if it is not noticed. Unusual or bizarre images in advertising are more likely than is traditional imagery to capture the attention of a reader perusing a magazine or a person walking or driving by a billboard. A related objective is that atypical advertising is more likely to garner publicity or “buzz” (see chapter 4 for a discussion of “viral” marketing).

Another likely purpose of surreal advertisements is to engage the viewer in attempting to discern their meaning. Academic research finds that such advertisements not only attract attention



*Surreal advertisement to link the color red with the red Marlboro chevron*

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but also engage consumers in more thought.<sup>107</sup> According to Goldman,<sup>131(p.171)</sup>

ads which are unpredictable and whose meanings are opaque, if not impenetrable ... arrest the attention of the viewers.... If viewers spend more time pondering the meaning of an advert, if they make more of an investment in interpreting it,... then perhaps they will be more likely to recall the product name.

Product name recognition is another key element of effective marketing campaigns.

A third purpose of these advertisements may be to have viewers feel good about themselves for having figured out the meaning of an advertisement or an advertising campaign. Viewers who experience a sense of accomplishment after solving the riddle of an ad<sup>132</sup> are likely to have more favorable views toward the product being advertised (and toward the manufacturer of the product). In reference to the Silk Cut “shower curtain ad” mentioned above, a creative executive at M&C Saatchi (the ad agency that produced many of the Silk Cut ads) said,

People recognize the connection between the advertisement and Psycho, the thriller, so people think they're quite clever. It's smart arse. It affirms their intelligence and their wittiness. It strikes a chord with them.<sup>128</sup>

Many of the surreal ads attempt to evoke humor. The M&C Saatchi creative executive asserted that,

The primary motivating factor in my culture, in my advertising culture, is an attempt to get humour into the advertisement.... [They] work if it's funny, if people find it engaging.<sup>128</sup>

As noted above, the Cigarette Code was tightened in 1995 to prohibit the use of humor in advertising as a means to attract

young people. The driving force for this modification of the code was not the surreal ads, but evidence that a baldheaded man named Reg, used in an advertising campaign for Imperial Tobacco's Embassy Regal brand, appealed to youth, partly through humor.<sup>133,134</sup>

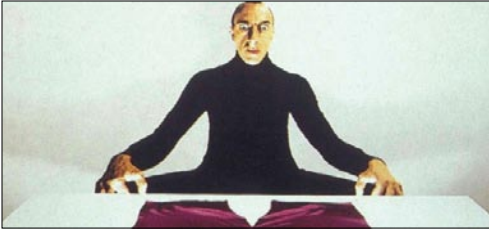
These last two aims may overlap when a viewer is challenged to understand the humor in an advertisement. As York explains,

both campaigns [Benson & Hedges and Silk Cut] confirmed the audience's cleverness and visual literacy in recognizing the elegance of the jokes. Clever advertising driven by puns on intrinsic properties—the box, the brand name—made for clever, memorable brands; brands with an assurance that made the older cigarette advertising approaches look decidedly klutzy.<sup>129</sup>

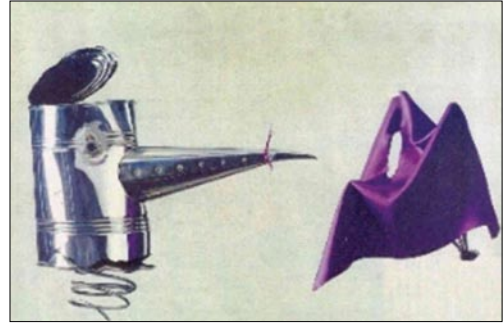
An example is an ad showing a short branch with two purple, silken leaves; the pun is that the plant is a cutting.<sup>135</sup>

In an essay titled “From Eros to Thanatos,”<sup>128</sup> McIntosh argues that several of the Silk Cut advertisements have imagery suggestive of sexual organs, sexual violence, and death. During a discussion of the semiotics of a Silk Cut ad in the novel *Nice Work*,<sup>136</sup> the female protagonist maintained that the ad “appeals to both sensual and sadistic impulses....” Sexual symbolism—whether subliminal or perceptible—is not confined to surreal cigarette ads. Pollay has identified many examples in conventional cigarette ads.<sup>137</sup>

Suggestions of sexual violence and death are in some Silk Cut advertisements. Many of the Silk Cut advertisements, as noted above, feature scissors, knives, and other cutting instruments, including saws, axes, and meat cleavers. Gallaher's last U.K. campaign for Silk Cut cigarettes included two ads showing a woman holding a cutting instrument in



*Sexual imagery used in surreal advertisements for Silk Cut cigarettes (above and right)*



a scene with an undercurrent of violence. In one, a woman is holding garden shears, seemingly upset that her husband is talking with the buxom woman next door (who is hanging her purple undergarments on a clothes line). In the other, a man is working on a newspaper crossword puzzle and ignoring his food at the dinner table, while his wife is gripping a knife in a menacing way. McIntosh argues that the imagery suggesting sexual violence and death is tapping into “rape fantasy” and what Sigmund Freud called the “death instinct.”<sup>128</sup>

Finally, the potent imagery in surreal advertisements can be seen as a strategy to affect smoking behavior while circumventing the provisions of the Cigarette Code. The general manager of corporate affairs for Gallaher seemed to acknowledge as much when he said, “One of the reasons we have

the most creative advertising in the world is because we’ve had the toughest rules for so long.<sup>127</sup> Others have recognized the same connection. Langan<sup>135</sup> commented as follows:

Silk Cut has managed to allude to sensual and sexual desire, thus demonstrating one way in which [an] advertiser can attempt to covertly allude to qualities, or suggest reasons for buying their product which, because of the strict laws in the case of cigarette advertisements, they are not able to do overtly.

Similarly, Lindstrom has noted,

The Silk Cut campaign was wordlessly articulate and negotiated the newly introduced, mid-’80s bans on cigarette advertising with such elegance, the brand’s image and message remained intact without the slightest reference to the product.

You don’t need too much creativity to imagine how a range of beautiful, silk-filled wallpaper could work for Silk Cut. Instead of advertising, a branding tool stands as a work of art. Any brand communication that achieves this level of sophistication is a brand-building victory. Such a campaign could integrate its message across channels, even conquering those channels in which advertising is restricted, as is the case with tobacco and other products.<sup>130</sup>

Lindstrom’s allusion to “silk-filled wallpaper” as an extension of Silk Cut’s advertising is not necessarily far-fetched. As Langan explains,



*Silk Cut cigarette advertisements suggesting violence*

The repetition of this metaphor [cut silk] for the brand Silk Cut has produced an important effect. The signifier, the purple colour, has become just as important as the brand name. It now works to anchor the picture, ... [in ads] where the silken sheet is absent (i.e., through recognition of the colour the viewers are steered towards the correct interpretation of the advertisements). It is mainly the colour which has become the symbolic tool with which the viewer can approach and “correctly” discover the preferred reading of the adverts. This becomes important in later advertisements where the silken object and the cut are even less apparent.<sup>135</sup>

Once a color has become strongly associated with a brand (e.g., purple for Silk Cut, red for Marlboro, gold for Benson & Hedges), it is possible that the color by itself may serve to promote the associated product. This raises the question of whether cigarette companies strive to develop strong color associations for their leading brands to allow the companies to continue color-based brand promotions under severe marketing rules anticipated to exist in the future. Indeed, in Papua New Guinea, “the entire exteriors of shopping centres and small trading posts are not uncommonly painted in the colours of a major cigarette brand ... and sporting a large number of posters and point-of-sale displays for cigarettes.”<sup>138</sup> If legislation were to ban the posters and point-of-sale displays, the cigarette colors on the store exteriors might remain, along with their attendant associations with specific cigarette brands.

## A Rationale for Regulating Tobacco Promotion

*Regulation*, according to C. Lloyd Brown-John, is defined as “any constraint imposed upon the normal freedom of individuals by

the legitimate activity of government.”<sup>139(p.7)</sup> Because regulation involves government activities that limit the choices available to individuals, it is often controversial.<sup>140</sup> The regulation of tobacco promotion is no exception. To what extent can and should the government intervene in the lives of citizens? Moreover, which government activities should be regarded as legitimate?

The key rationales for implementing a comprehensive ban on tobacco advertising and promotion include (1) the health consequences of tobacco use (including addiction); (2) the deceptive or misleading nature of several tobacco promotional campaigns; (3) the unavoidable exposure of youth to these campaigns; (4) the role of tobacco advertising and promotion in increasing tobacco use in the population, especially among youth; (5) the targeting of “at-risk” populations through advertising and promotion, including youth, women, and ethnic and racial minorities; (6) the failure of the tobacco industry to effectively self-regulate; and (7) the ineffectiveness of partial advertising bans. The third, fourth, and fifth rationales are reviewed in detail in chapters 4, 5, and 7; the others are discussed below. The call, by the WHO FCTC and others, for a comprehensive ban on tobacco advertising and promotion requires discussion of whether this policy would violate federal statute or the First Amendment to the U.S. Constitution (see chapter 8).

## Health Consequences of Tobacco Use

A government regulatory role in the creation of tobacco control policies is largely justified because cigarette smoking represents the single most important cause of preventable illness and premature death in the United States. Smoking has been linked to a number of health problems, including chronic bronchitis and emphysema; strokes and heart disease; and cancer of the lung, lip, oral cavity, pharynx, larynx, esophagus,

pancreas, bladder, and kidney. It is estimated that roughly 440,000 Americans die prematurely each year as a result of smoking. Tobacco use is responsible for a greater number of deaths among Americans than the total number of deaths caused by motor-vehicle crashes, suicides, murders, AIDS, and illicit drug use combined.<sup>141</sup>

An important element in the harm caused by tobacco is the addictiveness of smoking and other forms of tobacco use.<sup>142</sup> Because most tobacco users develop dependence during childhood and adolescence,<sup>78</sup> many tobacco control programs and policies (including bans on advertising and promotion) are intended to prevent the initiation of tobacco use among youth.

The health effects of smoking extend beyond the smoker. Secondhand smoke is the combination of smoke produced by the burning of tobacco (sidestream smoke) and the exhaled smoke from a smoker. Secondhand smoke consists of gases and particles that contain more than 4,000 chemicals, more than 50 of which are cancer-causing agents.<sup>143</sup> An estimated 50,000 deaths per year in the United States—from lung cancer, ischemic heart disease, and sudden infant death syndrome—have been attributed to exposure to secondhand smoke.<sup>144</sup>

The health consequences of smoking may act as an important factor in government deliberations about the role that health care costs can and will play in the reduction of the federal deficit. A reduction in overall tobacco consumption levels is regarded as a valuable objective toward health care reform efforts and offsetting ever-increasing health care costs. The social and economic costs of tobacco are noteworthy. Cost-benefit analyses (see the 2004 Surgeon General's report on smoking and health for a thorough literature review) reveal that while government tax revenues from tobacco sales are substantial, they are largely outweighed

by the costs attributable to smoking. In the United States, it is estimated that the economic costs attributable to smoking are \$157 billion each year, including \$75.5 billion spent on direct medical care among adults, \$81.9 billion attributed to lost productivity, and \$366 million for neonatal care. During 2001, the states alone spent roughly \$12 billion toward the treatment of smoking-attributable diseases.<sup>141</sup>

## Deceptive or Misleading Promotion

Deceptive advertising has been described as marketing communications that likely result in consumers having information or beliefs that are incorrect or cannot be substantiated.<sup>145</sup> The Lanham Act, which contains the federal statutes governing trademark law in the United States, defines false advertising as “any advertising or promotion that misrepresents the nature, characteristics, qualities or geographic origin of ... goods, services, or commercial activities.”<sup>146</sup> In addition to misrepresentation (e.g., a company makes a claim that has no validity), deceptive advertising may occur as a result of omitted information.<sup>145,147</sup>

In a 1,742-page decision issued on August 17, 2006, U.S. District Judge Gladys Kessler ruled that the major U.S. cigarette manufacturers violated civil (i.e., noncriminal) provisions of the Racketeer Influenced and Corrupt Organizations (RICO) Act. She wrote,

For several decades, Defendants have marketed and promoted their low tar brands as being less harmful than conventional cigarettes. That claim is false, as these Findings of Fact demonstrate. By making these false claims, Defendants have given smokers an acceptable alternative to quitting smoking, as well as an excuse for not quitting.<sup>148(p.740)</sup>

### 3. Key Principles of Promotion and Rationales for Regulation

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As demonstrated by Kessler's judgment, tobacco firms have undergone particular scrutiny for the marketing of filtered and low-tar cigarette brands, in which product descriptors, such as mild, light, ultra low tar, slim, smooth, and natural, have commonly been used. More than 30 countries have now banned the use of "light" and "mild" as cigarette product descriptors.<sup>149(p.4)</sup>

During the 1930s, Camel promotions claimed, "More doctors smoke Camels than any other cigarette," and the tagline for Old Gold was, "Not a cough in a carload." During the early 1950s, however, articles in scientific and lay publications reported research findings about the link between smoking and lung cancer, leading smokers to become increasingly concerned about the dangers of smoking, and initiating what the tobacco industry referred to as a "health scare." The American Cancer Society, for example, released a major study linking smoking with lung cancer in 1950, and *Reader's Digest* articles in 1952 and 1953 discussed the relationship between smoking and cancer.<sup>150</sup> Tobacco firms became increasingly concerned about the negative publicity, which prompted the industry to hire Hill and Knowlton, a renowned public relations firm, in 1953. Recommendations by Hill and Knowlton led to the formation of the New York-based Tobacco Industry Research Committee (TIRC) in 1954. On January 4, 1954, a full-page advocacy advertisement, using the headline "A Frank Statement to Cigarette Smokers," circulated in 448 newspapers in 258 U.S. cities, reaching an estimated readership of more than 43 million. The advertisement announced that the TIRC was being established with a mandate to support scientific research on the health effects of tobacco use.<sup>23,151</sup> The promotion cast doubt on unfavorable research findings and included the statements: "We [the tobacco industry] accept an interest in people's health as a basic responsibility, paramount to every other consideration in our business. We believe

the products we make are not injurious to health. We always have and always will cooperate closely with those whose task it is to safeguard the public health."

Filtered cigarettes became prominent in the U.S. market during the 1950s; in 1950, the market share of filtered cigarettes was negligible, yet by the end of the decade, the majority of cigarette sales were for brands with filters.<sup>152</sup> Filtered cigarettes offered reassurance to consumers about the "safety" of smoking (many promotions portrayed filters as the technological fix to health concerns); they were also more profitable because they contained roughly one-third less tobacco than did nonfiltered brands as a consequence of a shorter column, a new freeze-dry "puffing" process, and greater use of reconstituted tobacco sheet.<sup>69,153</sup> Cigarette promotions commonly featured taglines that implied health, such as Viceroy's "Double-Barreled Health Protection," Pall Mall's "Guard Against Throat-Scratch," and L&M's "Just What the Dr. Ordered."

In 1964, the first Surgeon General's report on smoking and health was released, and tobacco manufacturers recognized the competitive value of introducing brands that offered further reassurance to consumers concerned about the health risks of smoking. The 1970s marked the launch of several cigarette brands that were promoted with lower (machine measured) tar deliveries. Some of the product launches were line extensions of familiar trademarks (e.g., Marlboro Lights was introduced by Philip Morris in 1971); others were new, stand-alone trademarks (e.g., Merit was introduced by Philip Morris in 1976). Several virtuous-sounding brand names such as Merit, Fact, True, and Life are inherently misleading for a product such as cigarettes. According to Pollay and Dewhirst,

the product development process for Merit® was as much focused on consumer and market testing as on product technologies,



per se. The final market launch strategies used in 1976 gave particular emphasis to the choice of the name Merit,<sup>®</sup> obviously communicating apparent virtue, and used an advertising style that made this product development seem eminently scientific and newsworthy and less like an ad.<sup>69(p.213)</sup>

Consumers likely assumed that governmental agencies would not permit the use of deceptive health claims, yet U.S. tobacco manufacturers used Federal Trade Commission (FTC) test results for tar and nicotine yields in advertising copy in attempts to gain a competitive advantage. For example, during the mid-1980s, when tobacco industry promotional spending was overrepresented among brands with supposedly low-tar yields, Brown & Williamson advertisements asserted that among all cigarettes, “Carlton is lowest” by referring to the U.S. Government laboratory test current at that time.<sup>69,154</sup> Consumers were likely to perceive the FTC-attributed tar and nicotine ratings as precise even though tobacco manufacturers acknowledged within internal corporate documents that the FTC testing procedures were inaccurate.<sup>148(p.571),155,156</sup> Cigarette papers and filters were developed that enabled smoke to be “air-conditioned” and the smoke column to be diluted through the entry of sidestream air. These vents were placed in locations of the cigarette commonly obstructed by a person’s fingers or lips while the cigarette was being smoked.<sup>157</sup> Thus, tar and nicotine yields generated for cigarettes smoked by machines during FTC testing were appreciably lower than yields delivered by cigarettes smoked by actual people.<sup>158–160</sup> FTC test results were inconsistent with actual tar and nicotine yields because the machines did not initially account for the compensatory behavior demonstrated by people. To satisfy their addiction, smokers often compensate when smoking lower-yield cigarettes.<sup>142,160,161</sup> Compensatory behavior includes smoking

the cigarette closer to the butt, taking deeper puffs, increasing the number of puffs, and smoking more cigarettes per day.

Internal British American Tobacco documentation claimed, “opportunities exist for filter and cigarette designs which offer the image of ‘health re-assurance’.”<sup>162(Bates no. 110069979)</sup> Moreover, a Lorillard document assessed whether consumers perceived their Kent brand to have the best filter, stating that, “‘best filter’ is undoubtedly considered in terms of many different benefits including the taste the filter delivers, ease of drawing, mild taste, as well as health.”<sup>163(Bates no. 01140947)</sup> Another document, expressing the thoughts of cigarette-company research directors at a Hilton Head meeting on February 14–16, 1968, stated, “the increasing popularity of filters and acceptability of low delivery brands indicate people are worrying about the problem [the health implications of smoking].”<sup>164(Bates no. 1005106316)</sup> Under the subtitle *Attitudes Toward the Effects of Smoking on Health*, a Brown & Williamson document acknowledged that “in discussing how a smoker can limit the risks of serious disease without actually giving up smoking, the respondents clearly recognized the role of high filtration cigarettes.”<sup>165(Bates no. 680109289)</sup>

Similarly, trade sources and internal tobacco industry documents acknowledge that mildness claims communicate health-related messages to consumers. For example, a marketing consultancy firm, the Institute for Analytical Research Inc., in its submission of motivation research findings to Imperial Tobacco Ltd. (Canada’s largest tobacco manufacturer), stated that “the majority of respondents indicate that they see ‘mildness’ as synonymous with a ‘safer’ product and reveal that mildness is a criterion for brand selection which takes on additional significance in the present smoking climate.”<sup>166(p.104)</sup> According to a 1977 British American Tobacco document, communication strategies

should be directed towards providing consumer reassurance about cigarettes and the smoking habit. This can be provided in different ways, e.g. by claimed low deliveries, by the perception of low deliveries and by the perception of “mildness.” Furthermore, advertising for low delivery or traditional brands should be constructed in ways so as not to provoke anxiety about health, but to alleviate it, and enable the smoker to feel assured about the habit and confident in maintaining it over time <sup>167(p.3)</sup> (emphasis in original)

Meanwhile, market research prepared for Philip Morris revealed that “smoking an ultra low tar cigarette seems to relieve some of the guilt of smoking and provide an excuse not to quit.”<sup>168(p.11, Bates no. 2040066754)</sup> Similarly, internal documentation from British American Tobacco<sup>95</sup> shows that “it is useful to consider lights more as a third alternative to quitting and cutting down—a branded hybrid of smokers’ unsuccessful attempts to modify their habit on their own.”<sup>95(Bates no. 400459922)</sup> These industry views are consistent with research by Tindle and colleagues,<sup>169</sup> who found that smokers using “light” cigarettes had lower odds of smoking cessation; these investigators concluded that smokers may still be using “light” cigarettes as an alternative to quitting.

For many consumers, cigarettes with the “slim” product descriptor may imply that the product is “risk reduced.” When Philip Morris conducted market research of a competitor’s ultraslim brand, it found that several consumers consider reduced-circumference cigarettes to be a safer alternative relative to those brands with traditional physical dimensions. Under the subtitle “Health Implications,” interoffice correspondence included a summary of findings gleaned from consumer testing:

Overriding the perception of its stylishness is an impression that this cigarette has potential health advantages because there

is so much less tobacco being consumed. For many of the women, the idea that they would be “getting less” was a huge advantage.... This is an illusion, in a sense, for it is the actual tar and nicotine delivery which is the main factor of a health attribute, but most people ignored this. What they wanted and liked was a visible cue that they were smoking less.... Perception is more important than reality, and in this case the perception is of reduced tobacco consumption. It would be easy to substantiate such a claim.<sup>170(Bates no. 2057762567)</sup>

Meanwhile, executive testimony and internal Imperial Tobacco Ltd. documents, which were released during Canadian court proceedings, revealed that the “smooth” product descriptor is meant to convey reduced irritation to the smoker’s throat or lungs.<sup>73</sup>

## Failure of Self-Regulation

Another rationale for regulating tobacco promotion is the demonstrated inability of the tobacco industry to self-regulate effectively. Self-regulation should ensure that advertisements are not false, misleading, in poor taste, unfair, or socially irresponsible. It is a process by which there is “voluntary control of business conduct and performance by business itself. It is control exercised by an advertiser’s *peers*, including those in the agencies and media used.”<sup>171(p.5)</sup> Media, advertising, and trade organizations are common proponents of self-regulation, including the International Advertising Association, American Advertising Federation, American Association of Advertising Agencies, Association of National Advertisers, Outdoor Advertising Association of America, Motion Picture Association of America, National Association of Broadcasters, Direct Selling Association, Direct Marketing Association, Council of Better Business Bureaus, and International Chamber of Commerce.

### What Is a “Natural” Cigarette?

During the late 1990s, Winston’s “No Additives, 100% Tobacco, True Taste” campaign underwent considerable scrutiny for the apparent deceptiveness of the claim, whereby the FTC required R.J. Reynolds to include the disclaimer, “No additives in our tobacco does NOT mean a safer cigarette.” The Winston campaign ran for nearly two years before the disclaimer was mandated, however, and the brand experienced market share growth in the interim.<sup>a,b,c</sup> During 2004, promotions for Natural American Spirit cigarettes asserted that the product consists of “100% additive-free natural tobacco” and that it is “the only brand that offers products made with both natural and 100% certified organic tobacco.” The promotions do not specify, however, that the American Spirit offerings have higher nicotine levels and tar deliveries than do conventional cigarettes. “Natural,” synonymous with untreated and unprocessed, is seemingly ambiguous for the American Spirit mentholated line extensions or for the “Pow Wow Blend,” which combines tobacco with herbs such as red willow bark and sage.<sup>d</sup>



<sup>a</sup>Shatenstein, S. 1998. Thank you for not smoking additives. *Tobacco Control* 7 (2): 187–88.

<sup>b</sup>Arnett, J. J. 1999. Winston’s “no additives” campaign: “Straight up”? “No bull”? *Public Health Reports* 114 (6): 522–27.

<sup>c</sup>Schwartz, J. 1999. FTC has a beef with ‘no bull’ ads: Cigarette maker to add health disclaimer for ‘no additives’ Winstons. *The Washington Post*, March 4.

<sup>d</sup>Kezwer, G. 1998. Organic cigarettes new fad for “health-conscious” smokers. *Canadian Medical Association Journal* 158 (1): 13.

Self-regulation is often viewed as a means for the industry in question to avoid government regulation and an attempt at restoring the public’s faith in business practices.<sup>171</sup> Boddewyn,<sup>172</sup> an advocate of self-regulation and a paid consultant for the tobacco industry, presents several advantages and disadvantages of self-regulation. First, self-regulation can assist and complement statutory regulation given that the codes and guidelines of self-regulation are often more stringent than those imposed by law. Second, when advertising practices are questioned, there is typically less animosity because of self-regulation by the industry. Statutory regulation, on the other hand, relies heavily on the judicial system for enforcement. Third, self-regulation is typically seen as a more efficient and less expensive

mechanism for handling complaints compared with government regulation. Industry representatives, it is argued, are more knowledgeable about their field than are government officials. Finally, when justifiable complaints surface, the noncomplier is likely to adhere to the resulting decisions because the standards that were breached had previously been accepted voluntarily.

Self-regulation has several disadvantages, however, that lead many to consider it improbable that private interests can self-regulate in the public interest. Even if it is demonstrated that self-regulation can produce responsible advertisements, the voluntary standards of self-regulation may be purposely loose to ensure greater participation of the industry members.

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Furthermore, enforcement of and compliance with voluntary codes may be deficient, and participation in the self-regulation of the industry may not be compulsory. This has serious implications in a free-market economy. What does the tobacco industry do, for example, with those competitors that refuse to comply with the self-regulatory standards? Consumers may also be unaware of self-regulatory mechanisms, how to submit a complaint, or to whom the complaint should be submitted. The activities of self-regulation primarily involve industry-selected representatives, whereas the general public may be considered “token” outsiders.

An examination of the history of regulation of tobacco advertising makes it apparent that the tobacco industry does not effectively self-regulate. Pollay,<sup>173</sup> for example, assessed the efficacy of the U.S. cigarette industry’s self-regulation of 1963 broadcast advertising, in which each of the major firms (with the exception of Brown & Williamson) agreed to Tobacco Institute guidelines that specify that programs directed at youthful audiences should not be sponsored. Despite the tobacco industry’s voluntary course of action, American Research Bureau data (accessible from an FTC report on cigarette advertising) combined with census information and trade data on spot television advertising revealed that children and adolescents still represented 26% of the audiences for purchased network television programming. Winston, for example, was the sponsor of *The Beverly Hillbillies* and *The Flintstones* programs on television.

In 1964, American tobacco manufacturers voluntarily adopted the Cigarette Advertising Code, yet it was allowable for individual cigarette firms to withdraw from the code and then later rejoin at their own volition. By 1967, American Tobacco and Lorillard had both withdrawn; thus, advertising for

the product launches of both Carlton and True was no longer required to adhere to the regulations of the advertising code that had been established.<sup>174–176</sup> Moreover, Richards and colleagues<sup>176</sup> demonstrate that the key tenets of the code were not respected by those remaining as participants. The code, for example, stipulated that cigarette advertising should not depict smoking as essential to social prominence, distinction, success, or sexual attraction, even though Vantage advertisements using the tagline “The Taste of Success” (typified by pictorials of a couple with their classic automobile) were permitted to circulate.<sup>177</sup> Similarly, Barbeau and colleagues<sup>178</sup> found that cigarette print advertising for Camel, Marlboro, Newport, and Virginia Slims violated the fundamental tenets of the code. Their study revealed that a sizable percentage of U.S. students, 10 to 15 years old, perceived dimensions related to social prominence, distinction, success, or sexual attraction to be apparent in the cigarette advertising shown. A majority of students believed that cigarette advertising linked product use with popularity (ranging from 50% for Marlboro to 80% for Virginia Slims) and appearing to be “cool” (ranging from 72% for Marlboro to 84% for Camel). While the code also stated that cigarette advertising should not depict smokers who had obviously just participated in a physical activity requiring stamina or athletic conditioning beyond that of normal recreation, 78% of the students indicated that Marlboro advertising did so.

Another provision of the code reads,

Natural persons depicted as smokers in cigarette advertising shall be at least twenty-five years of age and shall not be dressed or otherwise made to appear to be less than twenty-five years of age.<sup>179</sup>

Mazis and colleagues<sup>180</sup> examined how more than 500 respondents perceived the ages of models in a sample of cigarette

advertisements. The percentage of respondents who perceived the models to be younger than 25 years old reached as high as 76% for a Kool Milds model, 89% for a Lucky Strike Lights model, 79% for a Virginia Slims Ultra Lights model, and 91% for a Winston Lights model.

The code prohibited advertising “in school, college, or university media (including athletic, theatrical and other programs)” and the distribution of sample cigarettes to persons under the age of 21 years. In addition, it stated that “no sample cigarettes shall be distributed or promotional efforts conducted on school, college, or university campuses, or in their facilities, or in fraternity or sorority houses.”<sup>179</sup> Nevertheless, in a survey of 10,904 students enrolled in 119 nationally representative four-year colleges and universities during the 2000–2001 school year, Rigotti and colleagues<sup>50</sup> found that 8.5% of respondents had attended a bar, nightclub, or campus social event where free cigarettes were distributed.

Additional examples of violations of these provisions of the code are cited in chapter 5. The introduction to that chapter mentions that these provisions of the code were highlighted in congressional testimony in 1969 by Joseph F. Cullman III, president of Philip Morris and chairman of the Tobacco Institute, who promised that cigarette manufacturers would comply with the provisions after cigarette advertising was banned from the broadcast media.

The practice of *product placement*, which involves contractual agreements that stipulate on-screen exposures of brand-name goods and services in exchange for fees or services being provided<sup>181</sup> (chapters 4 and 10), serves as another example of the failure of self-regulation. U.S. tobacco manufacturers amended the Cigarette Advertising Code in 1990 (renamed as Cigarette Advertising and Promotion Code)

and agreed to no longer “place” their products in movies. A review of internal tobacco industry documents by Mekemson and Glantz,<sup>182</sup> however, revealed that product placement initiatives remained active at least three years after the code was amended.

Another flaw in tobacco industry self-regulation is the inconsistency in policy and behavior between the cigarette and smokeless tobacco manufacturers. For example, the cigarette companies had a voluntary code on the distribution of cigarette samples that prohibited distribution of free samples to persons under the age of 21. The smokeless tobacco industry had a similar voluntary code, but it banned distribution of smokeless tobacco samples to persons under the age of 18.<sup>183</sup> This younger age cutoff allowed smokeless tobacco manufacturers to conduct aggressive promotional campaigns, including free sampling, on college campuses and at vacation venues attended by large numbers of college students.<sup>184</sup> In addition, the cigarette industry code prohibited the use of testimonials by athletes and other celebrities perceived to appeal to the young, but smokeless tobacco advertising has prominently featured well-known sports figures such as Walt Garrison (football/Dallas Cowboys), Terry Bradshaw (football/Pittsburgh Steelers), George Brett (baseball/Kansas City Royals), Sparky Lyle (baseball/Texas Rangers), and Tom Seaver (baseball/Cincinnati Reds), and other celebrities such as musician Charlie Daniels.<sup>185</sup>

Another inconsistency in tobacco industry self-regulation is that advertising and promotions for American brand-name products in foreign countries may not always comply with the industry’s code. For example, despite the code’s ban on the use of celebrities in cigarette advertising, actor James Coburn appeared in a youth-oriented Japanese television commercial for

Lark cigarettes.<sup>185</sup> In some cases, American brand-name cigarettes are distributed in foreign countries by foreign corporations; however, the sales and licensing agreements that allow such arrangements could require compliance with the American company's advertising code.

The 1998 MSA between 46 attorneys general and the major cigarette firms imposed bans on product placement, cigarette billboard advertising, the use of cartoon characters, merchandise displaying brand logos, and any promotions that target youth. One can view this agreement as occupying a middle ground between purely voluntary self-regulation and regulation or legislation. Yet even with its added "teeth" (compared with purely voluntary codes), the MSA has suffered violations. As noted by Goldberg and colleagues,<sup>27</sup> the California attorney general has had four successful prosecutions of R.J. Reynolds (RJR) for violations of the MSA and state legislation on the sale and marketing of tobacco products. A San Diego court ruled in June 2002 that RJR unlawfully placed cigarette advertisements in magazines with a large percentage of readers aged 12–17 years.<sup>186</sup> In his ruling, the judge ordered the company to pay \$20 million in fines and commented as follows:

The evidence reveals that after it entered into the MSA, RJR made absolutely no changes to its advertising campaigns, failed to include the goal of reducing Youth exposure to tobacco advertising in its marketing plans and failed to take any actions to track whether or not it was meeting its professed goal of reducing Youth smoking.... [S]ince the MSA was signed, RJR has exposed Youth to its tobacco advertising at levels very similar to those of targeted groups of adult smokers.<sup>187</sup>

The U.S. experience with tobacco industry self-regulation is not unique. Cunningham<sup>30</sup> and Dewhirst,<sup>35</sup> for

example, discuss breaches of voluntary advertising codes that occurred in Canada. At least four studies<sup>125,188–190</sup> assess the U.K. experience, which is also addressed above in the section on surreal advertising in the United Kingdom. Chapman<sup>191</sup> and Winstanley and colleagues<sup>192</sup> provide an Australian perspective. There are numerous examples from multiple jurisdictions in which tobacco companies have not abided by the principles of self-regulatory advertising codes.

## Ineffectiveness of Partial Advertising Bans

Partial advertising bans have commonly proven ineffective because even though the tobacco industry faces fewer viable options in the promotional mix, the total amount of promotional spending persists. The \$15.1 billion spent on cigarette advertising and promotion in the United States during 2003 was a record-setting level.<sup>193</sup> Once one form of promotion has been banned, tobacco firms have tended to use other marketing strategies to continue communicating messages and imagery for their respective trademarks. The late 1960s and early 1970s, for example, marked a period in which U.S. cigarette advertising expenditures largely shifted from broadcast media to print. The tobacco industry's shift in promotional spending reflected that, in accordance with the Public Health Cigarette Smoking Act, U.S. broadcast advertisements for cigarettes were no longer permissible, effective January 2, 1971. U.S. cigarette advertising expenditures doubled for magazines and increased more than fourfold for newspapers during one year alone (from 1970 to 1971).<sup>102,194</sup> Several content analyses confirm that, largely as the result of the broadcast ban, the number of cigarette advertisements found in U.S. magazines increased dramatically during the 1970s.<sup>195–199</sup> (See chapter 7 for a discussion of advertising bans as related to the influence of tobacco marketing on smoking behavior.)

Removing cigarette advertising from the broadcast media first appeared to the tobacco control and public health communities to be a victory; over time, however, the desired results were not realized from this policy.<sup>194,200</sup> Contrary to expectation, cigarette consumption initially increased following the broadcast ban. From 1968 to 1970, Fairness Doctrine antismoking messages were shown prominently on television and radio, but these spots were discontinued following the ban.<sup>201(pp.496-500)</sup> Furthermore, important changes in print advertising were observed as tobacco manufacturers shifted their advertising resources. According to King and colleagues,<sup>199</sup> who analyzed visual aspects of cigarette magazine advertising from 1954 to 1986, pictures—as opposed to words—became the predominant means of communicating information to consumers. Their content analysis also revealed that models were increasingly engaged in activities, which suggests that the advertisements became increasingly lifestyle oriented. Weinberger and colleagues,<sup>196</sup> meanwhile, found that U.S. tobacco manufacturers responded to the broadcast media ban by directing more resources toward print media advertising, evident by more frequent use of special positioning, color, and full-page or double-page advertisements. Advertisements were typically placed on right-side pages and, during the observed period (1957 to 1977), were increasingly located on the back covers of magazines. They noted, however, that some of the observed changes, such as the increased use of color, could reflect innovations being used by magazine advertisers in general.

An additional consequence of the U.S. ban on broadcast advertising was that tobacco companies increasingly directed their resources toward sponsorship marketing. In fact, the tobacco industry's involvement in sport and cultural sponsorships during the 1970s and 1980s largely contributed to

the general development of sponsorship as a marketing discipline.<sup>202-204</sup> Individual tobacco companies turned to sponsoring broadcast sports events as a means to compensate for lost broadcast advertising exposure, yet the promotional messages were not required to be accompanied by health warnings or countervailing communications.<sup>200,205,206</sup> Even though cigarette advertising is not permitted on television in the United States, tobacco companies continue to receive millions of dollars' worth of national television exposure for their brands through sponsoring sports events such as auto racing.<sup>121,207-209</sup>

The MSA's 1998 ban on cigarette billboard advertising has prompted an increase in the prevalence of both interior and exterior tobacco advertising at retail outlets. Between February and June of 1999, Wakefield and colleagues conducted observations of cigarette advertising and promotion at the point of sale in 3,464 tobacco-selling retail stores in a total of 191 communities in the United States.<sup>210</sup> They found that after the MSA ban on tobacco billboards took effect in April of that year, increases occurred in the presence of tobacco sales promotions (e.g., multipack discount offers, gift-with-purchase offers), the presence and extent of functional objects bearing cigarette brand names (e.g., clocks, change mats, shopping baskets), the prevalence and extent of exterior store advertising for tobacco, and the prevalence of interior advertising of tobacco products. According to the authors, the findings suggest that the cigarette manufacturers shifted at least some of their expenditures previously spent on billboard advertising to point-of-purchase marketing following the ban on billboard advertising imposed by the MSA.

Celebucki and Diskin<sup>211</sup> studied the amount of cigarette advertising visible from outside of over-the-counter tobacco retailers in Massachusetts before and after the MSA. For the 556 tobacco retailers in the study,

they found significant increases after the MSA in the prevalence of exterior cigarette advertising on the buildings, windows, and doors of gas stations and gas mini-marts. They also found that a greater amount of cigarette advertising visible from outside these retail establishments was associated with a higher occurrence of illegal sales of cigarettes to minors.

Point-of-purchase retail settings, as well as bars and nightclubs, have become important sites of promotion for U.S. tobacco manufacturers.<sup>46,47,212–214</sup> The tobacco industry has also directed further resources toward public relations activities, personal selling, direct marketing campaigns, Internet advertising, package design, and trademark diversification.<sup>215–217</sup> Pollay, a marketing professor at the University of British Columbia, remarks, “It’s like squeezing a balloon. You can shut down one media, but the problem just moves somewhere else.”<sup>218(p.2)</sup> This point is echoed by Saffer and Chaloupka,<sup>219</sup> who argue that a limited set of advertising bans does not slow down advertising output but leads instead to shifts in media spending by the tobacco industry. In other words, when one media form is prohibited, the tobacco industry finds media “substitutes” (chapters 4 and 7).

Tobacco companies may change the types and targets of advertising within media as a way to mitigate the effects of rules that limit advertising and promotion. For example, three studies described below provide evidence that youth were exposed to higher levels of tobacco advertising in magazines after implementation of settlement agreements, even though these agreements sought to reduce such exposure. Hamilton and colleagues studied cigarette advertising in 19 magazines in which at least 15% of readers are youth under the age of 18 years. They found that cigarette advertising expenditures in these magazines increased dramatically after implementation of the

MSA and then fell dramatically after the increase was reported prominently in the news media.<sup>220</sup>

King and Siegel<sup>221</sup> reported data on advertising expenditures for 15 cigarette brands advertised in a total of 38 magazines, both before and after the MSA. They classified cigarette brands as “youth brands” if they were smoked by more than 5% of the smokers in the 8th, 10th, and 12th grades in 1998. They classified magazines as “youth oriented” if at least 15% of their readers or at least two million of their readers were 12 to 17 years old. The investigators found that expenditures on advertising of youth brands in youth-oriented magazines increased by 3.7% between 1995 (\$56.4 million) and 1998 (\$58.5 million)—that is, before the MSA—but increased by 15.2% to \$67.4 million in 1999 (after the MSA). Expenditures then fell to a level slightly higher than the pre-MSA level in 2000 (\$59.6 million).

The Massachusetts Department of Public Health studied advertising before and after the Smokeless Tobacco Master Settlement Agreement (STMSA) for smokeless tobacco products in 12 “youth magazines” (those with at least 15% youth readership or more than two million youth readers).<sup>222</sup> The agency found that smokeless tobacco manufacturers increased their advertising in youth magazines by 136% after the STMSA, from \$4.7 million in 1997 to \$11.1 million in 2001. The increase was 161% (from \$3.6 million to \$9.4 million) for the largest smokeless tobacco manufacturer, United States Smokeless Tobacco Company, which is the only smokeless tobacco manufacturer to have signed the STMSA (which contains the same prohibition against youth-targeted promotions as the MSA signed by cigarette manufacturers). Youth exposed to smokeless tobacco ads included 7.2 million adolescents aged 12–17 years who are readers of *Sports Illustrated* (a magazine



that received an average of \$2.5 million each year in advertising revenue from the United States Smokeless Tobacco Company during the postsettlement period).

Companies frequently apply their brand names to new and different product categories (e.g., Ralph Lauren paint), and this trend has been increasing over the past decade. In the case of tobacco companies, this indirect advertising, also called *brand extension* or *brand stretching*, refers to the application of tobacco brand names, logos, or other distinctive elements of tobacco product brands (and their ads) to nontobacco products. Examples and citations are provided in chapter 4.

Colors and symbols associated with cigarette brands can be used in ways that facilitate the circumvention of tobacco advertising restrictions. For example, as noted above in the section on surreal cigarette advertising in the United Kingdom, the associations in advertisements between purple and Silk Cut cigarettes, and between red and Marlboro cigarettes, may be intended to allow cigarette companies to continue color-based brand promotions under severe marketing rules anticipated to exist in the future. In addition, B&H has been the sponsor of music concerts in Nigeria at which the brand's gold color and the ampersand (&) in the brand's name have been prominently featured. At one of these concerts, a large gold curtain, whose only imagery was three giant ampersands, hung behind the band and dominated the scene. This type of promotion, with sufficient repetition, could lay the groundwork for using a freestanding ampersand to market the cigarette brand at a future time when legislation might prohibit direct advertising and less subtle forms of indirect advertising. Indeed, Finn<sup>223</sup> describes ads for B&H in the *Far Eastern Economic Review* in which images of birds, lights, a helicopter, a monorail, and a banner were used to construct an abstract depiction of the brand's package. Finn comments that these ads,

if they omitted the brand name and images of cigarettes and smoking, "could fall within the rules of poorly constructed legislation ... and point out the care that governments need to take in the formulation and wording of tobacco advertising legislation if it is to be watertight."<sup>223(p.187)</sup>

Another reason why the impact of partial advertising bans has been limited is that they allow tobacco companies to avail themselves of imprecise language in the law to maintain or create channels of communications. For example, a seemingly comprehensive advertising ban passed in New Zealand exempted "price lists" and "price notices." Tobacco companies then produced large, colorful ads with barely discernible prices shown in one corner, for prominent display in retail outlets.<sup>224</sup> The state of New South Wales, Australia, banned most forms of tobacco advertising at the point of sale in 1993, including "dummy stock" jumbo-sized cigarette packs. In response, cigarette companies gave retailers large Perspex (acrylic plastic) display cabinets housing many cigarette cartons; the cartons were not easily accessible for purchase, but as "live stock" their display apparently did not breach the new law.<sup>225</sup> The Tobacco Products Control Act adopted in Canada in 1988 prohibited event sponsorships using tobacco product brand names but permitted sponsorships using corporate names. In response, as documented by Dewhirst, all three major Canadian tobacco companies quickly registered several of their cigarette brands as corporate entities so that these "shell" companies—named for cigarette brands—could sponsor events such as Export 'A' Inc. extreme sports and the Craven "A" Ltd. "Just for Laughs" comedy festival.<sup>226</sup>

Chapter 4 describes other communication channels and strategies through which tobacco marketers can overcome laws that restrict only traditional forms of tobacco advertising. These methods include the depiction of advertising imagery on the

cigarette pack itself, Internet marketing, and the use of “viral” or “stealth” marketing (e.g., the “Lucky Strike Force, attractive couples working trendy neighborhoods ... proffering hot coffee and cell-phone calls to shivering smokers in winter or iced coffee and lounge chairs in spring and summer”).<sup>227</sup>

Facing an increasingly stringent regulatory environment, the tobacco industry has largely shifted its promotional spending from traditional mass media to integrated forms of communications. Similarly, the trend of moving away from traditional mass media promotion to sponsorship, public relations, direct marketing, relationship marketing, and sales promotion has been demonstrated increasingly by nontobacco firms that do not face nearly the same regulatory considerations. With audience fragmentation and a decline in the perceived effectiveness of television advertising, many firms have diverted resources to a variety of other media.<sup>228–230</sup> Technology, including a greater use of databases, is another factor in explaining why marketing communication campaigns span more media for many firms.<sup>122</sup> These broader trends in the marketing environment, along with the tobacco industry’s history of overcoming partial advertising bans, are reasons why bans on tobacco advertising and promotion must be comprehensive in order to be effective. The call for a comprehensive ban of tobacco advertising and promotion, by the WHO FCTC and others, requires discussion of whether this policy would violate federal statute or the First Amendment to the U.S. Constitution (see chapter 8).

## Summary

The promotion of tobacco products during the past century has been a key factor in the success of the tobacco industry, to the point where the efforts of tobacco firms have long been held up by the advertising industry and others as exemplars for

effective product marketing. Such efforts involve sophisticated targeting of population groups in specific market segments, as well as the development and promotion of a clear and consistent brand identity for individual tobacco products. In an environment in which marketing channels for tobacco have become increasingly restricted by legislation, the ability of tobacco firms to adapt their promotional strategies and maintain their brand images in the public eye serves as a testament to the power of their marketing activities.

Tobacco advertising, promotion, and sponsorship have increasingly come under scrutiny by public health officials and other health advocates. Such promotional efforts are seen as encouraging the continued use of an addictive product, resulting in substantial morbidity and premature mortality, and as being misleading or deceptive in presenting a brand image that obscures the health risks inherent in tobacco use. These factors, along with the tobacco industry’s failure to regulate itself in this area, have motivated ongoing attempts within the public health community to ban all forms of tobacco promotion.

## Conclusions

1. The promotion of tobacco products involves sophisticated targeting and market segmentation of potential customers. Common market segmentation dimensions include demographics (e.g., age, gender, race/ethnicity), geography (e.g., market density, regional differences within a domestic or international market), behavioral characteristics (e.g., occasions of cigarette use, extent of use, user’s smoking status), and psychographics (lifestyle analysis).
2. Internal tobacco company documents reveal that two key typologies of cigarette consumers used by cigarette

- firms are “starters” (who frequently initiate smoking during adolescence) and “pre-quitters” (i.e., existing smokers who need reassurance).
3. The brand image of most tobacco products represents the end result of a multifaceted marketing effort involving brand identity, logos, taglines and slogans, pictorial elements, and the use of color. The development, enhancement, and reinforcement of this brand imagery are primary objectives of tobacco promotion.
  4. Tobacco companies have designed their communications of brand image to use principles relating to message repetition, consistency, and relevance to a contemporary audience. The brand’s image is built slowly and collectively by all of the accumulated associations and images of the communications strategy, such as social status, sophistication and social acceptance, athleticism and healthfulness, glamour and fashion, rewarded risk-taking and adventure, and masculinity or femininity.
  5. The key rationales cited for implementing a comprehensive ban on tobacco advertising and promotion include (1) the health consequences of tobacco use (including addiction); (2) the deceptive or misleading nature of several tobacco promotional campaigns; (3) the unavoidable exposure of youth to these campaigns; (4) the role of tobacco advertising and promotion in increasing tobacco use in the population, especially among youth; (5) the targeting of “at-risk” populations, including youth, women, and ethnic and racial minorities, through advertising and promotion; (6) the failure of the tobacco industry to effectively self-regulate its marketing practices; and (7) the ineffectiveness of partial advertising bans.
  6. Substantial evidence exists from the United States and several other countries that the tobacco industry does not effectively self-regulate its marketing practices.
  7. Substantial evidence exists from the United States and several other countries that tobacco companies typically respond to partial advertising bans in ways that undermine the ban’s effectiveness. These responses include shifting promotional expenditures from “banned” media to “permitted” media (which may include emerging technologies and “new” media), changing the types and targets of advertising in permitted media, using tobacco-product brand names for nontobacco products and services, and availing themselves of imprecise clauses in the legislative text of the bans that allow them to continue to promote their products.

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