

**The History of Advertising Archives  
Faculty of Commerce, UBC  
Vancouver, BC, Canada V6T 1Z2**

**The advertising of so-called  
“light” and “mild” cigarettes**

*Richard W. Pollay  
(May 2005)*

*Working Paper 05.1*

*One of a series of papers on the history,  
character and consequences of cigarette advertising.  
See the Tobacco Industry Promotion Series*

*Note Bene: This copy of an expert report does not  
include copies of the ads used as Exhibits, but  
representative ads can be easily found on the web:*

**[www.tobaccoads.org](http://www.tobaccoads.org)**



SAUDER SCHOOL OF BUSINESS  
THE UNIVERSITY OF BRITISH COLUMBIA

*Expert Report of  
Richard W. Pollay  
Professor Emeritus of Marketing*

## QUALIFICATIONS

1. I am currently Professor Emeritus of Marketing at the Sauder School of Business, University of British Columbia, where I am also Curator of the History of Advertising Archives. I have a MBA in Marketing and a Ph.D. in Consumer Behavior, both from the University of Chicago. I have published research extensively for over 35 years in the areas of advertising and its effects, consumer attitudes toward advertising and advertising history. I have taught courses at the undergraduate, MBA and Ph.D. levels concerning advertising and its practical management and the related research methodologies, both in commercial practice and in academic research. I am a member of the American Academy of Advertising and the Association for Consumer Research. I serve on the editorial boards or review manuscripts for many academic journals, e.g. *Journal of Advertising*, *Journal of Consumer Research*, *Journal of Marketing*, *Journal of Marketing and Public Policy*, and *Tobacco Control*. My complete Curriculum Vita as of March 2005 is attached hereto.

2. Of note is my role as Curator of the History of the Advertising Archives, as this research institution holds the Tobacco Industry Promotion Series (TIPS), an extensive collection of materials on cigarette promotion. TIPS includes (a) over 10,000 US cigarette ads and related merchandising materials, (b) related documents obtained in the course of serving as an expert witness in various trials, (c) notes taken from both tobacco and advertising trade sources (e.g. *Advertising Age*, *Advertising & Selling*, *Marketing and Media Decisions*, *Printers' Ink*, *US Tobacco Journals*), (d) compilations of research done by others, and (e) a special interest library on tobacco advertising, including government reports, among other holdings.

3. For the past 15 years I have been working extensively on cigarette advertising and its history, publishing over 100 research work products as working papers or in peer reviewed journals. In general these concern the promotional tactics employed by the cigarette industry and the psychology of persuasion. Of note are my contributions on the role of advertising to the U.S. Surgeon General's Reports on youth (1994), minorities (1998) and women (2000). I have also written on the marketing of so-called "light" cigarettes for the (US) National Cancer Institute (2000). In 2001 this included serving as a co-author for the National Cancer Institute's Smoking and Tobacco Control Monograph 13, *Risks Associated with Smoking Cigarettes with Machine-Measured Yields of Tar and Nicotine* (Monograph 13), co-published by NCI with the U.S. Department of Health and Human Services, Public Health Service and National Institutes of Health. In 2002, I was Guest Editor of a special issue of *Tobacco Control* -Discoveries and Disclosures in the Tobacco Document, Vol. 11, Supp. 1. Other research and reports have explored current practices and historical aspects of the various aspects of cigarette marketing such as the targeting of youth, the targeting of racial minorities, the failures of self-regulation, the use of public relations, the marketing of filtered and seemingly safer "low yield" cigarettes, event sponsorships and promotion, sports stadium signage, media plans, packaging, distribution, and warnings.

4. My research experience has been augmented by the rare opportunity to access and review corporate documents for tobacco firms, their market research contractors, advertising agencies and public relations firms. Some of this was the result of my own research initiatives uncovering archival materials, e.g. the industry's public relations efforts to counter the "health scares" of the 1950s and 1960s. On other occasions my access to corporate documents resulted from my role as an expert witness in litigation. I have augmented this experience through a review of documents available on the web at various sites, including [www.tobaccodocuments.org](http://www.tobaccodocuments.org).

5. My expertise in cigarette advertising has led to many invitations to speak at various conferences and universities. The last includes the Emerson Electric Lecturer on Business Ethics, St. Louis University (1995), University Lecturer at the University of Wisconsin (1993), Center for Research in Journalism and Mass Communications Lecturer, University of North Carolina (1992), Donald W. Davis Lecturer at Pennsylvania State University (1990), Walter Schmidt Lecturer at the University of Santa Clara (1988), and numerous other unnamed lecturing at more than 20 other Universities abroad and in North America, such as Harvard, Rutgers and Columbia. This research on cigarette marketing has been recognized by the University of British Columbia as deserving of the Professional Research Excellence Award, 1994. Twice I have received an American Marketing Association Award for the Best Article in Advertising, most recently for research on cigarette advertising's impact of youth, "The Last Straw? Cigarette Advertising and Realized Market Shares among Youths and Adults, 1979-1993."<sup>1</sup>

### **SCOPE OF THE REPORT AND OVERVIEW**

6. This report concerns the evidence I am aware of regarding the marketing and advertising of cigarettes and the efforts of companies in the cigarette industry to convey a health reassurance message to consumers. This is based primarily upon previously published research, my experience serving as an expert witness in both trials assessing the constitutionality of Federal Canadian law regarding cigarette advertising, and my review of advertising, marketing, and internal company documents from the sources noted above.

7. This report will show that the cigarette companies, through marketing and advertising for various cigarettes, and low tar and light cigarettes in particular, intended to convey the perception that such cigarettes were safer and/or healthier alternatives to regular or full-flavor cigarettes.

### **THE FUNCTIONS AND MANAGEMENT OF CIGARETTE ADVERTISING**

8. This review of the role of advertising in cigarette marketing provides: (a) definitions and descriptions of advertising and promotional management terminology; (b) an historical perspective on cigarette advertising and its impact; and (c) a systematic understanding of cigarette advertising management in the contemporary period. The principles of advertising and its management, which are universal to all jurisdictions, are illustrated by reference to internal tobacco company documents. These documents serve

to illustrate examples of the industry's targeting of health concerned smokers to offer them false reassurances. Before discussing these practices in detail, some definitions and a historical overview of cigarette advertising are in order.

9. The world of advertising is immensely diverse in styles, forms, and functions. This diversity results from the range of human enterprise, the heterogeneity of consumers, the variety of situations for advertisers, the multiple advertising media, the several possible purposes for advertising, and the creativity of the professional creators of advertising. What this diversity shares is the identified sponsor and the sponsor's ultimate interest in inducing sales. Advertising is the professional execution of commercial communications.

10. Advertising has been defined by the American Marketing Association as "Any paid form of non-personal presentation and promotion of ideas, goods or services by an identified sponsor." It is derived from the Latin *advertere*, meaning to turn [the mind]. A prominent textbook elaborates: "Advertising is salesmanship, and it is paid for by a firm, a person or a group with a particular point of view. The message advocates that point of view, and its goal is to create awareness, attitude, or behavior that is favorable to that advocacy position. The message attempts to inform and to persuade; it is intentionally biased, and there is no intent to present a balanced point of view."<sup>1</sup>

11. While the generation of sales and profits is the ultimate justification for corporate advertising spending, the goals of advertising are often defined in terms of intermediate goals and stages instrumental to ultimate sales. Advertising and consumer behavior texts, for example, discuss advertising to promote consumer awareness, interest and desire, to place a brand in consumers' memories, or to change consumer attitudes and images in various ways. Advertising seeks to enhance the consumers' perceptions of the product. It chooses words and pictures carefully to glamorize the product and/or its users, to induce purchase and consumption as the result.

12. Why do firms advertise? The obvious and most general answer is that firms advertise because it is profitable for them to do so. Firms spend budgets on promotional efforts if, and only if, they believe that the benefits—long term profits—from that spending outweigh the costs.

13. The selection and creation of specific advertising media and messages will depend on a situational analysis, the nature of the target audience, and the specific goals of each component in an ad campaign. Different situations, such as the brand history, the competitive circumstances, cost constraints, or the product advantages may determine strategy. So too may knowledge of the target audience's age, brand awareness, income, attitudes, product experience or predispositions. Advertising could seek awareness (curiosity or reminder), attitudinal change (images and beliefs), changes in affect (feelings), and/or action (buying or consuming). Different audiences and goals suggest different tactical choices in messages and media.

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<sup>1</sup> M. L. Rothschild in *Advertising: From Fundamentals to Strategies*, at 8 (1987) (cited in Dr. Richard W. Pollay, "The Functions and Management of Cigarette Advertising", Report, prepared July 27, 1989).

14. Advertising creative strategy must specify at least the target market (audience), the essential and supporting message ideas, and the tone and style of the advertising. This strategy statement, also sometimes known as a creative briefing or copy platform, informs the creative staff of the advertising agency; the copywriting and art directors. Notable in most advertising creative guidelines is the emphasis on the visual component of the ads. The so-called "lifestyle" advertising provides imagery that is rich in connotations. The choice of models, setting and activities can not only display attractive people as consumers of a brand, but can also display attitudes, emotional experience, social status, etc.

15. Research plays an important role at every stage of the advertising planning process. It guides the strategic choices and tactical executions. A great variety of research techniques are commonly used, ranging from interviews and small group discussions to large surveys; from paper and pencil questionnaires to high technology covert observations. These can provide many benefits, such as analyses of the various population segments, psychological insights and profiling of target consumers, pre-testing of alternative advertising concepts, shaping advertising media plans, verifying the attention getting power of advertising visuals, determining the impression created by the visual imagery, and testing the impact of an ad or campaign after deployment.

16. The results aid strategic decision making and the positioning (portraying) of various products offered, the overall strategy being to offer a great variety of products so that each consumer can find a product that seems almost custom made for his or her self image and lifestyle. Consumer research helps identify ways of "positioning" the products so that the ad target audience will perceive it as meeting their needs, fitting their self image and attractive.

### **THE HISTORY OF CIGARETTE ADVERTISING AND MARKETING**

17. Only a long term historical perspective allows for the full appreciation of cigarette advertising and marketing's impacts. Many of advertising's major effects are gradual and cumulative over time, effecting psychological changes such as attitudes and images. The total impact of advertising cannot be seen and appreciated in studies with a short time focus, such as studies of a single campaign or a single ad. That being said, it is necessary to review the history of cigarette marketing and advertising generally in order to understand the marketing and advertising for light cigarettes in particular.

18. As discussed in more detail below, the cigarette companies have been aware of smokers' desires for "health reassurance" since the 1950s at the latest, with some brands making health claims and using athletes and doctors and nurses in ads in the 1930s and 1940s. The cigarette companies have targeted smokers seeking a health reassurance by marketing and advertising purportedly safer cigarettes such as filtered cigarettes, menthol cigarettes, low tar cigarettes, and ultimately light cigarettes with explicit and implicit health claims.

#### **A. Cigarette Companies Initially Responded to Smokers' Desires for Health Reassurance with Filtered Cigarettes**

19. During the early 1950s, scientific and popular articles that presented lung cancer research findings initiated what the tobacco industry termed the “health scare,” as consumers became increasingly concerned about the potential health risks incurred from smoking.<sup>2</sup>

20. The cigarette companies initially responded to this health scare by introducing filtered products, which purportedly reduced harmful constituents of smoke.<sup>3</sup> In 1952, Lorillard introduced Kent, in 1953 Liggett introduced L&M, and in 1954, Philip Morris, R.J. Reynolds, American Tobacco, and Brown & Williamson followed with their own filter brands. By 1954, filtered cigarettes had grown to 10% of the cigarette market. Soon thereafter, new menthol-filtered products were also introduced, such as Salem, Newport and Oasis, capitalizing on the healthful reputation that menthol already had, due to its use in cold remedies and related medicinal applications.

21. Advertising during the early 1950s promoted filters as the technological fix to the health scare and contained health-related statements that varied in explicitness. For example, a Viceroy advertisement proclaimed, “The Nicotine and Tars Trapped by Viceroy’s Double-Filtering Action Cannot Reach Your Throat or Lungs!” and that it was “Better for Your Health.” Kent advertisements claimed, “sensitive smokers get real health protection with new Kent” and “[Kent] takes out more nicotine and tars than any other leading cigarette.” Advertisements for other brands of cigarettes stated, “Just What the Dr. Ordered” (L&M), “Inhale to your Heart’s Content” (Embassy), “No adverse effects to the nose, throat and sinuses from smoking Chesterfield,” and “The Secret to Life is in the Filter” (Life). (See, e.g., Exhibit A).

22. In 1955, in response to conflicting claims regarding tar and filtration, the FTC published *Cigarette Advertising Guides* which banned all mention of tar, nicotine, and filtration when “not established by competent scientific proof.” The *Cigarette Advertising Guides* also banned references to “throat, larynx, lungs, nose or other parts of the body,” and to “digestion, energy, nerves or doctors.”<sup>4</sup>

23. After 1955, cigarette advertisements stressed good taste, flavor, and enjoyment using language implying relative safety such as describing filters as effective, complete, superior and yielding smoke that was described as softened, gentled, mild or smooth, and delivering “more of what you smoke a filter for” (Viceroy). Analogies were made to filtration systems for water purification, hospital operating room and atomic submarine air quality. Parliament sold its “extra margin” of filtration by comparisons to car seat belts, helmets and other safety gear. Because the cigarette manufacturers knew

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<sup>2</sup> Pollay, Richard W. and Dewhirst, Timothy, *Marketing Cigarettes with Low Machine-Measured Yields*, published in U.S. Department of Health and Human Services, *Risks Associated with Smoking Cigarettes with Low Machine-Measured Yields of Tar and Nicotine* (November 2001)(“Monograph 13”).

<sup>3</sup> Ibid.

<sup>4</sup> Federal Trade Commission, *Cigarette Advertising Guides*, adopted September 22, 1955.

that health fears persisted, filtered brands were advertised heavily, capitalizing on the health image these cigarettes had acquired prior to imposition of the *Cigarette Advertising Guides*. (See, e.g., Exhibit B).

## **B. The Cigarette Companies Touted the Reduction in Tar as a Health Benefit**

24. In 1957, *Reader's Digest* published two articles regarding the effectiveness of filters and setting forth tar and nicotine yields of various brands for the first time since 1952. These articles concluded that the tar and nicotine yields of many filtered cigarettes were no better than those of non-filtered cigarettes. These articles set off the famous "Tar Derby," a period during which *Reader's Digest* and *Consumer Reports* published regular reports on tar and nicotine yields of different cigarette brands leading cigarette manufacturers to drastically cut tar levels in order to gain a competitive advantage.<sup>5</sup> After remaining virtually unchanged for three decades, sales-weighted tar and nicotine yields dropped substantially during this period.<sup>6</sup>

25. Advertising during the Tar Derby shifted to emphasis on tar and nicotine reduction. The cigarette companies relied on the tar and nicotine yields reported by *Reader's Digest* and *Consumer Reports* as "scientific proof" in order to comply with the *Cigarette Advertising Guides*.<sup>7</sup> Manufacturers took advantage of reported tar and nicotine yields to establish themselves as "healthy" during a period of intense advertising claims, with advertising containing competing claims such as "lowest tar of all low-tar cigarettes," "today's Marlboro—22 percent less tar, 34 percent less nicotine," "significantly less tars and nicotine than any other leading filter brand," and "less tars and more taste ... they said it couldn't be done." (See, e.g., Exhibit C).

26. While the industry had explicitly catered to the general public's health fears, some began to worry that touting the health benefits of low tar cigarettes could hurt the cigarette industry as a whole. In 1958 the Tobacco Industry Research Committee ("TIRC") called upon the cigarette companies to downplay the health attributes of low tar cigarettes because of the negative implications such advertising raised for cigarettes in general. In an letter from C. C. Little, Scientific Director of the TIRC, to Tim Hartnett, Chairman of the TIRC, dated August 26, 1958, Director Little wrote: "As Scientific Director of the Tobacco Industry Research Committee it is my duty to warn the members of that body of the serious and dangerous effects on its research program if the present trend continues toward the emphasis on 'tar reduction' in advertising of cigarettes." The letter acknowledges the perceptions of the public and the scientific community that "tar reduction is advanced as a specific preventive or ameliorative measure." Director Little

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<sup>5</sup> Pollay, Richard W. and Dewhirst, Timothy, *Marketing Cigarettes with Low Machine-Measured Yields*, published in Monograph 13.

<sup>6</sup> Burns, David M. and Benowitz, Neal L., *Public Health Implications of Changes in Cigarette Design and Marketing*, published in Monograph 13.

<sup>7</sup> Pollay, Richard W. and Dewhirst, Timothy, *Marketing Cigarettes with Low Machine-Measured Yields*, published in Monograph 13.

insisted that publicity measures be taken in order to distance the tobacco industry from the very health claims that it was seeking to profit from: "Although this serious danger exists, I believe that it can and should be eliminated by prompt and unanimous action by the industry" through an announcement to the public that "the increase in manufacture of filtered cigarettes is a response to public demand and to nothing else."<sup>8</sup>

27. Despite these concerns, the cigarette industry continued to heavily promote the filtered and reduced tar cigarettes that consumers now reasonably presumed to be healthier/safer. Advertising expenditures increased substantially during this period, rising by 179% between 1950 and 1960.<sup>9</sup> Of this, a disproportionately greater amount was for these filtered and "new, improved" products as the firms withdrew advertising support for the traditional unfiltered brands and product varieties, fading in market potential.

28. In 1960, the cigarette companies entered into a voluntary agreement with the FTC which thereafter prohibited tar and nicotine claims in advertising, concluding the Tar Derby.<sup>10</sup> The conclusion of the Tar Derby resulted in another shift in advertising, as described in *Printer's Ink*, the leading trade journal of the advertising industry at the time:

The pendulum swung back again in cigarette advertising during 1960, completely erased, at the "urging" of the Federal Trade Commission, are the boxscores on tar and nicotine. Once more the industry is back to its traditional and usually successful course—advertising flavour, taste and pleasure against a backdrop of beaches, ski slopes and languid lakes. It is a formula that works, as all-time sales show ... And this new mood in advertising will probably prevail for some time, now that the FTC has insisted that wildly competitive copy is generally distasteful.<sup>11</sup>

29. For the next several years, cigarette advertising lacked references to tar and nicotine. Since there was no longer any competitive advantage to doing so, the cigarette companies stopped reducing tar and nicotine levels and, in some cases, began to increase them. Kent, for example, went from 14 mg. in 1961 to 16 mg. in 1963 and 19 mg. in 1966.<sup>12</sup>

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<sup>8</sup> Little, C.C., *Letter re Tar Reduction in Advertising*, August 26, 1958, Bates No. 1002607478-7481. (emphasis in original).

<sup>9</sup> Pollay, Richard W., *The Functions and Management of Cigarette Advertising*, Tobacco Control, June 1999.

<sup>10</sup> Ibid.

<sup>11</sup> "Cigarette Ads Back on Old Path" *Printers' Ink*, Vol. 273 (12), Dec. 23, 1960, p37-38.

<sup>12</sup> Pollay, Richard W. and Dewhirst, Timothy, *Marketing Cigarettes with Low Machine-Measured Yields*, published in Monograph 13.

30. In response to the FTC's prohibition on explicit tar and nicotine claims, and fearing the legal consequences of explicit health claims, internal tobacco company documents began to contain discussions about the need for implied health reassurances in marketing and advertising.<sup>13</sup>

### C. The Cigarette Companies Sought to Capitalize on the Perceived Health Benefit of Reduced Tar Through the Introduction of Low Tar and Light Cigarette Products

31. Another surge in the health scare occurred in 1964 when the first Surgeon General's Report on Smoking and Health established cigarette smoking as the cause of lung cancer. The cigarette companies were well aware, based upon market research they conducted, of smokers' desires for health reassurance as well as the perceived health benefit of low tar cigarettes.<sup>14</sup>

32. In the late 1960s, the cigarette companies began recognizing that a large proportion of smokers had health concerns that could be assuaged by new products consumers perceived as safer. For example, Philip Morris concluded, "The illusion of filtration is as important as the fact of filtration ... Therefore any entry should be by a radically different method of filtration but need not be any more effective."<sup>15</sup>

33. The cigarette companies sought to capitalize on and target smokers' health fears with the introduction of new low tar and light cigarettes that would be perceived as safer.<sup>16</sup> The term "light" was intentionally chosen to mean lower tar.<sup>17</sup> Within a few

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<sup>13</sup> For example, a 1961 Lorillard Test Marketing Plan explained: "The Beach-Nut copy strategy will be: . . . 3. To sell the brand with implied health reassurance because in today's climate, any new brand must at least reassure the smoker by implication that the cigarette will not damage . . . but rather that the new brand is 'safe.'" See *1961 Test Marketing Plan for a New Cigarette Brand*, P. Lorillard Company, Bates No. 01738660-01738730. This need for implied rather than explicit health claims continued over the years. For example, in 1974, BATCo's legal department advised, "On legal grounds (alone) it will continue to be to the industry's advantage not to make explicit health claims . . . The Industry will make increasingly competitive use of products for which health claims are implied." See McCormick, Anthony D., *Note from BATCo Legal Department*, May 3, 1974, Bates No. 100428581-8599.

<sup>14</sup> Pollay, Richard W. and Dewhirst, Timothy, *Marketing Cigarettes with Low Machine-Measured Yields*, published in Monograph 13; see also The Roper Organization Inc., *A Study of Smokers' Habits and Attitudes with Special Emphasis on Low Tar Cigarettes*, May, 1976, Bates No. 2040543437-, prepared for Philip Morris U.S.A. ("[I]t is the lower tar content of these brands that make people say they are better for health. When asked why the brands they named were better for your health, answers overwhelmingly were concerned with lower tar content.")

<sup>15</sup> Johnston, M.E., *Special Report No. 248: Market potential of a health cigarette*, June, 1966 (Philip Morris).

<sup>16</sup> Post Keyes Gardner Inc., *A Brief Look at the Dynamics of the Cigarette Industry*, prepared for Brown & Williamson, January 1977, Bates No. 776158413-426 ("'Health': In our opinion, this is by far the most important factor and trend in the market. All major shifts in smoking habits seem to be a function of 'health' concerns, as they pose a deep psychological question that every smoker must somehow answer. The manifestation of 'health' concerns can be seen in the filter revolution of the 1950's, the emergence of

years the connection between “light” and “low tar” had become so solidified that “[p]erceptually, category consumers do not currently seem to differentiate between ‘Lights’ and ‘Low Tars’ as product modifiers. Each appears to communicate that the ‘brand’ is lower in tar than cigarettes in another sub-category.”<sup>18</sup> In fact, each pack of Marlboro Lights had the phrase “Lowered Tar & Nicotine” printed on it from 1971, when they were introduced to the market until 2003.

34. The cigarette companies knew that health was the motivating factor for smokers switching to lower tar brands:

Those who smoked their current brand for less than a year switched for health purposes—to reduce the tar and nicotine level instead of quitting.<sup>19</sup>

Most smokers ... do not really understand what tar and nicotine are, or the difference between the two. “Tar and nicotine” is a term commonly used as a single word ... Those who smoke low tar and nicotine cigarettes generally do so because they believe such cigarettes are “better for

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menthol, as well as new hifi-s in the 1960’s and today.”); Dowdell, S. J., *Letter re Tar Derby*, February 7, 1968, Bates No. 500026662 (“In the months ahead, there will be increasing public attention given to the theory that a reduction of ‘tar’ and nicotine is desirable to make cigarettes ‘safe’ or ‘safer.’ ... [I] believe it might be profitable, from a sales as well as a public relations viewpoint, to have a high-filtration brand that we could exploit.”); Weaver, M. J., *Cigarette Smoking, Health, and Dissonance (Project Libra): IV. Further Analysis, Conclusions and Recommendations*, August, 25, 1981, Bates No. 650018899-950 (“[T]his is a group who would be highly motivated to modify their smoking behaviour in terms of switching to brands which they perceived as ‘safer’ yet meet their requirements, whatever they might be.”).

<sup>17</sup> BATCo, *Conference on Marketing Low Delivery Products*, January 1982, Bates No. 690120722-756 (“In America, ‘lights’ or ‘ultra lights’ are generic words meaning low delivery.”); Colby, Frank, R.J. Reynolds Interoffice Memorandum, July 24, 1974, Bates No. 502453688-734 (“‘[L]ight’ is the adjective which conveys descriptively the idea for which these cigarettes were designed. ‘Light’ means low in substance delivered, i.e., ‘tar’ and ‘nicotine.’” (emphasis in original)); *see also*, Deposition Testimony of James Morgan, June 5, 2002, *Miles v. Philip Morris Companies, Inc.* No. 00-L-112 (Ill. Cir. Ct.):

The word Lights meant lower in tar. What the consumer then took from lower in tar – I don’t believe the word Lights was ever used to say better for you ... Through information, persuasion, communication external to the cigarette industry regarding low tar, low tar’s relationship to smoking and health, it is, yes. The answer is yes, the consumer was perceiving in the 1970s lower tar as tied to less hazardous. We will use that phrase. And yes, we were aware of that.

<sup>18</sup> Abby Ellison Qualitative Research, Inc., *A Qualitative Analysis of the Light/Low Tar Category With Particular Emphasis on Consumer Reactions to Advertising Language and Prototype Concepts for Salem Lights*, 1977, Bates No. 501226743-772.

<sup>19</sup> Ketchum, MacLeod & Grove, Inc. *Fact Focus Group Summary*, prepared for Brown & Williamson, Bates No. 666044166-173.

you”—there is less tar and nicotine to do long-term damage.<sup>20</sup>

The very fact, then, that a smoker has decided to switch from a full-flavor cigarette to a low delivery cigarette tells us something very important about him: he is concerned about his health, and he is willing to do something about it.<sup>21</sup>

35. The cigarette companies also knew that successful advertising had to allay consumers' fears about smoking: “[A]dvertising for low delivery ... should be constructed 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>22</sup>

36. Since the introduction of low tar and light cigarettes, and continuing to the present, the cigarette companies have intentionally marketed and advertised these cigarettes to convey a health benefit over regular, full flavor cigarettes. As discussed in more detail below, the health benefits of low tar and light cigarettes have been portrayed a variety of means, as follows: in light-colored packaging and advertisements; claiming low tar yields; with claims of technological breakthroughs; using pristine imagery; in comparison to regular, full-flavor cigarettes; as alternatives to quitting; and in analogy to other health seeking behavior.

**Light Colors.** White or pale colors have been used in advertising to communicate light and low tar brands: “‘Light-lighter-lightest’ were achieved by insistence [sic] on lighter presentations—product story imagery—white packs—pale colours—mildness dominated copy.”<sup>23</sup> For example, through most of the 1990s, the Parliament Lights advertising campaign consistently used models

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<sup>20</sup> The Nowland Organization, Inc., *SHF Cigarette Marketplace Opportunities Search and Situation Analysis Volume II Management Report*, December 1976, Bates No. 84053709-744 (prepared for Lorillard).

<sup>21</sup> Ryan, F.J., *Exit-Brand Cigarettes: A Study of Ex-Smokers*, March 1978, Bates No. 2042517497-7522.

<sup>22</sup> Short, P.L., *Smoking & Health Item 7: The Effect on Marketing*, April 14, 1977, Bates No. 100427792-800 (BATCo. Document); See also Latimer, F.E., *Memo re Cigarette Advertising History*, November 29, 1976, Bates No. 680086039-6044 (“Because such large numbers of the institutions and leaders [the smoker] believes in are against smoking, the average smoker often seeks self-justification for smoking. Good cigarette advertising in the past has given the average smoker a means of justification on the two dimensions typically used in anti-smoking arguments... All good cigarette advertising has either directly addressed the anti-smoking arguments prevalent at the time or has created a strong, attractive image into which the besieged smoker could withdraw.”) For example, Carlton’s advertising strategy was to be “straight forward and factual, appealing to those smokers whose concern for ‘health’ hazards leads them to seek out a cigarette with a truly low ‘tar’ and nicotine content.” Tareyton, Iceberg 10, Carlton. Marketing study prepared for American Tobacco by BBDO, September 1973, Bates No. MNAT00716181-6232.

<sup>23</sup> BATCo, *R&D/Marketing Conference*, circa 1985, Bates No. 100501581-783.

dressed in all white placed in white environments. Kent, Marlboro Lights, More Lights, Pall Mall Lights, Virginia Slim Lights, Cambridge have similarly used white and pale colors in advertising. (See, e.g., Exhibit D). White or pale colors have similarly been used in packaging to communicate light and low tar brands: "Red packs connote strong flavour, green packs connote coolness or menthol and white packs suggest that a cigaret [sic] is low-tar. White means sanitary and safe."<sup>24</sup> (See, e.g., Exhibit E).

**Touting Low Tar Yields.**<sup>25</sup> Low tar and light cigarette ads touted low tar numbers, with some even claiming to have the lowest tar of any brand on the market: "Only 11mg tar" (Benson & Hedges Lights); "Kent Golden Lights; Lowest in Tar of All These Low-Tar Brands"; "Only 8 mg Tar" (Kent Golden Lights Menthol); and "A third less tar than the leading filter 85" (Pall Mall Light 100). Most recently Carlton had encouraged ad viewers to "Think of Number 1." (See, e.g., Exhibit F).

**Science and Technology.** When Merits were introduced to the marketplace, the advertising was designed "to communicate the technological breakthrough which MERIT represented ... To achieve these goals, a bold and aggressive strategy was devised featuring headlines and ads that had scientific substance and validity ... The ads were written in a journalistic, repertorial [sic] style to be precise, pointed, and absolutely believable ... Newspapers and magazines were utilized nationwide to get the complete product story to consumers. Massive outdoor billboard displays, subway signs, taxi-tops and exterior bus posters would be used to create brand awareness."<sup>26</sup> (See, e.g., Exhibit G).

**Pristine Imagery.** Pristine imagery, such as have been used conveyed through lightness and healthfulness. For example, ads for Marlboro Ultra Light, Pall Mall Light, Raleigh Light, Merit Ultra Lights have featured pictures dominated by fresh air, water, and mountain scenes. Merit was careful to avoid any suggestions of danger. "[I]n 1983, we adopted the sea campaign ... we showed young people on pleasure boats enjoying their leisure time and smoking Merit. We deliberately tried to avoid dangerous looking water." (See, e.g., Exhibit H).

**Comparisons to Regular, Full-Flavor Brands.** Many light cigarette advertisements stressed that the product was merely a lower tar versions of the original brand, thereby implying a health benefit in comparison to the regular counterpart: "New Camel Lights 100's! The satisfaction of Camel Lights 100's solves the low tar/low taste problem"; "The spirit of Marlboro in a low tar

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<sup>24</sup> Koten, J. (1980), "Tobacco Marketers' Success Formula: Make Cigaretts [sic] in Smoker's Own Image," *Wall Street Journal*, February 29, 1980.

<sup>25</sup> The use of tar numbers in advertisements was reauthorized by the FTC in 1966.

<sup>26</sup> John J. Wakeham H. Breakthrough of the high taste, low tar cigarette--a case history of innovation. Philip Morris Research Center. 1977: 13-4, Bates No. 2024824168-169.

cigarette”; “The only low tar menthol cigarette with Salem satisfaction. Enjoy the satisfying cool taste you expect from Salem. Salem Lights and Lights 100’s, the Lights that say enjoy”; “What’s in a name? Satisfaction. If the name is Camel. All the flavor and satisfaction that’s been missing in your low tar cigarette. With a name like Camel Lights, you know exactly what to expect” (emphasis in original). (See, e.g., Exhibit I)

**Alternatives to Quitting.** Light and low tar cigarette advertisements as an alternative to quitting, thereby implying it was just as safe to smoke such cigarettes as to quit. A True advertisement proclaims, “Considering all I’d heard, I decided to either quit or smoke true. I smoke True.” Similarly, a Vantage advertisement states:

To Smoke or not to smoke. That is the question. With all the slings and arrows that have been aimed at smoking you may well be wondering why you smoke at all. If you don't smoke nobody is going to urge you to start. But if you do smoke, you may enjoy it so much you don't want to stop. There's the rub. Because if you do smoke, what do you smoke? The cigarettes of the past provided a lot of smoking pleasure but they also delivered a lot of the 'tar' and nicotine critics have aimed at. And most of the new wave brands with low 'tar' and nicotine taste like a lot of hot air. But now Vantage has entered the scene. Vantage is the cigarette that succeeds in cutting down 'tar' and nicotine without compromising flavor. While Vantage isn't the lowest 'tar' and nicotine cigarettes you'll find, it certainly is the lowest one you'll enjoy smoking. If you smoke, try a pack of Vantage. And if you don't, why not show this ad to someone who does. It might settle the question.

(See, e.g., Exhibit J).

**Comparisons to Other Health Seeking Behavior, e.g., Dieting.** Advertisements have compared smoking low tar and light cigarettes to healthful activities as a mean of conveying a health benefit. For example, a Doral ad equated smoking low tar cigarettes to dieting:

How I lost 700 mg. of ‘tar’ the first week ... without losing out on taste. I’m not too big in the willpower department. But I lost 700 milligrams of ‘tar’ the first week on what I call ‘The Doral Diet.’ Now I can still enjoy smoking, and cut down on ‘tar’ and nicotine, too. Doral satisfied my appetite for smoking because it tastes good. Compared to what I used to smoke, each Doral cigarette is 5 milligrams lower in ‘tar.’ For a pack a day smoker like me, my Doral Diet really adds up.

(See, e.g., Exhibit K).

37. As evidenced above, many low tar and light cigarette advertisements use implicit, indirect, and/or incomplete claims and encourage consumers to draw their own conclusions as to products benefits. Such advertisements are likely to be more persuasive than advertisements that actually draw the conclusion for the consumer. For example, if Marlboro Lights are said to have less tar and nicotine and if it is understood that tar and nicotine have negative health consequences, the smoker is led syllogistically to the conclusion that Marlboro Lights must be healthier because they contain less of the "bad stuff."

38. The cigarette companies' enormous advertising budgets have facilitated the pervasive exposure that is critical to successful advertising. The enormous advertising budgets used to launch the new low tar and light products commanded a disproportionate share of firms' total advertising budgets (share of voice, or SOV), and were seen as creating marketplace demand for low-yield products. New brands and product-line extensions (variations on familiar brands) were introduced with major budgets as follows:

<b>Product</b>	<b>Budget</b>	<b>Year</b>
Merit	\$44 Million	(1976)
Now	\$23 Million	(1976)
Fact	\$20 Million	(1976)
Real	\$29 Million	(1977)
Decade	\$24 Million	(1977)
Camel Lights	\$25.3 Million	(1978)
Carlton	\$15.3 Million	(1976)
Vantage	\$20.6 Million	(1976/1977)
Golden Lights	\$21.0 Million	(1976-1978)
Marlboro Lights	\$20.1 Million	(1976-1978) <sup>27</sup>

"The phenomenal growth of hi-fi brands is, in part, a self-fulfilling prophecy. Hi-fi expenditures have grown from 7% SOV in 1972 to 45% in 1977, much faster than actual segment growth."<sup>28</sup> From 1994 to 2004, the cigarette companies spent over \$212 billion dollars on advertising and promotion.<sup>29</sup> As seen the graph below, low tar and light cigarettes are now the focus of the preponderance of this promotional spending.

39. The nature of cigarettes both advertised and purchased changed over the decades with low tar/light cigarettes coming to dominate both categories. The following graph illustrates: (a) the increase in percentage of the cigarette companies' advertising and promotion dollars that were allocated annually to light/low tar cigarettes from 1967

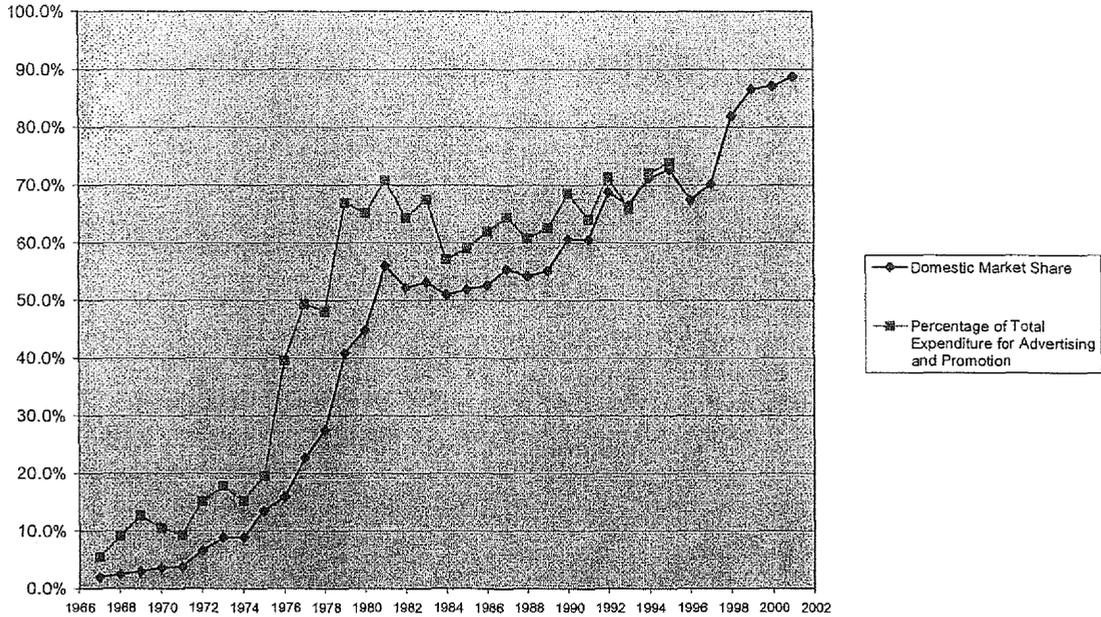
<sup>27</sup> Lorillard Inc., *Triumph Planning Seminar: Competitive Advertising*, February 25, 1980.

<sup>28</sup> Brown & Williamson, *Purite filter*, circa 1977, Bates No. 777076781.

<sup>29</sup> CITE

to 1995<sup>30</sup>; and (b) the increase in annual percentage of total cigarette sales represented by light/low tar cigarettes.<sup>31</sup> Until the 1990s, the percentage of dollars allocated to advertising and promotion for light/low tar cigarettes exceeded their share of the market, suggesting that the industry was placing special emphasis on promoting this category of cigarettes.

Share of Market for Low Tar / Light Cigarettes &  
Percentage of Marketing Expenditures Devoted to Low Tar / Light Cigarettes



### CONCLUSION

40. Since the 1950s at the latest, the cigarette companies have been aware of smokers' growing health concerns and their corresponding need for health reassurance. The cigarette companies have touted the purported health benefits of new brands and technologies such as filtered cigarettes, menthol cigarettes, low tar, and ultimately light cigarettes, in order to capitalize on smokers' needs for health reassurance.

The cigarette companies used marketing and advertising to target those smokers seeking to convey health reassurance. The cigarette companies were very concerned with creating the perception of healthfulness whether or not they actually had a safer or healthier cigarette to market.

<sup>30</sup> 1995 was the last year for which isolated sales and advertising data for light/low tar cigarettes as distinct from regular cigarettes was found.

<sup>31</sup> Data for graph taken from Federal Trade Commission Report to Congress for 1997 Pursuant to the Federal Cigarette Labeling and Advertising Act, issued 1999 and Federal Trade Commission Cigarette Report for 2002, issued 2004.

41. The advent of light cigarettes simply represented a new product development, which allowed the companies to further capitalize on smokers' health concerns. As with filtered cigarettes, menthol cigarettes, and low tar cigarettes, advertising for light cigarettes was intended to convey health and/or safety attributes, albeit through more implicit means.

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March 26, 2005  
Date

  
Richard W. Pollay