

**Congress of the United States**  
**Washington, DC 20515**

September 24, 2014

Nancy Gibbs  
Managing Editor  
Time  
Time & Life Building, Rockefeller Center  
1271 Avenue of the Americas  
New York, NY 10020

Dear Ms. Gibbs:

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 Time. A copy of this investigation is included with this letter.

Cigarette smoking causes roughly one in five deaths in the United States.<sup>1</sup> 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.<sup>2</sup>

In 2012, Rolling Stone reported its teen audience as over 1.1 million readers. The Energy and Commerce minority staff investigation examined 98 issues of Time from 2012 and 2013 and identified 22 advertisements for tobacco products, 11 advertisements for e-cigarettes, and 91 photographs or other images of celebrities with tobacco products. Among magazines with high levels of teen readers, Time 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."<sup>3</sup>

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<sup>1</sup> 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/](http://www.cdc.gov/tobacco/data_statistics/fact_sheets/health_effects/tobacco_related_mortality/)).

<sup>2</sup> 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/](http://www.cdc.gov/tobacco/data_statistics/fact_sheets/youth_data/tobacco_use/)).

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

In 2010, the Food and Drug Administration issued a regulation that would have banned tobacco advertisements in magazines with significant youth readership.<sup>4</sup> Unfortunately, this regulation was struck down by a federal appeals court.<sup>5</sup> 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

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<sup>4</sup> 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).

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