

Congress of the United States
Washington, DC 20515

September 24, 2014

Jann S. Wenner
Editor-in-Chief
Rolling Stone
1290 Avenue of the Americas
New York, NY 10104

Dear Mr. Wenner:

We are writing to bring your attention to an investigation that we released today regarding teens' exposure to tobacco and e-cigarette advertisements and photos and other images of tobacco products in magazines with high levels of teen readers, including Rolling Stone. A copy of this investigation is included with this letter.

Cigarette smoking causes roughly one in five deaths in the United States.¹ Despite progress in reducing teen smoking, the Centers for Disease Control and Prevention reports that 3,200 individuals under age 18 smoke their first cigarette each day.²

In 2012, Rolling Stone reported its teen audience as nearly 1.3 million readers. The Energy and Commerce minority staff investigation examined 48 issues of Rolling Stone from 2012 and 2013 and identified 80 advertisements for tobacco products, 37 advertisements for e-cigarettes, and 254 photographs or other images of celebrities with tobacco products. Among magazines with high levels of teen readers, Rolling Stone had some of the highest numbers of advertisements and glamorous images of tobacco and e-cigarettes.

These advertisements and images are a risk to teenagers. The 2012 Surgeon General's Report *Preventing Tobacco Use Among Youth and Young Adults* found that, "There is strong, consistent evidence that advertising and promotion influence the factors that lead directly to tobacco use by adolescents."³

In 2010, the Food and Drug Administration issued a regulation that would have banned tobacco advertisements in magazines with significant youth readership.⁴ Unfortunately, this

¹ Centers for Disease Control and Prevention, Tobacco-Related Mortality (Feb. 6, 2014) (online at www.cdc.gov/tobacco/data_statistics/fact_sheets/health_effects/tobacco_related_mortality/).

² Centers for Disease Control and Prevention, Youth and Tobacco Use (Feb. 14, 2014) (online at www.cdc.gov/tobacco/data_statistics/fact_sheets/youth_data/tobacco_use/).

³ Surgeon General, *Preventing Tobacco Use Among Youth and Young Adults* (2012).

⁴ Department of Health and Human Services, *Regulations Restricting the Sale and Distribution of Cigarettes and Smokeless Tobacco to Protect Children and Adolescents*, 75 Fed. Reg. 13227 (Mar. 10, 2010) (final rule).

regulation was struck down by a federal appeals court.⁵ Your magazine could choose not to accept cigarette, e-cigarette, and other tobacco product advertisements. It appears that many magazines with high youth readership have already made such a decision. A photo of a celebrity smoking a cigarette or cigar could easily be replaced by a photo of the same celebrity doing something different.

We hope you will reconsider your policies and voluntarily act to reduce cigarette, e-cigarette, and other tobacco product advertising and cut the number of editorial and news images of cigarettes, e-cigarettes, and other tobacco products in your policies. Eliminating them will help reduce teen smoking, which is a goal we should all share.

Sincerely,

Henry A. Waxman
United States Representative

Tom Harkin
United States Senator

John D. Dingell
United States Representative

John D. Rockefeller IV
United States Senator

Frank Pallone, Jr.
United States Representative

Richard J. Durbin
United States Senator

Diana DeGette
United States Representative

Richard Blumenthal
United States Senator

⁵ *Discount Tobacco et al v. United States*, 674 F.3d 509 (6th Cir. 2012).