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Tobacco product placement and its reporting to the Federal Trade Commission

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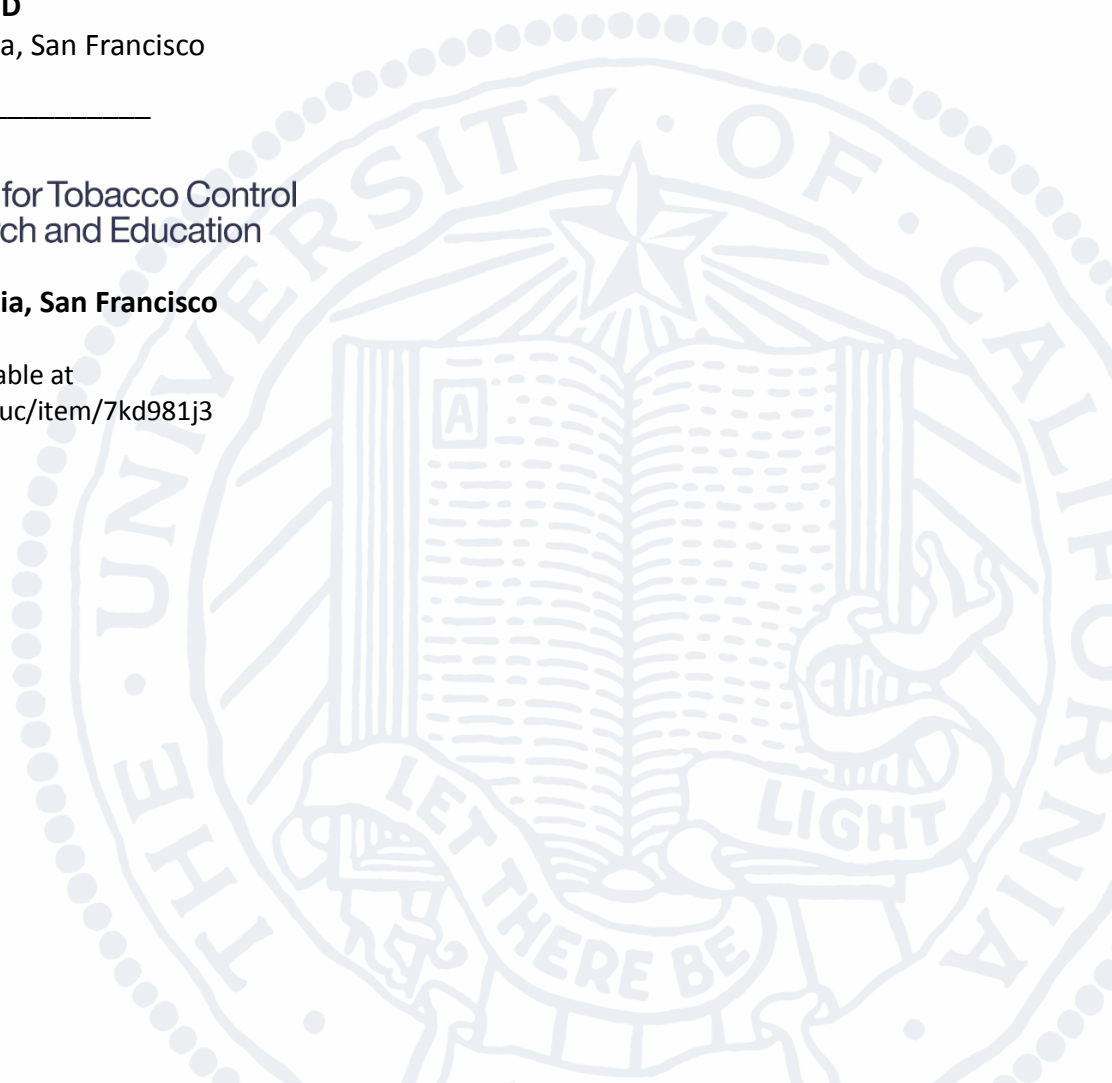
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Summary of findings

The historical record strongly suggests that asking tobacco companies to report their product placement activities and expenditures did not capture all activity in this area.

This report compares expenditures for product placement described in internal documents from American Tobacco, Brown & Williamson, Liggett & Myers, Philip Morris and RJ Reynolds tobacco companies with reports the companies were required to submit to the US Federal Trade Commission in the “endorsements and testimonials” category of cigarette promotion and advertising.

During that time, in their internal documents, American Tobacco, Brown & Williamson, Philip Morris and RJ Reynolds, or their contracted product placement agents, listed 750 motion pictures as engaged for product placement, 600 of which were released widely to theaters (Appendix).

Substantial discrepancies exist between product placement spending described in the internal industry records and the spending reported to the Federal Trade Commission in the “endorsements and testimonials” category. Nearly half (47 percent; \$2.3 million of about \$5 million) of spending for on-screen product placement described in internal industry records between 1978 and 1994 was not reported in to the FTC in the “endorsements and testimonials” category. (It is possible that the cigarette companies buried this money in some other category on their FTC reports but, according to the FTC’s instructions to the companies, “endorsements and testimonials” is where product placement spending should be reported.)

At least \$1.4 million of the documented spending (29 percent) occurred between 1989 and 1994, when tobacco companies reported no spending at all on product placement to the Commission.

While the cigarette companies stopped reporting any spending on product placement after 1988, tobacco incidents in US feature films increased over the following decade and a half, peaking in 2005.¹ Tobacco brand display in top-grossing US films declined only slowly from 1991 through 2016, with a large spike in films with tobacco brands in 2005.²

The FTC’s questions about product placement have grown more inclusive and specific since companies stopped reporting expenditures on this activity in 1988. However, the discrepancies identified in this memorandum, both before and after 1988, along with the persistence of tobacco imagery and brand display on screen, suggest that FTC needs to be more aggressive in enforcing reporting of tobacco product placement (whether branded or not) in films and other entertainment platforms, such as video games.^{3, 4, 5}

In addition, producers of films and other entertainment should be subject to a legally enforceable requirement to certify, if the facts permit, that no one associated with a production with tobacco imagery or reference, including tobacco branding display or reference, has received any consideration or entered into any agreement related to the tobacco depiction.

¹ Polansky JR, Titus K, Atayeva R, Glantz SA (2016) Smoking in top-grossing US movies: 2015. UCSF Center for Tobacco Control Research and Education. Accessible at <http://escholarship.org/uc/item/0qw7b0rh>.

² Breathe California. Thumbs Up! Thumbs Down! data. Accessible at <http://www.scenesmoking.org>. Summarized in tabular form at <http://smokefreemovies.ucsf.edu/whos-accountable/studios-and-tobacco-brands>.

³ Forsyth SR, Malone RE. Smoking in video games: A systematic review. *Nicotine & Tobacco Research*. 25 July 2015. Accessible at <http://www.ncbi.nlm.nih.gov/pubmed/26209852>.

⁴ Forsyth SR, Malone RE. Tobacco imagery in video games: Ratings and gamer recall. *Tobacco Control*. 14 September 2015. Accessible at <http://tobaccocontrol.bmj.com/content/early/2015/08/24/tobaccocontrol-2015-052286.abstract>.

⁵ Truth Initiative. *Played: Smoking and video games*. Truth Initiative. Washington, DC. 14 December 2015. Accessible at http://truthinitiative.org/sites/default/files/Played-Smoking_and_Video_Games.pdf

1. The Federal Trade Commission's orders to tobacco companies to report their product placement spending and activity, 1976-2010

The Federal Trade Commission has gathered cigarette sales, advertising and promotional data from US tobacco companies since 1963. Starting in 1976 (for the calendar year 1975) the FTC specifically ordered a report of expenditures on “endorsements and testimonials.”⁶

This category includes, but is not limited to, all expenditures made to procure cigarette use, or the mention of a cigarette product or name or package or other representation associated with a cigarette product or company, in any situation (e.g., motion pictures, stage shows, public appearances by a celebrity) where such use, mention, or appearance may come to the attention of the public...⁷

In FTC orders for 1986 (for 1985 data), the inquiry was revised slightly:

This item includes, but is not limited to, all expenditures made to procure cigarette use, or the mention of a cigarette product *or company name, or the appearance of a cigarette product or name, or package*, in any situation (e.g., motion pictures, stage shows, public appearance by a celebrity) where such use, mention or appearance may come to the attention of the public.⁸ [Emphasis added]

In 1990 (for 1989), in addition to reports on product placement spending, the FTC began to ask tobacco companies for a written answer to the following question:

State whether the company or any of its subsidiary or parent companies did or did not pay money or any other form of compensation or consideration to have any of its cigarette brand names or tobacco products appear in any motion picture(s) or television show(s) during [calendar year]. If so, please state which show(s) or movie(s), and the dollar value of each payment or contribution.⁹

Since 1996 (for 1995), the FTC expanded its question to include in-kind payments and engagement with product placement professionals:

6A. State whether the company or any of its subsidiary or parent companies paid any money or compensation, or made any other contribution, including but not limited to, goods or services, in connection with any production or filming of any motion picture(s) or television show(s) during [calendar year]. If so, please state which show(s) or movie(s), and the dollar value of each payment or contribution.

6B. State whether the company, any of its subsidiary or parent companies, or any other persons working for or on behalf of any of the foregoing, paid any money or compensation, or made any other contribution (including, but not limited to, goods or services) during

⁶ As the FTC's orders-to-file were revised over the years, the “endorsements and testimonials” item was labeled: 11(l) in 1976; 8(l), 1977-83; 8(m), 1984-5; Category-L Expenses, 1986-95; Category-R Expenses, 2006-. Data reported by companies is for the calendar year *before* the date of the FTC's order to file.

⁷ Federal Trade Commission, Order to File Special Report (1984). Specification of “Endorsements and testimonials,” Item 8 (m). Referred to as Item 8 (l), but specified identically, before 1984. Bates No. 2015010407/0412. Accessible at <https://www.industrydocumentslibrary.ucsf.edu/tobacco/docs/rsnw0143>.

⁸ Federal Trade Commission, Order to File Special Report (1986). Specification of “Endorsements and testimonials,” (24) CAT-L-EXPENSES. Bates No. 2024326909/6916. Accessible at <https://www.industrydocumentslibrary.ucsf.edu/tobacco/docs/lfd0114>.

⁹ For example: Federal Trade Commission, Order to File Special Report (1990). Bates No. 508078862/8869. Question 6. Accessible at <https://www.industrydocumentslibrary.ucsf.edu/tobacco/docs/mznh0083>.

[calendar year], to any individual, partnership or corporation engaged in the business of product placement in motion pictures or television shows. If so, please identify: the person who made the contribution; the recipient of the payment or contribution; the nature and amount of the payment or contribution; and the name of each and every motion picture or television show in which any company product appeared in return for such payment or contribution.¹⁰

In 2006 (for 2004-2005), the Federal Trade Commission added two more queries:

9C. State whether the Company or any other persons working for or on behalf of the Company sought or solicited the appearance of any cigarette product in any motion picture(s) or television show(s) during [calendar years]. If so, please state which show(s) or movie(s).

9D. State whether the Company or any other persons working for or on behalf of the Company granted approval or otherwise gave permission for the appearance of any cigarette product in any motion picture(s) or television show(s) during [calendar years]. If so, please state which show(s) or movie(s).¹¹

By 2010, the Commission had refined question 9A to include “anyone working for or on behalf of” a company, and questions 9C-D to include “cigarette brand imagery” in addition to cigarette products.¹²

2. FTC reports of product placement spending and activity

Before 1986, cigarette company spending for “endorsements and testimonials,” including product placement, was reported to Congress and the public in the Federal Trade Commission’s summary category “All Others” to “avoid potential disclosure of individual company data.”¹³

For 1986-1988, the FTC reported that the companies spent a total of \$1.54 million on “endorsements and testimonials.” Reported spending doubled from \$384,000 in 1986 to \$781,000 in 1988. No spending in this promotion and advertising category by any company was reported to the FTC after 1988.¹⁴ The companies’ reports for 1988 were filed in 1989, on an FTC form that, for the first time, required the companies to make a written response to a direct question about product placement activities. Media reports the same year (1989) about tobacco product placement in major motion pictures, including MGM/UA’s James Bond film, *License to Kill* (1989), were bringing the companies more intense public scrutiny.¹⁵

¹⁰ For example: Federal Trade Commission, Order to File Special Report (1996). Bates No. 283011208/1217. Question 6a-b. Accessible at <https://www.industrydocumentslibrary.ucsf.edu/tobacco/docs/jzxw0052>.

¹¹ For example: Federal Trade Commission, Order to File Special Report (2006). Bates No. 3031913123/3148. Questions 9a-d. Accessible at <https://www.industrydocumentslibrary.ucsf.edu/tobacco/docs/ljkb0151>.

¹² Federal Trade Commission (December 12, 2010). Personal communication.

¹³ For example: Federal Trade Commission Cigarette Report for 1983 (1985). Tables 6/6A, Note 3. Accessible at <https://www.industrydocumentslibrary.ucsf.edu/tobacco/docs/qlyv0041>.

¹⁴ Federal Trade Commission Cigarette Report for 2006 (2009). Table 2, domestic cigarette and advertising expenditures, 1970-2006. \$384,000 (1986); \$376,000 (1987); \$781,000 (1988). Accessed at <https://www.ftc.gov/sites/default/files/documents/reports/federal-trade-commission-cigarette-report-2006/090812cigarettereport.pdf> on 8 July 2016.

¹⁵ Myron Levin. ‘Protect Children Act’ aims to ban cigarette deals in film. *Los Angeles Times*. 8 March 1989. Accessible at http://articles.latimes.com/1989-03-08/entertainment/ca-322_1_cigarette-advertising

In contrast, as detailed below, internal tobacco industry documents indicate that the tobacco companies did not report all of their product placement spending and activity to the FTC either before or after 1988.

Product placement activities by tobacco companies reported in their internal documents

Previously secret tobacco company internal documents available in the Truth (formerly Legacy) Tobacco Documents Library (industrydocumentslibrary.ucsf.edu/tobacco) offer a (partial) record of spending in pursuit of, or direct payment for, product placement in motion pictures between 1979 and 1994 by: American Tobacco, Brown & Williamson (then a British American Tobacco subsidiary), RJ Reynolds and Philip Morris.¹⁶ Only about half (53%, \$2.66 million of \$4.99 million) was reported to the FTC (Table 1).

	Reported to FTC*	Amounts listed in company documents found in the Truth Tobacco Documents Library NOT reported to FTC in the "endorsements and testimonials" category			Total documented spending
		1979-88	1989-94	Total	
American Tobacco	\$528,000	\$0	\$374,750	\$374,750	\$902,750
Brown & Williamson	\$931,800	\$338,000	\$0	\$338,000	\$1,269,800
Philip Morris	\$0	\$542,700	\$100,000	\$642,700	\$642,700
RJ Reynolds	\$1,200,000	\$0	\$970,750**	\$970,750	\$2,170,750
Total	\$2,659,800	\$880,700	\$1,445,500	\$2,326,200	\$4,986,000

* No spending was reported to FTC in this "endorsements and testimonials" category after 1988.
** If Rogers & Cowan International earned all incentives in RJR agreements, could be \$85,750 more (i.e., \$1,056,500)

AMERICAN TOBACCO

American Tobacco first contracted with Los Angeles-based Unique Product Placement, Inc. (later UPP Entertainment Marketing) in 1982 and continued the relationship until at least 1994. Between 1980 and 1984, American Tobacco reported \$24,000 in product placement spending to the FTC.¹⁷ In 1985, American Tobacco reported \$504,000 in product placement expenditures (including \$15,000 for Carlton, \$89,000 for Pall Mall and \$230,000 for Lucky Strike),¹⁸ but none thereafter.

1986 / In 1986, American authorized \$12,000 for "Material, Props, etc." for "Promotional Motion Picture Placements," described as the [e]stimated *cost for the arrangement of our products to be used in major motion pictures...handled by Unique Product Placement, Inc. [emphasis added]*" for Carlton, Pall Mall and Lucky Strike.¹⁹

¹⁶ By 2004, American Tobacco, RJ Reynolds and Brown & Williamson had merged into one company, Reynolds American, with British American Tobacco owning a 42% controlling interest. In 2008, Altria, the holding company for Philip Morris, spun off Philip Morris International to operate outside the US and retained Philip Morris USA.

¹⁷ 1982-1983 (\$20,838): American Tobacco Company, Federal Trade Commission Special Report (1984). Bates No. 968248006/8036. Accessible at <http://legacy.library.ucsf.edu/tid/jto51a00>. 1984 (\$2,932): American Tobacco Company, Federal Trade Commission Special Report (1984). Bates No. 970382839/2842. Accessible at <http://legacy.library.ucsf.edu/tid/ysn51a00>.

¹⁸ American Tobacco Company [FTC] Cigarette Report Form (1986). Bates No. 950220750/0793. Accessible at <http://legacy.library.ucsf.edu/tid/qts44f00>. Some "Category L" amounts are reported twice within the same brand family. Without these possible duplicates, expenditure totals \$296,741; with them, \$504,482.

¹⁹ American Tobacco Company, Advertising and Selling Authorization (1986). Bates No. 970313403. Accessible at <http://legacy.library.ucsf.edu/tid/yhg35f00>.

1988 / In 1988, American Tobacco and Unique Product Placement, Inc. (UPP) executed a three-year agreement (November 1988 to October 1991) worth \$50,000 to UPP in the first year, \$55,000 in Year 2 and \$60,000 in Year 3.²⁰

The agreement stipulated that UPP “arrange to have the Products used as props” in twenty-five films a year, each reviewed and authorized by American Tobacco. After “securing a commitment for placement of the Product(s) in a motion picture,” UPP was directed to “visit the sets to ensure the Product(s) are being used,” and confirm the placement by sending American Tobacco photos “of the scenes from the film in which the Product(s) is/are used.”

The agreement also stated that UPP was not to place American Tobacco products in films “intended for, or likely to appeal to, an audience under the age of twenty-one.” Finally, the agreement stated that:

UPP is an independent contractor and shall not have the right or authority to assume or create any obligation or responsibility whatsoever, expressed or implied, on behalf of, or in the name of American Tobacco, or to bind it in any respect whatsoever, nor shall UPP represent that it has such authority.

How closely any of these guidelines were adhered to in practice is uncertain. For example, despite the stipulation that American’s products not appear in films for audiences under 21, nearly half (136/284) of the films that UPP engaged for product placement on American’s behalf from 1984 to 1994 were youth-rated; twenty percent (57/284) were rated PG. While the proportion of films in UPP’s reports that were R-rated grew after 1990, American Tobacco still engaged with youth-rated films for product placement as late as 1993-4 (Appendix).

1989-1990 / In 1990, American Tobacco reported no product placement expenditures to the Federal Trade Commission, declaring:

American Tobacco did not pay or agree to pay consideration in money, product, or other form to have its cigarette brand names or tobacco products appear in any motion pictures or television shows during calendar 1990.

American has an ongoing agreement with Unique Product Placement, Inc. (“UPP”), of North Hollywood, California, whereby UPP makes available to film companies — free of charge — product and advertising for use in films as props.²¹

On September 4, 1990, American Tobacco’s marketing department authorized an expenditure of \$89,000 from the promotion budgets for Carlton, Lucky Strike, Pall Mall and Malibu. This commitment covered UPP’s contract retainer for calendar year 1991 (\$60,000) and proactively authorized another \$29,000 described as for “Props, advertising materials, product, *promotion/incentives* [emphasis added].”²² The product placement expense was charged equally to the four American Tobacco brands.

²⁰ C McMullen, UPP, to WJ Moore, American Tobacco Company (October 12, 1988). Bates No. 963040177/0178. Accessible at <http://legacy.library.ucsf.edu/tid/cor41a00>.

²¹ American Brands, Inc., Special Report to Federal Trade Commission, 1990. Bates No. 990558985. Accessible at <http://legacy.library.ucsf.edu/tid/uht05f00>.

²² American Tobacco Company, Advertising and Selling Authorization (1990). Bates No. 970313137. Accessible at <http://legacy.library.ucsf.edu/tid/ydg35f00>.

1991-1994 | For 1991 and 1992, American Tobacco again reported no product placement expenditures, making the same declaration to the FTC and giving the same description of UPP's services as in 1990.^{23, 24}

In December 1991, American and UPP renewed their agreement for twenty-four months. UPP was paid \$67,500 per year through at least May 1994 to “[b]e American Tobacco’s advocate in the film community” and “[a]ct as a competitive watchdog.”²⁵ UPP informed its client that “it would respond to specific film requests only when it is positive towards the American Tobacco brand’s image.” UPP added:

More trends have been started as a result of movies than any other venue....All of the tobacco industry problems in the film community are traceable to your competitors’ aggressive posture in this arena....It will be our responsibility to monitor their activities for American Tobacco.

American Tobacco Summary

In 1980-1985, American reported \$528,000 to the Federal Trade Commission in the “endorsements and testimonials” category. From 1986 to 1994, American Tobacco did not report documented fees totaling at least \$333,750 paid to its product placement agent in Los Angeles and \$41,000 advanced for product placement activities, including “incentives,” in the Federal Trade Commission’s “endorsements and testimonials” category.

BROWN & WILLIAMSON

In 1979, Brown & Williamson retained Associated Film Promotions (AFP) of Los Angeles for \$50,000 a year to identify product placement opportunities in films and execute the arrangements at Brown & Williamson’s direction.²⁶ In a 1982 agreement incorporating the client’s 1979 instructions, Brown & Williamson made explicit that AFP would be responsible for paying “third parties”:

AFP will be solely liable for payments to all third parties contracting with AFP. AFP shall make its best efforts to reduce its agreements with third parties to writing and to include in any such agreements, whether oral or written, the third party’s promise that the third party will look solely to AFP for payment.²⁷

In 1983, an internal audit of Brown & Williamson’s product placement effort found that in four years Brown & Williamson had paid AFP \$278,000 in retainers and \$687,500 for “special ‘movie placements’” in eleven films 1981-1983 (Table 2), including a \$500,000 agreement with Sylvester Stallone for placements in five movies, for which \$200,000 was as yet unpaid.²⁸ Brown & Williamson

²³ American Brands, Inc., Special Report to Federal Trade Commission, 1991. Bates No. 970011239. Accessible at <http://legacy.library.ucsf.edu/tid/ytc55f00>.

²⁴ American Brands, Inc., Special Report to Federal Trade Commission, 1992. Bates No. 980007968. Accessible at <http://legacy.library.ucsf.edu/tid/iwm94f00>.

²⁵ C McMullen, UPP, to K Noone, American Tobacco Company (December 19, 1991). Bates No. 970196104/6105. Accessible at <http://legacy.library.ucsf.edu/tid/gba45f00>. (Note: TIFF image is more legible than PDF of this document.) UPP invoicing to American Tobacco through May 1994 at Bates No. 970224414. Accessible at <http://legacy.library.ucsf.edu/tid/ffs35f00>.

²⁶ DS Johnson, VP Brand Management, to RH Kovoloff, Associated Film Promotions (July 5, 1979). Bates No. 680400694/0695. Accessible at <http://legacy.library.ucsf.edu/tid/ykk04f00>.

²⁷ Agreement between Brown & Williamson and Associated Film Promotions (1982). Bates No. 680400618/0630. Accessible at <http://legacy.library.ucsf.edu/tid/qby01c00>.

²⁸ Brown & Williamson, Audit Survey — Associated Film Promotions (October 26, 1983). Bates No. 680118057/8066. Accessible at <http://legacy.library.ucsf.edu/tid/jhb50f00>.

terminated its agreement with AFP in March 1984 with a last \$30,000 payment.²⁹ An internal Brown and Williamson memo from the final negotiation with AFP suggests that Stallone would be paid the \$200,000 balance.³⁰

Film Title	Release Year	Company (original)	MPAA Rating	Amount	Notes
Shaker Run	1985	N/A	NR	\$5,000	IMDbPro.com lists New Zealand locations, star Cliff Robertson
Smokey and the Bandit III	1983	Universal	PG	\$10,000	Burt Reynolds in cameo
Never Say Never Again	1983	Warner Bros.	PG	\$20,000	Sean Connery as James Bond
Tank	1984	Universal	PG	\$25,000	Starred James Garner, Shirley Jones
Killing Ground	N/A	N/A	NR	\$50,000	Unidentified
Tempest	1982	Columbia	PG	\$70,000	John Cassavetes, Gina Rowland to “use Barclays cigarettes in such a way that the packages will be readily identifiable”. ³¹
Harry & Son	1984	Orion	PG	\$100,000	Paul Newman produced, wrote, directed and starred
Where the Boys Are '84	1984	Columbia	R	\$100,000	Grossed \$10.5 million
Rocky III (?)	1982	MGM/UA	PG	\$100,000	Three Stallone film projects (as star, writer and/or director) were released between AFP’s 1979 hiring and B&W’s 1983 internal audit. Audit noted \$300k had been paid against a \$500k, five-picture deal with Stallone. <i>Staying Alive</i> , a John Travolta vehicle produced, written and directed by Stallone, also appears on Philip Morris’s list of films supplied with “product”. Another candidate is <i>Rhinestone</i> (Fox).
First Blood (aka “Rambo”)	1982	Orion	R	\$100,000	
Staying Alive (?)	1983	Paramount	PG	\$100,000	

²⁹ NV Domantay, VP, Brown & Williamson, to Robert Kovoloff, AFP (January 12, 1984). Bates No. 682154878. Accessible at <http://legacy.library.ucsf.edu/tid/fng01c00>.

³⁰ JM Coleman, Brown & Williamson, to NV Domantay, Brown & Williamson (February 2, 1984). Bates No. 682154876/4877. Accessible at <http://legacy.library.ucsf.edu/tid/hfo30f00>.

³¹ R Kovoloff, Associated Film Promotions, to T Parrack, Brown & Williamson (August 4, 1981). Bates No. 682022570. Accessible at <http://legacy.library.ucsf.edu/tid/exs01c00>. In the event, the producer offered a make-good (see Note 20).

Philip Morris lists three of Mr. Cassavetes’ independent films as product placement vehicles: *Opening Night* (1978; Note 33), *Gloria* (1980; see Philip Morris USA, Promotion Programs Department, Monthly Status Report (July 19, 1979). Bates 1005010490. Accessible at <http://legacy.library.ucsf.edu/tid/gpv08e00>), and *Love Streams* (1984; Note 33).

In 1981, RJ Reynolds’ LA-based PR agency, Rogers & Cowan, informed Reynolds’ advertising agency that Mr. Cassavetes was being supplied with RJR’s cigarettes “and has told us he is very appreciative of the monthly gift.” (See Warren Cowan, Rogers & Cowan, Inc., to Laurence M. Wassong, William Esty Company (June 26, 1981). Bates 503579438. Accessible at <http://legacy.library.ucsf.edu/tid/qxn61d00>.)

Mr. Cassavetes may first have been in contact with RJ Reynolds in 1959, when he appeared in commercials for the company’s Salem cigarettes, sponsor of his New York-based NBC TV series *Johnny Staccato*.

CASSAVETES: (V.O.) When I begin to get that “cooped-up” feeling, a walk in Central Park can be a mighty good substitute for the country. And a Salem cigarette is as refreshing as a springtime breeze...

See: William Esty Company (1959). Script, page 6. Bates 500411346. Accessible at <http://legacy.library.ucsf.edu/tid/oes79d00/pdf>.

Brown & Williamson reported \$99,300 to the FTC “endorsements and testimonials” category for 1979;³² \$71,700 for 1980;³³ \$244,100 for 1981;³⁴ \$186,900 for 1982;³⁵ \$83,800 for 1983;³⁶ \$141,000 for 1984;³⁷ \$75,000 for 1986;³⁸ \$30,000 for 1987;³⁹ and none for 1988.⁴⁰ (The company’s 1985 report has not been located in the Truth Tobacco Documents Library.)

Brown & Williamson Summary

Brown & Williams reported the Federal Trade Commission that it spent \$931,800 for “endorsements and testimonials” (product placement) between 1979 and 1987. The \$685,800 reported 1979-1983 is close to the \$687,500 in “special” movie placements that B&W’s auditors identified in mid-1983. \$246,000 reported spent between 1984 and 1987 might include the balance owing Sylvester Stallone. Brown & Williams’ FTC “endorsements and testimonials” expenditure reports do not appear to account for the \$338,000 in retainers paid to Associated Film Promotions from 1979 to AFP’s termination in 1984. It is possible that these costs may have been included in the company’s summary reports of miscellaneous consulting fees, but doing so would obscure the true purpose of the expenditure.

PHILIP MORRIS

From 1978 through at least 1989, Philip Morris USA used a West Coast consultant and a brand placement firm⁴¹ to provide tobacco products, advertising signage and “fees”⁴² to at least 147 Hollywood feature film productions and half a dozen made-for-TV movies⁴³ (Appendix).

³² Brown & Williamson, 1979 Advertising Expenditures for Domestic Cigarettes (1980). Bates No. 521060530. Accessible at <http://legacy.library.ucsf.edu/tid/jlj10f00>.

³³ Brown & Williamson Special Report to the Federal Trade Commission (1981). Bates No. 521060390. Accessible at <http://legacy.library.ucsf.edu/tid/blj10f00>.

³⁴ Brown & Williamson, 1981 Advertising Expenditures for Domestic Cigarettes (1982). Bates No. 521060333. Accessible at <http://legacy.library.ucsf.edu/tid/pwa90f00>.

³⁵ Brown & Williamson, 1982 Advertising Expenditures for Domestic Cigarettes (1983). Bates No. 521060166. Accessible at <http://legacy.library.ucsf.edu/tid/ukj10f00>.

³⁶ Brown & Williamson, 1983 Advertising Expenditures for Domestic Cigarettes (1984). Bates No. 521060167. Accessible at <http://legacy.library.ucsf.edu/tid/vkj10f00>.

³⁷ Brown & Williamson, 1984 Advertising Expenditures for Domestic Cigarettes (1985). Bates No. 521060078. Accessible at <http://legacy.library.ucsf.edu/tid/yif23f00>.

³⁸ Brown & Williamson, Cigarette Report Forms (1987). Bates No. 682142948/2998. Accessible at <http://legacy.library.ucsf.edu/tid/dvp01f00>.

³⁹ Brown & Williamson, Revised Cigarette Report Forms (1988). Bates No. 795051345/1385. Accessible at <http://legacy.library.ucsf.edu/tid/wrk02b00>.

⁴⁰ Brown & Williamson Special Report to the Federal Trade Commission (1989). Bates No. 795051446/1510. Accessible at <http://legacy.library.ucsf.edu/tid/yrk02b00>.

⁴¹ Philip Morris (1988). “List by year for which product was supplied in connection with Charles Pomerantz and Andrew Varela.” Bates No. 2077042023/2037. Accessible at <http://legacy.library.ucsf.edu/tid/rpc85c00>. For 1988 only, also see a somewhat different list of fifteen “authorized placements,” attached to a sheet headed “Philip Morris Product Placement: Guidelines and Procedures.” Bates No. 2023271431/1433. Accessible at <http://legacy.library.ucsf.edu/tid/mgn87e00>.

⁴² Agreement between Baldwin, Varela & Company and Carolco Productions (1987). Bates No. 2022971827. Bates No. 2022971827. Accessible at <http://legacy.library.ucsf.edu/tid/jeb44e00>.

In 1983, Brown & Williamson's vice president of brand management reported to his company that Philip Morris paid motion picture producers between \$250,000 and \$400,000 to place its tobacco brands in films, budgeting \$2 million a year for this activity. The executive noted that "special placement payments" were "very loosely documented and most [tobacco] companies don't want to know what happens to the money as long as they receive the object of their payment."⁴⁴

Two documents have been located that confirm monthly payments to Philip Morris's Los Angeles-based product placement agents — one received \$2,500 per month (1988) and the other \$1,250 per month (1989).^{45, 46} However, Philip Morris USA has estimated "fair market value" of the products and considerations it provided to US film productions between 1985 and 1988 at more than \$50,000 — \$36,000 in 1987 and 1988 alone.⁴⁷ In addition, Philip Morris USA budgeted "product placement" spending for all the company's cigarette brands at \$100,000 in 1988; it allocated the same amount for 1989.⁴⁸ In 1991, an associate general counsel for Philip Morris concluded, "In the past even Philip Morris USA sought and paid for product placement."⁴⁹

As opposed to Philip Morris's placement deals in the United States, two Philip Morris placement arrangements executed offshore were documented. In 1979, the UK-based producers of *Superman II* (Warner Bros.) contracted with Philip Morris's European subsidiary to feature Marlboros in that film for £20,000 (\$42,000). The producers also agreed to remove any imagery, before the film's release, that "might reasonably be construed as detrimental to the Marlboro brand name."⁵⁰ In 1988, the Japanese affiliate of Leo Burnett, Philip Morris' advertising agency, agreed to pay \$350,000 to the Lausanne-based producers of the James Bond film *License to Kill* (MGM) to feature Lark cigarettes in the film and to tie the movie into the cigarette's advertising in Japan.⁵¹ The agreement was accompanied by a sketch of a radio-controlled bomb trigger disguised as a Lark package.

For the years 1979-1989, however, Philip Morris USA reported no product placement expenditures to the Federal Trade Commission.^{52, 53}

⁴³ Agreement between Philip Morris and Baldwin, Varela & Company (1988) for twelve months at \$2,500 a month with "single-item expenses over \$100" to be "pre-approved by Philip Morris USA." Bates No. 2048647583. Accessible at <http://legacy.library.ucsf.edu/tid/sfc98a00>.

⁴⁴ Brown & Williamson (1983). Discussion of Associated Film Promotions, Inc. Bates No. 682154695. Accessible at <http://legacy.library.ucsf.edu/tid/awg01c00>.

⁴⁵ Agreement between Philip Morris and Baldwin, Varela & Company (1988)

⁴⁶ Payment voucher for C.A. Pomerantz for "Product placement for July" (1989) Bates No. 2048647585. Accessible at <https://www.industrydocumentslibrary.ucsf.edu/tobacco/docs/mfkp0021>.

⁴⁷ Philip Morris (no date). "Issues Management – FTC Investigation – Movie Product Placement." Bates No. 2022971480/1490. Accessible at <http://legacy.library.ucsf.edu/tid/ndb44e00>. A footnote to the listing for the film *Red Heat* indicates that the fee referred to in the agreement at Note 37 was advanced but adds, "The product was not shown and the advance was refunded."

⁴⁸ Philip Morris (1989). Consumer Promotions Group Budget Review. Bates No. 2040735448/5451. Accessible at <http://legacy.library.ucsf.edu/tid/bkv35e00>.

⁴⁹ David R. Davies, Assoc. General Counsel, Philip Morris USA, to JRN (October 29, 1991). Bates No. 2022971499. Accessible at <http://legacy.library.ucsf.edu/tid/jlo87e00>.

⁵⁰ Agreement between Philip Morris Europe and Dovemead Limited (1979). Bates No. 2046788819/8821. Accessible at <http://legacy.library.ucsf.edu/tid/cxz55e00>. GBP-USD exchange rate as of 11/1/1979 at <http://research.stlouisfed.org/fred2/data/EXUSUK.txt>.

⁵¹ Leo Burnett-Kyodo to Danjaq (1988). Bates No. 2025863706/3711. Accessible at <http://legacy.library.ucsf.edu/tid/lez74e00>.

⁵² Special Report of Philip Morris Incorporated to the Federal Trade Commission, for:

Philip Morris Summary

Philip Morris, its affiliates and agencies spent at least \$500,000 on product placement in feature films between 1979 and 1988. Another \$100,000 was budgeted for product placement by Philip Morris USA in 1989. Nearly \$400,000 of this was spent on two product placement arrangements executed outside the United States (*Superman II*, *License to Kill*) that ensured the appearance of Philip Morris brands (Marlboro, Lark) sold domestically in motion pictures distributed by major studios in the United States. Agreements detailing the retainers paid to Philip Morris's Los Angeles-based product placement specialists in the years 1978-88 have not been located in the Truth Tobacco Documents Library. Nor has any document describing fees paid to film productions by the company's Los Angeles-based agents, except one in which the incentive was refunded.⁵⁴ In any case, the company did not report any expenditures at all in the "endorsements and testimonials" category to the Federal Trade Commission during this ten-year period.

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The Federal Trade Commission told Congress in 2002, "No expenditures had been reported in this category ["endorsements and testimonials"] since 1988,"⁵⁵ which indicates that neither RJ Reynolds nor any other tobacco company has listed product placement expenditures in their "Special Reports" since 1988. However, RJ Reynolds documents demonstrate that it paid a public relations firm and that firm's overseas affiliate at least \$743,000 and as much as \$832,000 to pursue product placement for at least four years after RJ Reynolds stopped reporting any "endorsements and testimonials" expenditures to the Federal Trade Commission.⁵⁶

1985-88 | In January 1987, RJ Reynolds made an agreement to "continue to retain" Los Angeles-based public relations firm Rogers & Cowan's services through 1987 and thereafter, for a fee of \$150,000 per year. The agreement included these guidelines:

[I]t is recognized that from time to time [Rogers & Cowan] will be involved in activities (e.g., cooperation with movie producers in placement of products/signage) that could cause adverse publicity if conducted inappropriately... [S]pecifically avoid product or signage placements directly on TV, in specifically made-for-TV movies, or movies that might appeal

1979 (Bates No. 2063827023/7144, accessible at <http://legacy.library.ucsf.edu/tid/urb45d00>); 1980 (Bates No. 1005138638/8768, accessible at <http://legacy.library.ucsf.edu/tid/vsn02a00>); 1981 (Bates No. 2024327292/7381, accessible at <http://legacy.library.ucsf.edu/tid/clv71f00>); 1982 (Bates No. 2063822134/2290, <http://legacy.library.ucsf.edu/tid/xpa45d00>); 1983 (Bates No. 2063822419/2528, accessible at <http://legacy.library.ucsf.edu/tid/znw18d00>); 1984 (Bates No. 2063822531/2621, accessible at <http://legacy.library.ucsf.edu/tid/evs64a00>); 1985 (Bates No. 2063822624/2733, accessible at <http://legacy.library.ucsf.edu/tid/dvs64a00>).

⁵³ Special Report of Philip Morris Incorporated to the Federal Trade Commission, for: 1986 (Bates No. 2024327464/7594, accessible at <http://legacy.library.ucsf.edu/tid/yky71f00>); 1987 (Bates No. 2024327595/7728, accessible at <http://legacy.library.ucsf.edu/tid/vky71f00>); 1988 (Bates No. 2024327729/7869, accessible at <http://legacy.library.ucsf.edu/tid/sky71f00>); 1989 (Bates No. 2024327870/8056, accessible at <http://legacy.library.ucsf.edu/tid/rky71f00>).

⁵⁴ Philip Morris (no date). "Issues Management – FTC Investigation – Movie Product Placement." Bates No. 2022971480/1490. Accessible at <http://legacy.library.ucsf.edu/tid/ndb44e00>.

⁵⁵ [Federal Trade Commission Cigarette Report for 2000](#) (2001).

⁵⁶ If RJ Reynolds chose to report the PR agency's retainers as a "miscellaneous consulting fee" under the FTC Special Report form's catch-all "Item 25" or, later, "Item 27", it would have the effect of obscuring promotion resources allocated to product placement. In 1988, RJR reported \$1.45 million in "miscellaneous" consulting fees and \$164,000 more for "Special Projects" under Item 27 (note 51).

primarily to youth or students or that depict youth or students as smokers...No payments should be made for placements....⁵⁷

Between 1985 and 1988, RJ Reynolds reported to the Federal Trade Commission that the company spent nearly \$1.2 million on “endorsement and testimonials.” The company reported \$330,000 in product placement spending in 1988, far more than its public relations agency’s retainer for the year.^{58, 59, 60, 61}

1990 | In 1990, RJ Reynolds renewed its agreement with Rogers & Cowan, boosting the retainer to \$200,000 annually and revising its guidelines:

To the extent that your activities involve smoking situations in movies, you should specifically avoid product or signage for use on TV, in specifically made-for-TV movies, or movies that might appeal primarily to youth or students or that depict youth or students as smokers...No payments should be made for the appearance of tobacco products, advertising or signage in any movie.⁶²

RJ Reynolds International, 1990-1991 | In June 1990, RJ Reynolds Tobacco International, S.A. drafted an agreement with Rogers & Cowan International “for the purposes of fulfilling demand for the use of RJR products, advertising or signage as props in adult smoking scenes in European feature films.

[R]JI and R&CI intend that the RJR products will be used in such adult smoking scenes by actors and in situations which create visibility for the RJR products and show them in a manner compatible with RJR’s overall marketing plans for such products...

[R&CI] shall avoid directly supplying RJR products for use (a) in smoking scenes in films that primarily appeal to youth or students or depict youth or students or persons under 21 years of age as smokers, (b) for use in scenes that are inappropriate for smoking, for example, smoking in bed scenes.

[R&CI] will not make payments to any Film Maker or third party to induce the appearance of RJR products in any feature film.

No RJR products shall be provided for use in scenes which feature characters or story lines which portray the brands in a negative manner, for example, smoking by violent criminals, smoking by dying persons, etc.⁶³

⁵⁷ George T. Baroody, Group Director, Marketing Services, RJ Reynolds Tobacco Company, to Richard Taylor, President, Rogers & Cowan, Inc. (January 21, 1987). Bates No. 505665269/5270. Accessible at <http://legacy.library.ucsf.edu/tid/mxz05d00>.

⁵⁸ RJ Reynolds Tobacco Company Special Report to the Federal Trade Commission (1986). Bates No. 532744053/4118. Accessible at <http://legacy.library.ucsf.edu/tid/xei36a00>. Total reported (1985): \$271,000.

⁵⁹ RJ Reynolds Tobacco Company Special Report to the Federal Trade Commission (1987). Bates No. 532744119/4182. Accessible at <http://legacy.library.ucsf.edu/tid/wei36a00>. Total reported (1986): \$290,000.

⁶⁰ RJ Reynolds Tobacco Company Special Report to the Federal Trade Commission (1988). Bates No. 532744183/4270. Accessible at <http://legacy.library.ucsf.edu/tid/vei36a00>. Total reported (1987): \$279,000.

⁶¹ RJ Reynolds Tobacco Company Special Report to the Federal Trade Commission (1989). Bates No. 532744271/4458. Accessible at <http://legacy.library.ucsf.edu/tid/uei36a00>. Total reported (1988): \$330,000.

⁶² GW McKenna, VP, Marketing Support, RJR, to Taylor, Rogers & Cowan (January 2, 1990). Bates No. 515849480/9481. Accessible at <http://legacy.library.ucsf.edu/tid/bef92d00>.

⁶³ Consulting agreement between RJ Reynolds Tobacco International, S.A. and Rogers & Cowan International (1990). Bates No. 515997145/7154. Accessible at <http://legacy.library.ucsf.edu/tid/neb92d00>.

RJR would provide “RJR product samples” and “other branded merchandise (caps, jackets, etc.) which may be desired or needed by the crew” (i.e., jackets with the title or logo of the production are commonly an expense for the film’s producers).

Under this two-year agreement, in 1990, Rogers & Cowan International was to be paid £3,000 per month (US \$5,000 at June 1990 exchange rates) and £1,000 in out-of-pocket expenses, with a bonus “Special Incentive Fee” of £5,000 (\$8,400) up to £30,000 (\$50,500) above base compensation in the year — for each European-distributed film with identifiable RJR product. In 1990, therefore, the agency’s compensation could range between \$60,000 and \$110,500.

In 1991, Rogers & Cowan International’s fee climbed to £7,000 a month (\$11,750), plus expenses, but it would lose the final quarterly payment unless RJR product clearly identifiable in “at least twelve (12) feature films produced for general European distribution during calendar year 1991”. Thus, the agency’s compensation for 1991, could range between \$105,750 and \$141,000.

It should be noted that the agreement to place RJR product in films “produced for general European distribution” could include films from US distributors (studios), which are routinely released in Europe, with the UK as frequent production partner. Films produced in the language of a single European country are less likely than US studio films to find broad distribution within Europe. For example, from 1996 to 2000, the top forty-eight films produced by US studios attracted five times as many moviegoers in the European Union as the top forty-eight films produced in France (1.05 billion/201 million).⁶⁴

1991 | In the United States, RJ Reynolds renewed its agreement with Rogers & Cowan for 1991 at a fee of \$12,500 a month (\$150,000 for the year). To avoid “adverse publicity,” Rogers & Cowan was again directed to adhere to RJR guidelines set out in the contract:

It is our policy to make no payments for the placement of our products, our brand names, our advertising or promotional materials, or cigarettes generally, in movies.

It is our policy that no free product or promotional materials be provided for made-for-TV movies, or for movies which appeal primarily to youth, or that depict non-adults as smokers.⁶⁵

1992 | RJ Reynolds International renewed its agreement with Rogers & Cowan International for calendar year 1992 with an option for 1993. Compensation for 1992 and 1993 was £10,500 quarterly (without targets or incentives), worth \$77,500 a year at the time. This agreement, cast in different form than the first, included the following recitals:

WHEREAS, it is the policy of RJR not to pay or solicit Film Makers to use RJR products, advertising or signage as props in films; but RJR is willing to fulfill Film Makers’ need for use of RJR products, advertising and signage in adult oriented films; and

WHEREAS, RJR would like to employ the public relations services of the Consultant for purposes of fulfilling demand for the use of RJR products, advertising or signage as props for adult smoking scenes pre-existing in draft scripts for proposed European feature films.⁶⁶

⁶⁴ European Audiovisual Observatory. Lumiere: Database on admissions of films released in Europe. Search on “US” and “France” for 1996-2000, performed November 19, 2010 at <http://lumiere.obs.coe.int/web/search/>.

⁶⁵ McKenna, RJR, to Taylor, Rogers & Cowan (December 19, 1990). Bates No. 512682036/2037. Accessible at <http://legacy.library.ucsf.edu/tid/aug33d00>.

⁶⁶ Consulting agreement between RJ Reynolds Tobacco International, S.A. and Rogers & Cowan International (1992). Bates No. 515997119/7123. Accessible at <http://legacy.library.ucsf.edu/tid/ieb92d00>.

To the stipulation against payment for placement this agreement added: “Consultant will not encourage smoking scenes to appear in films...”. However, at the same time, “RJR will provide guidelines, based on brand strategies, for selection of films, characters and situations.”⁶⁷

RJ Reynolds Summary

RJ Reynolds reported nearly \$1.4 million in “endorsements and testimonials” expenditures to the Federal Trade Commission between 1985 and 1988. From 1988 to 1993, RJ Reynolds paid a public relations firm and its overseas affiliate at least \$743,000 and as much as \$832,000 to pursue product placement in feature films, but did not report this expenditure to the FTC in the “endorsements and testimonials” category. The overseas affiliate was paid \$320,750 to \$406,500, depending on the incentives it earned. While the affiliate’s office was located in London, it was a branch of a US firm with which RJ Reynolds had an enduring relationship; it was paid to arrange placements of RJ Reynolds brands marketed in the US; and its instructions to place products in films “produced for general European distribution” could encompass US-produced films, which are distributed worldwide.

CONCLUSION

The FTC has ordered US tobacco cigarette companies to report their product placement spending and activities since 1975. From 1976 to 1985, the Federal Trade Commission lumped these expenditures in with other advertising and promotional expenditures in its summary reports to Congress. From 1986 to 1988, the Federal Trade Commission published the amount that the tobacco industry reported spending on “endorsements and testimonials,” defined as product placement: \$1.54 million total. After 1988, the cigarette companies reported that they made no expenditures in the “endorsements and testimonials” category. The cigarette companies have, ever since, answered in the negative to increasingly specific questions from the Commission about product placement activities in motion pictures.

In contrast, internal tobacco industry documents report that from 1979 to at least 1994 the cigarette companies spent substantial amounts of money in pursuit of product placement that went unreported in the Federal Trade Commission’s “endorsements and testimonials” category: an additional \$880,000 1979-88 and \$1.45 million more in 1989-94, for a total of \$2.33 million. These amounts include fees paid to product placement agents retained by the companies, documented payments to film production companies, and the value of some of the tobacco product supplied to film projects (Table 1).

Policy implications

Despite good faith efforts by the Federal Trade Commission to secure accurate information on cigarette companies’ pursuit of product placement in motion pictures, the documentary record indicates that neither the FTC and other government agencies nor the public can rely on these disclosures to ensure that tobacco companies are not using motion pictures as promotional channels.⁶⁸ In particular, the FTC has authority to determine that unfair or deceptive promotions or

⁶⁷ Consulting agreement between RJ Reynolds Tobacco International, S.A. and Rogers & Cowan International (1992). Bates No. 515997119/7123. Accessible at <http://legacy.library.ucsf.edu/tid/jeb92d00>.

⁶⁸ There are many opportunities for tobacco companies, their stakeholders, contractors and associates, on the one hand, and individuals and companies within the film industry, on the other, to exchange considerations to place smoking in films without a written agreement, as demonstrated by the history of informal, undocumented arrangements in the past (for example, at Brown & Williamson and as reported earlier in this report). Here are hypothetical examples of how such transactions could be accomplished:

advertising that violates the Federal Cigarette Labeling and Advertising Act (FCLAA), Family Smoking Prevention and Tobacco Control Act (FSPTCA), or regulations promulgated under these laws, are “unfair or deceptive acts or practices” under the Federal Trade Commission Act and are therefore violations of FTC rules. Product placement in films and other entertainment media is intrinsically unfair and deceptive because, as with subliminal advertising, the targeted viewer is not aware that he or she is subject to an advertising message.

In light of the fact that e-cigarette companies have been placing their products in films,⁶⁹ the FDA should issue a rule prohibiting tobacco product manufacturers, distributors, and retailers from entering into any agreements that lead to tobacco product placements in films and other entertainment media under its section 906(d) authority to issue tobacco product advertising restrictions.

To obtain more reliable information ensuring that the use of motion pictures (and other entertainment media) are not being used as paid⁷⁰ promotional channels for tobacco products, the FTC should require certification from producers, the individuals accredited by the film industry itself as having executive management responsibility for all aspects of a film project, that no one associated with a film production with tobacco imagery or reference was party to an agreement related to the tobacco depiction. This policy approaches the issue of tobacco product placement from the receiving end. It makes more sense to obtain this information from producers than the tobacco companies, which have innumerable ways to target the organizations and people who make motion pictures. The producers are identifiable and all the channels that a tobacco company might use are not. Reports from the producers would then be cross-checked against submissions by the tobacco companies.

Sanctions for false statements would create a rational incentive for a producer to make sure that his or her affidavit is truthful, making the entire production and distribution chain accountable for allowing the tobacco industry to influence what appears on screen as entertainment. Producers could enforce this commitment by including appropriate language in their contracts with organizations and individuals working on a film’s production and distribution.

Such a rule would read:

All persons receiving a producer credit (as set forth by the Code of Credits of the Producers Guild of America) on any motion picture containing any use of any tobacco product by any actor, or in which any character, object, machine or other artistic device of tobacco use is depicted, and/or any tobacco product, tobacco product name, tobacco product trademark, tobacco product packaging or tobacco product advertisement in any form is depicted in any

An individual brokering US film companies’ access to overseas investment financing might suggest that tobacco “friendly” productions have a better chance of winning a place on the funding list. The identity of investors in the fund would not be publicly known.

An overseas affiliate of a tobacco company’s advertising agency could arrange discount or bartered advertising for an overseas distributor of a film, or slate of films, from a US studio.

A stakeholder in a tobacco company could also be a film investor, or might provide in-kind considerations such as a leased car or house for a film’s director during post-production.

Tobacco lobbyists could lend assistance on state and federal matters important to the studios or their media parents, such as legislating tax credits for film production; tobacco firms could offer intelligence on film piracy overseas.

⁶⁹ Schwartzel E. Coming Soon to Theaters Near You: E-Cigarettes: SmokeStik’s Product Placement in ‘Cymbeline’ Has Far-Reaching Implications for Hollywood and Big Tobacco. *Wall Street Journal* Sept. 14, 2014. <http://www.wsj.com/articles/coming-soon-to-theaters-near-you-e-cigarettes-1410748204> (Accessed 14 July 2016).

⁷⁰ By “paid” we mean “in exchange for any consideration to anyone,” not just formal product placement agreements with producers or distributors.

manner, including verbally, shall certify by sworn affidavit filed with the Federal Trade Commission at least thirty (30) days before the initial release of the motion picture:

I was responsible for at least a majority of the producer functions performed and decisions made over the span of the four phases of production for the feature film [Title of Motion Picture as Released], including, but not limited, to all financial matters related to all funding (cash and in-kind, direct or indirect) for all of the costs of production, and I do hereby certify that no person or entity participating in or in any way associated with the development, production, financing, distribution, exhibition, marketing or any other exploitation of the motion picture [Title of Motion Picture as Released] in any medium has received anything of value (including money, merchandise, advertising, publicity or any other opportunity, consideration or incentive of whatever nature), either directly or indirectly, nor entered into any agreement, understanding or other arrangement with respect to any of the foregoing, in connection with any use, depiction or appearance of or reference to any products containing tobacco in the motion picture [Title of Motion Picture as Released] or the marketing or exploitation thereof.

Willful false statements in the affidavit can lead to fine and imprisonment (18 U.S.C. §1001).

In addition to criminal penalties, FTC has the authority to enforce violations of this or other policies under section 5(a) of the FTC Act and obtain injunctive relief or civil money penalties for violations of cease and desist orders. FTC may also sue for consumer redress under section 19 of the FTC Act for violations of FTC rules.

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Appendix | Feature films engaged for product placement by US tobacco companies, 1965-1994 (n=600)

FILM TITLE	YEAR	FILM COMPANY (Current)	MPAA RATING	TOBACCO COMPANY
The Group	1965	MGM	Approved	Liggett & Myers
The Prisoner of Second Avenue	1975	Time Warner	PG	Brown & Williamson
Three Days of the Condor	1975	Viacom	R	Brown & Williamson
Saturday Night Fever	1977	Viacom	R	Brown & Williamson
American Hot Wax	1978	Viacom	PG	Philip Morris
California Suite	1978	Sony	PG	Philip Morris
Coma	1978	MGM	PG	Philip Morris
Foul Play	1978	Viacom	PG	Philip Morris
Grease	1978	Viacom	PG	Philip Morris
Interiors	1978	MGM	PG	Brown & Williamson
Jaws 2	1978	Comcast	PG	Philip Morris
Paradise Alley	1978	Comcast	PG	Philip Morris
Magic	1978	Fox	R	Philip Morris
The Brinks Job	1978	Comcast	R	Philip Morris
The Muppet Movie	1979	MGM	G	Philip Morris
A Force of One	1979	Am. Cinema	PG	Philip Morris
Love at First Bite	1979	MGM	PG	Philip Morris
Nightwing	1979	Sony	PG	Philip Morris
Ravagers	1979	Sony	PG	Philip Morris
Rocky II	1979	MGM	PG	Philip Morris
The Champ	1979	MGM	PG	Philip Morris
The Fish that Saved Pittsburgh	1979	MGM	PG	Philip Morris
The In-Laws	1979	Time Warner	PG	Philip Morris
The Amityville Horror	1979	MGM	R	Philip Morris
The Hurricane	1979	Comcast	R	Philip Morris
The Jerk	1979	Comcast	R	Philip Morris
The Last Embrace	1979	MGM	R	Philip Morris
Airplane!	1980	Viacom	PG	Philip Morris
Borderline	1980	MGM	PG	Philip Morris
Coast to Coast	1980	Viacom	PG	Philip Morris
Fatso	1980	Fox	PG	Philip Morris
Hero at Large	1980	MGM	PG	Philip Morris
Nine to Five	1980	Fox	PG	Brown & Williamson
Stardust Memories	1980	MGM	PG	Philip Morris
Superman II	1980	Time Warner	PG	Philip Morris
The Baltimore Bullet	1980	StudioCanal	PG	Philip Morris
Why Would I Lie?	1980	MGM	PG	Philip Morris
Altered States	1980	Time Warner	R	Philip Morris
Carny	1980	MGM	R	Philip Morris
Gorp	1980	MGM	R	Philip Morris
Just Tell Me What You Want	1980	Time Warner	R	Brown & Williamson
One Trick Pony	1980	Time Warner	R	Philip Morris
The First Deadly Sin	1980	MGM	R	Philip Morris
Arthur	1981	MGM	PG	RJ Reynolds
Cannery Row	1981	MGM	PG	Philip Morris, RJ Reynolds
Carbon Copy	1981	StudioCanal	PG	RJ Reynolds
Chu Chu & The Philly Flash	1981	CBS	PG	Philip Morris
Continental Divide	1981	Comcast	PG	Philip Morris
Don't Cry It's Only Thunder	1981	Sanrio	PG	RJ Reynolds
Heartbeeps	1981	Comcast	PG	RJ Reynolds
Honky Tonk Freeway	1981	Comcast	PG	Brown & Williamson
Kill and Kill Again	1981	FVI	PG	Brown & Williamson

Modern Problems	1981	Fox	PG	RJ Reynolds
Night the Lights Went Out in Georgia	1981	StudioCanal	PG	RJ Reynolds
The Cannonball Run	1981	Fox	PG	RJ Reynolds
The Chosen	1981	Analysis	PG	RJ Reynolds
The Jazz Singer (re-make)	1981	Associated	PG	RJ Reynolds
The Pursuit of D.B. Cooper (as "Pursuit")	1981	Comcast	PG	RJ Reynolds
Under the Rainbow	1981	MGM	PG	RJ Reynolds
All Night Long	1981	Comcast	R	Philip Morris, Brown & Williamson
All the Marbles	1981	MGM	R	Philip Morris, Brown & Williamson
Blow Out	1981	MGM	R	RJ Reynolds
Body & Soul	1981	MGM	R	RJ Reynolds, Brown & Williamson
Body Heat	1981	Time Warner	R	Philip Morris, Brown & Williamson
Boogens	1981	N/A	R	RJ Reynolds
Buddy, Buddy	1981	MGM	R	RJ Reynolds
Cheaper to Keep Her	1981	Am. Cinema	R	Brown & Williamson
Fan, The	1981	Viacom	R	Philip Morris
Fort Apache, The Bronx	1981	Fox	R	Philip Morris
Hard Country	1981	MGM	R	Philip Morris
Kiss My Grits (as "A Texas Legend")	1981	Interfilm	R	RJ Reynolds
Mommie Dearest	1981	Viacom	R	Philip Morris, RJ Reynolds
Neighbors	1981	Sony	R	RJ Reynolds
Night School	1981	Viacom	R	Philip Morris
Only When I Laugh	1981	Sony	R	Philip Morris, RJ Reynolds, Brown & Williamson
Pennies from Heaven	1981	MGM	R	Philip Morris, RJ Reynolds
Rich & Famous	1981	MGM	R	RJ Reynolds
Rollover	1981	MGM	R	RJ Reynolds
Scared to Death	1981	Lone Star	R	RJ Reynolds
Sharkey's Machine	1981	MGM	R	RJ Reynolds, Brown & Williamson
The Border	1981	Comcast	R	RJ Reynolds
The Postman Always Rings Twice	1981	CBS	R	Philip Morris
Zoot Suit	1981	Comcast	R	Philip Morris
Annie	1982	Sony	PG	RJ Reynolds
Firefox	1982	Time Warner	PG	RJ Reynolds
Grease II	1982	Viacom	PG	Philip Morris
Honkytonk Man	1982	Time Warner	PG	RJ Reynolds
I Ought to Be in Pictures	1982	Fox	PG	Philip Morris
Inchon	1982	MGM	PG	Philip Morris
King of Comedy	1982	Fox	PG	RJ Reynolds
My Favorite Year	1982	MGM	PG	Philip Morris, RJ Reynolds
Pandemonium (as "Thursday the 12th")	1982	MGM	PG	RJ Reynolds
Savannah Smiles	1982	Starz	PG	Brown & Williamson
Six Pack	1982	Fox	PG	RJ Reynolds
Still of the Night	1982	MGM	PG	Philip Morris
Tempest	1982	Sony	PG	Brown & Williamson
Tootsie	1982	Sony	PG	RJ Reynolds
Wacko	1982	Jensen Farley	PG	Brown & Williamson
White Dog	1982	Viacom	PG	Philip Morris, RJ Reynolds
An Officer and a Gentleman	1982	Viacom	R	RJ Reynolds
Blade Runner	1982	Time Warner	R	Philip Morris
Cat People	1982	Comcast	R	RJ Reynolds
Class Reunion	1982	Fox	R	Philip Morris
First Blood	1982	MGM	R	Brown & Williamson
I'm Dancing as Fast as I Can	1982	Viacom	R	RJ Reynolds
Jinxed!	1982	MGM	R	RJ Reynolds, Brown & Williamson
Lookin' to get Out	1982	Viacom	R	Philip Morris, RJ Reynolds
Love Child	1982	Ladd	R	Brown & Williamson
Making Love	1982	Fox	R	Philip Morris, Brown & Williamson

Night Shift	1982	Time Warner	R	Philip Morris
Shoot the Moon	1982	MGM	R	RJ Reynolds
Some Kind of Hero	1982	Viacom	R	Philip Morris
Soup for One	1982	Time Warner	R	RJ Reynolds
The Best Little Whorehouse in Texas	1982	Comcast	R	RJ Reynolds
The Entity	1982	Fox	R	Brown & Williamson
The Verdict	1982	Fox	R	RJ Reynolds
The World According to Garp	1982	Time Warner	R	RJ Reynolds
Vigilante	1982	Lionsgate	R	Philip Morris
Best Friends	1983	Time Warner	PG	RJ Reynolds
Blue Skies Again	1983	Time Warner	PG	Brown & Williamson
Cross Creek	1983	Comcast	PG	RJ Reynolds
Deal of the Century	1983	Time Warner	PG	Philip Morris
Eddie Macon's Run	1983	Comcast	PG	RJ Reynolds
Hambone & Hillie	1983	New World	PG	RJ Reynolds, American Tobacco
Heart Like a Wheel	1983	Fox	PG	RJ Reynolds
Lovesick	1983	Ladd	PG	RJ Reynolds
Mr. Mom	1983	Fox	PG	Philip Morris, American Tobacco
Never Say Never Again	1983	Time Warner	PG	RJ Reynolds, Brown & Williamson
Romantic Comedy	1983	MGM	PG	Philip Morris
Second Thoughts	1983	Associated	PG	RJ Reynolds
Smokey and the Bandit III	1983	Comcast	PG	Brown & Williamson
Staying Alive	1983	Viacom	PG	Philip Morris
Stroker Ace (as "Stand On It")	1983	Comcast	PG	RJ Reynolds
Table for Five	1983	Time Warner	PG	RJ Reynolds
The Sting II	1983	Comcast	PG	RJ Reynolds
The Year of Living Dangerously (as "Dangerously")	1983	MGM	PG	RJ Reynolds
Two of a Kind (aka "Second Chance")	1983	Fox	PG	Philip Morris, RJ Reynolds
Without a Trace (as "Still Missing")	1983	Fox	PG	Philip Morris, RJ Reynolds
Christine	1983	Sony	R	Philip Morris
Class	1983	MGM	R	RJ Reynolds
Dead Zone	1983	Viacom	R	Philip Morris
Deadly Force	1983	StudioCanal	R	RJ Reynolds
Easy Money	1983	MGM	R	Philip Morris, RJ Reynolds
Going Berserk	1983	Comcast	R	Philip Morris
Halloween 3	1983	Comcast	R	Philip Morris, RJ Reynolds
Man with Two Brains	1983	Time Warner	R	Philip Morris
Rumble Fish	1983	Comcast	R	RJ Reynolds
Star 80	1983	Time Warner	R	Philip Morris
Star Chamber	1983	Fox	R	Brown & Williamson
That Championship Season	1983	MGM	R	RJ Reynolds
The Man Who Loved Women	1983	Sony	R	American Tobacco, Brown & Williamson
The Man Who Wasn't There	1983	Viacom	R	American Tobacco
The Mission	1983	Time Warner	R	American Tobacco
Vacation	1983	Time Warner	R	Philip Morris
Young Warriors (as "The Graduates of Malibu High")	1983	MGM	R	RJ Reynolds
A Soldier's Story	1984	Sony	PG	RJ Reynolds, American Tobacco
All of Me	1984	Comcast	PG	Philip Morris
Breakin'	1984	MGM	PG	American Tobacco
Broadway Danny Rose	1984	MGM	PG	American Tobacco
Buckaroo Banzai	1984	Fox	PG	RJ Reynolds, American Tobacco
Cannonball Run 2	1984	Time Warner	PG	Philip Morris
City Heat (aka KC Jazz)	1984	Time Warner	PG	RJ Reynolds
Cloak & Dagger	1984	Comcast	PG	Philip Morris, American Tobacco
Footloose	1984	Viacom	PG	American Tobacco
Ghostbusters (as "Ghoststoppers")	1984	Sony	PG	RJ Reynolds
Gremlins	1984	Time Warner	PG	American Tobacco

Hard to Hold (as "Forever One")	1984	Comcast	PG	American Tobacco, RJ Reynolds
Harry & Son	1984	MGM	PG	American Tobacco, Brown & Williamson
In 'n Out	1984	New World	PG	American Tobacco
Irreconcilable Differences	1984	Time Warner	PG	RJ Reynolds
Nothing Lasts Forever	1984	CBS	PG	RJ Reynolds
Romancing the Stone	1984	Fox	PG	RJ Reynolds
Splash	1984	Disney	PG	American Tobacco
Starman	1984	Sony	PG	American Tobacco
Supergirl	1984	Sony	PG	Liggett & Myers
Swing Shift	1984	Time Warner	PG	American Tobacco
Tank	1984	Comcast	PG	Brown & Williamson
The Bear (as "Paul Bryant")	1984	MGM	PG	American Tobacco
Blame It On the Night	1984	Sony	PG-13	RJ Reynolds
Body Rock	1984	New World	PG-13	American Tobacco
First Born	1984	Viacom	PG-13	Philip Morris
Johnny Dangerously	1984	Fox	PG-13	RJ Reynolds
Love Streams	1984	MGM	PG-13	Philip Morris, American Tobacco
Micki + Maude (as "Mickey & Maude")	1984	Sony	PG-13	American Tobacco
Night of the Comet	1984	MGM	PG-13	RJ Reynolds
Red Dawn (as "Ten Soldiers")	1984	MGM	PG-13	RJ Reynolds, American Tobacco
Runaway	1984	Sony	PG-13	American Tobacco
The Woman in Red	1984	MGM	PG-13	American Tobacco
Beverly Hills Cop	1984	Viacom	R	American Tobacco
Blood Simple	1984	Lionsgate	R	American Tobacco
Body Double	1984	Sony	R	American Tobacco
Crimes of Passion	1984	New World	R	RJ Reynolds
Dreamscape	1984	Fox	R	American Tobacco
Exterminator II	1984	MGM	R	Philip Morris
Fear City	1984	Fox	R	Philip Morris
Flashpoint	1984	Sony	R	RJ Reynolds
Grandview USA	1984	Time Warner	R	American Tobacco
Heartbreakers	1984	MGM	R	Philip Morris, RJ Reynolds
Mike's Murder	1984	Time Warner	R	American Tobacco
Moscow on the Hudson	1984	Sony	R	American Tobacco
No Small Affair	1984	Sony	R	American Tobacco
Over the Brooklyn Bridge (as "Alby's Delight")	1984	MGM	R	American Tobacco
Reckless	1984	MGM	R	RJ Reynolds
Scream for Help	1984	Continental	R	RJ Reynolds
Strangers Kiss	1984	MGM	R	Philip Morris
Surf II	1984	Arista	R	Philip Morris
Teachers	1984	MGM	R	American Tobacco
The Census Taker	1984	MGM	R	American Tobacco
The Lonely Guy	1984	Comcast	R	American Tobacco
The Terminator	1984	MGM	R	American Tobacco
Thief of Hearts	1984	Viacom	R	American Tobacco
Toy Soldiers (as "Tin Soldiers")	1984	New World	R	RJ Reynolds
Tuff Turf	1984	Fox	R	Philip Morris
Where the Boys Are	1984	Sony	R	RJ Reynolds, Brown & Williamson
Brewster's Millions	1985	Comcast	PG	RJ Reynolds
Fandango	1985	Time Warner	PG	American Tobacco
Fletch	1985	Comcast	PG	American Tobacco
Girls Just Want to Have Fun	1985	Fox	PG	Philip Morris, American Tobacco
Goonies, The	1985	Time Warner	PG	American Tobacco
Maxie	1985	MGM	PG	American Tobacco
Movers and Shakers (as "Dreamers")	1985	MGM	PG	American Tobacco
Rocky IV	1985	MGM	PG	American Tobacco
Summer Rental	1985	Viacom	PG	American Tobacco

Sylvester	1985	Sony	PG	American Tobacco
The Jewel of the Nile	1985	Fox	PG	American Tobacco
The Trip to Bountiful	1985	Comcast	PG	American Tobacco
A Chorus Line	1985	StudioCanal	PG-13	RJ Reynolds
American Flyers	1985	Time Warner	PG-13	American Tobacco
Bad Medicine	1985	Fox	PG-13	American Tobacco
Desperately Seeking Susan	1985	MGM	PG-13	American Tobacco
KGB: The Secret War	1985	Cinema Group	PG-13	American Tobacco
Mask	1985	Comcast	PG-13	American Tobacco
Moving Violations	1985	Fox	PG-13	American Tobacco
Murphy's Romance	1985	Sony	PG-13	American Tobacco
The Color Purple	1985	Time Warner	PG-13	American Tobacco
The Slugger's Wife	1985	Sony	PG-13	Philip Morris
Turk 182	1985	Fox	PG-13	American Tobacco
Alamo Bay	1985	Sony	R	Philip Morris
Death Wish 3	1985	MGM	R	Philip Morris
Desert Hearts	1985	MGM	R	Philip Morris
Doin' Time	1985	Time Warner	R	RJ Reynolds
Fool for Love	1985	MGM	R	Philip Morris, American Tobacco
Jagged Edge	1985	Sony	R	American Tobacco
Little Treasure	1985	Sony	R	RJ Reynolds
Lost In America	1985	Time Warner	R	RJ Reynolds
Prizzi's Honor	1985	Fox	R	American Tobacco
Runaway Train	1985	MGM	R	American Tobacco
St. Elmo's Fire	1985	Sony	R	American Tobacco
Stick	1985	Comcast	R	RJ Reynolds
The Letter (as "Secret Admirer")	1985	MGM	R	American Tobacco
The Return of the Living Dead	1985	MGM	R	American Tobacco
Vision Quest	1985	Time Warner	R	American Tobacco
Witchboard (as "Ouija")	1985	Cinema Group	R	American Tobacco
Year of the Dragon	1985	MGM	R	Philip Morris, American Tobacco
A Fine Mess (as "The Music Box")	1986	Sony	PG	American Tobacco
Desert Bloom	1986	Sony	PG	American Tobacco
Invaders from Mars	1986	MGM	PG	Philip Morris
Miracles	1986	MGM	PG	Philip Morris
Monster in the Closet	1986	Troma	PG	American Tobacco
Nothing in Common	1986	Sony	PG	American Tobacco
Off Beat	1986	Disney	PG	American Tobacco
Quicksilver	1986	Sony	PG	American Tobacco
Star Trek IV	1986	Viacom	PG	American Tobacco
Sweet Liberty	1986	Comcast	PG	American Tobacco
The Mosquito Coast	1986	Time Warner	PG	American Tobacco
Tough Guys	1986	Disney	PG	American Tobacco
Brighton Beach Memoirs	1986	Comcast	PG-13	American Tobacco
Crimes of the Heart	1986	StudioCanal	PG-13	American Tobacco
Crimewave	1986	Sony	PG-13	Philip Morris
Critters	1986	Time Warner	PG-13	American Tobacco
Crocodile Dundee	1986	Viacom	PG-13	Philip Morris
Gung Ho	1986	Viacom	PG-13	American Tobacco
Hollywood Harry	1986	MGM	PG-13	American Tobacco
Iron Eagle	1986	Sony	PG-13	American Tobacco
Little Shop of Horrors	1986	Time Warner	PG-13	Philip Morris
Man Outside (as "Tuscaloosan")	1986	MGM	PG-13	American Tobacco
Modern Girls	1986	MGM	PG-13	American Tobacco
Pretty in Pink	1986	Viacom	PG-13	American Tobacco
The Best of Times	1986	Comcast	PG-13	American Tobacco
The Golden Child	1986	Viacom	PG-13	American Tobacco

The Longshot	1986	MGM	PG-13	Philip Morris, American Tobacco
About Last Night (as "Sexual Perversity...")	1986	Sony	R	American Tobacco
Armed Response (as "Jade Jungle")	1986	Cinetel	R	American Tobacco
At Close Range	1986	MGM	R	Philip Morris
Black Moon Rising	1986	Fox	R	American Tobacco
Blue City	1986	Viacom	R	American Tobacco
Cobra	1986	MGM	R	Philip Morris
Extremities	1986	MGM	R	American Tobacco
Heat	1986	Time Warner	R	American Tobacco
Jocks	1986	Crown Int'l	R	Philip Morris
My Chauffeur (also as "Limo")	1986	Crown Int'l	R	American Tobacco
Night of the Creeps (aka "The Creeps")	1986	Sony	R	Philip Morris
No Mercy	1986	Sony	R	Philip Morris
Quiet Cool	1986	Time Warner	R	American Tobacco
Running Scared	1986	MGM	R	American Tobacco
Streets of Gold	1986	Fox	R	American Tobacco
The American Way (aka "Riders of the Storm")	1986	Filmyard	R	American Tobacco
The Big Easy	1986	Sony	R	Philip Morris
The Hitcher	1986	Sony	R	American Tobacco
The Men's Club	1986	MGM	R	American Tobacco
The Patriot	1986	Sony	R	American Tobacco
84 Charing Cross Road	1987	Sony	PG	American Tobacco
Back to the Beach	1987	Viacom	PG	American Tobacco
Bagdad Café (as "Lost and Found")	1987	MGM	PG	American Tobacco
Batteries Not Included	1987	Comcast	PG	American Tobacco
Disorderlies	1987	Time Warner	PG	Philip Morris
Hadley's Rebellion	1987	ADI	PG	RJ Reynolds
Happy New Year (as "In the Money")	1987	Sony	PG	American Tobacco
Harry and the Hendersons	1987	Comcast	PG	American Tobacco
Innerspace	1987	Time Warner	PG	American Tobacco
Made in Heaven	1987	Time Warner	PG	American Tobacco
Nadine	1987	Sony	PG	American Tobacco
Radio Days	1987	MGM	PG	American Tobacco
Surrender	1987	MGM	PG	Philip Morris
Teen Wolf Too	1987	MGM	PG	American Tobacco
Who's That Girl?	1987	Time Warner	PG	American Tobacco
Anna	1987	Lionsgate	PG-13	Philip Morris
Assassination (as "My Date with...")	1987	MGM	PG-13	American Tobacco
Blind Date	1987	Sony	PG-13	American Tobacco
Dragnet	1987	Comcast	PG-13	American Tobacco
Hiding Out (as "Adult Education")	1987	StudioCanal	PG-13	American Tobacco
In the Mood	1987	Time Warner	PG-13	American Tobacco
La Bamba	1987	Sony	PG-13	American Tobacco
Like Father, Like Son	1987	Sony	PG-13	American Tobacco
Making Mr. Right	1987	MGM	PG-13	American Tobacco
Raising Arizona	1987	Fox	PG-13	American Tobacco
Revenge of the Nerds 2 (as "Beyond the...")	1987	Fox	PG-13	American Tobacco
The Pick-Up Artist	1987	Fox	PG-13	American Tobacco
The Squeeze (as "Skip Tracer")	1987	Sony	PG-13	American Tobacco
68	1987	New World	R	American Tobacco
Amazon Women on the Moon	1987	Comcast	R	Philip Morris
American Ninja 2 (as "Night Hunter")	1987	MGM	R	American Tobacco
Barfly	1987	MGM	R	Philip Morris
Broadcast News	1987	Fox	R	Philip Morris
Burglar	1987	Time Warner	R	American Tobacco
Critical Condition	1987	Viacom	R	American Tobacco
Cross My Heart (as "An American Date")	1987	Comcast	R	American Tobacco

Death Wish 4	1987	MGM	R	Philip Morris
Die Hard	1987	Fox	R	Philip Morris
Dracula's Widow	1987	StudioCanal	R	American Tobacco
Extreme Prejudice	1987	Sony	R	American Tobacco
Freeway	1987	Fox	R	Philip Morris
Less than Zero	1987	Fox	R	Philip Morris
Love Hurts	1987	Lionsgate	R	Philip Morris
Malone	1987	MGM	R	American Tobacco
Near Dark	1987	StudioCanal	R	Philip Morris, American Tobacco
No Man's Land	1987	MGM	R	Philip Morris
Nuts	1987	Time Warner	R	American Tobacco
Predator	1987	Fox	R	Philip Morris
Promised Land	1987	Lionsgate	R	Philip Morris
Return to Horror High	1987	Fox	R	American Tobacco
Robocop	1987	MGM	R	Philip Morris
Someone to Watch Over Me	1987	Sony	R	American Tobacco
Summer Heat	1987	Fox	R	American Tobacco, Philip Morris
Tapeheads	1987	StudioCanal	R	Philip Morris
The Bedroom Window	1987	StudioCanal	R	American Tobacco
The Big Town (aka "The Arm")	1987	Sony	R	Philip Morris, American Tobacco
The Principal	1987	Sony	R	American Tobacco
The Running Man	1987	Sony	R	American Tobacco
The Untouchables	1987	Viacom	R	American Tobacco
Tin Men	1987	Disney	R	American Tobacco
Tough Guys Don't Dance	1987	MGM	R	Philip Morris
Traxx	1987	StudioCanal	R	Philip Morris, American Tobacco
Weeds	1987	StudioCanal	R	Philip Morris, American Tobacco
18 Again	1988	Fox	PG	American Tobacco
Accidental Tourist	1988	Time Warner	PG	American Tobacco
Big	1988	Fox	PG	American Tobacco
Big Business	1988	Disney	PG	American Tobacco
Big Top Pee-wee	1988	Viacom	PG	American Tobacco
Doin' Time on Planet Earth	1988	MGM	PG	Philip Morris, American Tobacco
Field of Dreams	1988	Comcast	PG	Philip Morris
Funny Farm	1988	Time Warner	PG	American Tobacco
Mac and Me	1988	MGM	PG	American Tobacco
Salsa	1988	MGM	PG	American Tobacco
The Great Outdoors (as "Big Country")	1988	Comcast	PG	American Tobacco
The House on Carroll Street (as "On Sullivan...")	1988	MGM	PG	American Tobacco
The Wrong Guys	1988	Fox	PG	Philip Morris
Twins	1988	Comcast	PG	American Tobacco
Who Framed Roger Rabbit?	1988	Disney	PG	Philip Morris, American Tobacco
A Time of Destiny (as "Destiny")	1988	Sony	PG-13	American Tobacco
Beaches	1988	Disney	PG-13	American Tobacco
Biloxi Blues	1988	Comcast	PG-13	American Tobacco
Far North	1988	The Bureau	PG-13	American Tobacco
Going Undercover (as "Yellow Pages")	1988	Filmyard	PG-13	American Tobacco
It Takes Two	1988	MGM	PG-13	American Tobacco
Memories of Me (as "Goodnight Moon")	1988	MGM	PG-13	American Tobacco
My Stepmother Is an Alien	1988	Sony	PG-13	American Tobacco
She's Having a Baby	1988	Viacom	PG-13	American Tobacco
Stealing Home	1988	Time Warner	PG-13	American Tobacco
The Dream Team	1988	Comcast	PG-13	Philip Morris, American Tobacco
A Nightmare on Elm Street, Part 4	1988	Time Warner	R	American Tobacco
Alien Nation (as "Outer Heat")	1988	Fox	R	American Tobacco
Bat-21	1988	Sony	R	American Tobacco
Born on the Fourth of July	1988	Comcast	R	American Tobacco

Born to Race	1988	MGM	R	American Tobacco
Braddock: Missing in Action III	1988	MGM	R	Philip Morris
Bull Durham	1988	MGM	R	Philip Morris, American Tobacco
Call Me	1988	Lionsgate	R	Philip Morris
Casual Sex? (as "Oasis")	1988	Comcast	R	American Tobacco
Casualties of War	1988	Sony	R	Philip Morris, American Tobacco
Clean and Sober	1988	Time Warner	R	American Tobacco
Dead Heat	1988	Fox	R	American Tobacco
DOA	1988	MGM	R	American Tobacco
Everybody's All American	1988	Time Warner	R	Philip Morris, American Tobacco
Frantic	1988	Time Warner	R	Philip Morris
Freeway	1988	New World	R	Philip Morris
Halloween 4	1988	Trancas	R	American Tobacco
Hero and the Terror	1988	MGM	R	American Tobacco
I'm Gonna Git You Sucka (as "I've Got U Sucka")	1988	MGM	R	American Tobacco
Johnny Be Good	1988	MGM	R	American Tobacco
Married to the Mob	1988	MGM	R	American Tobacco
Midnight Run	1988	Comcast	R	American Tobacco
Miracle Mile	1988	Sony	R	Philip Morris
Mystic Pizza	1988	MGM	R	Philip Morris
Rain Man	1988	MGM	R	Philip Morris, American Tobacco
Red Heat	1988	Sony	R	American Tobacco, Philip Morris
Shakedown (as "Blue Jean Cop")	1988	Comcast	R	American Tobacco
Stars and Bars	1988	Sony	R	American Tobacco
Summer Lightning	1988	MGM	R	American Tobacco
Sunset	1988	Sony	R	American Tobacco
Talk Radio	1988	Comcast	R	American Tobacco
Tequila Sunrise	1988	Time Warner	R	Philip Morris, American Tobacco
The Good Mother	1988	Disney	R	American Tobacco
Two Moon Junction	1988	Time Warner	R	American Tobacco
Waxwork	1988	Lionsgate	R	American Tobacco
Working Girl	1988	Fox	R	American Tobacco
Powwow Highway	1988	Time Warner	T	American Tobacco
Bill & Ted's Excellent Adventure	1989	MGM	PG	American Tobacco
Dead Poet's Society	1989	Disney	PG	American Tobacco
Ghostbusters II	1989	Sony	PG	American Tobacco
Heart of Dixie	1989	MGM	PG	American Tobacco
Her Alibi	1989	Time Warner	PG	American Tobacco
Little Monsters	1989	MGM	PG	American Tobacco
My Mom's a Werewolf	1989	Crown Int'l	PG	American Tobacco
New York Stories	1989	Disney	PG	American Tobacco
Police Academy 6	1989	Time Warner	PG	American Tobacco
She's Out of Control (as "Daddy's Little Girl")	1989	Sony	PG	American Tobacco
Speed Zone	1989	MGM	PG	Philip Morris
The Burbs	1989	Comcast	PG	American Tobacco
Uncle Buck	1989	Comcast	PG	American Tobacco
Christmas Vacation	1989	Time Warner	PG-13	American Tobacco
Crimes and Misdemeanors (as "Untitled...")	1989	MGM	PG-13	American Tobacco
Gleaming the Cube	1989	Fox	PG-13	American Tobacco
Great Balls of Fire	1989	MGM	PG-13	American Tobacco
Gross Anatomy	1989	Disney	PG-13	American Tobacco
How I Got Into College	1989	Fox	PG-13	American Tobacco
Immediate Family	1989	Sony	PG-13	American Tobacco
K-9	1989	Comcast	PG-13	Philip Morris
Let It Ride	1989	Viacom	PG-13	American Tobacco
License to Kill	1989	MGM	PG-13	Philip Morris
Listen to Me (as "Mismatch")	1989	Sony	PG-13	American Tobacco

Madhouse	1989	MGM	PG-13	American Tobacco
Parenthood	1989	Comcast	PG-13	American Tobacco
Pink Cadillac	1989	Time Warner	PG-13	American Tobacco
Say Anything	1989	Fox	PG-13	American Tobacco
She-Devil	1989	MGM	PG-13	American Tobacco
Stanley and Iris	1989	MGM	PG-13	American Tobacco
The Abyss	1989	Fox	PG-13	American Tobacco
UHF	1989	MGM	PG-13	American Tobacco
Weekend at Bernie's (as "Heatwave")	1989	Fox	PG-13	American Tobacco
Worth Winning	1989	Fox	PG-13	American Tobacco
After Midnight	1989	MGM	R	American Tobacco
Bert Rigby, You're A Fool	1989	Time Warner	R	American Tobacco
Black Rain	1989	Viacom	R	American Tobacco
Communion	1989	Time Warner	R	American Tobacco
Dead Bang	1989	Time Warner	R	American Tobacco
DeepStar Six (as "Deep Six")	1989	Sony	R	American Tobacco
Disorganized Crime (as "Waiting for Salazar")	1989	Disney	R	American Tobacco
Enemies: A Love Story	1989	Fox	R	American Tobacco
Fabulous Baker Boys	1989	Fox	R	American Tobacco
Harlem Nights	1989	Viacom	R	American Tobacco
In Country	1989	Time Warner	R	American Tobacco
Johnny Handsome	1989	Sony	R	American Tobacco
Mystery Train (as "Tue. Night in Memphis")	1989	MGM	R	Philip Morris, American Tobacco
Next of Kin	1989	Time Warner	R	Philip Morris
Physical Evidence	1989	Sony	R	Philip Morris
Pumpkinhead	1989	MGM	R	American Tobacco
Renegades (also as "Lakota")	1989	Comcast	R	American Tobacco
Rude Awakening	1989	MGM	R	American Tobacco
Scenes from the Class Struggle...	1989	Cinecom	R	American Tobacco
Sea of Love	1989	Comcast	R	American Tobacco
See No Evil, Hear No Evil	1989	Sony	R	American Tobacco
Sex, Lies and Videotape	1989	Filmyard	R	American Tobacco
Shocker	1989	Comcast	R	American Tobacco
Skin Deep (as "Change")	1989	Fox	R	American Tobacco
Tango and Cash	1989	Time Warner	R	American Tobacco
The Package	1989	MGM	R	American Tobacco
The Punisher	1989	Fox	R	American Tobacco
True Love	1989	MGM	R	Philip Morris
War of the Roses	1989	Fox	R	American Tobacco
Welcome Home	1989	Sony	R	American Tobacco, Philip Morris
Avalon	1990	Sony	PG	American Tobacco
Ghost Dad	1990	Comcast	PG	American Tobacco
Bird on a Wire	1990	Comcast	PG-13	American Tobacco
Darkman	1990	Comcast	PG-13	American Tobacco
Funny About Love (aka "New York Times")	1990	Viacom	PG-13	American Tobacco
Ghost	1990	Viacom	PG-13	American Tobacco
Gremlins II	1990	Time Warner	PG-13	American Tobacco
Lambada	1990	MGM	PG-13	American Tobacco
Look Who's Talking Too	1990	Sony	PG-13	American Tobacco
Madhouse	1990	MGM	PG-13	American Tobacco
Mermaids	1990	MGM	PG-13	American Tobacco
Repossessed	1990	Time Warner	PG-13	American Tobacco
Short Time	1990	Fox	PG-13	American Tobacco
The Lemon Sisters	1990	Filmyard	PG-13	American Tobacco
Tremors	1990	Comcast	PG-13	American Tobacco
Tune In Tomorrow (as "Aunt Julia...")	1990	Cinecom	PG-13	American Tobacco
After Dark, My Sweet	1990	Avenue	R	American Tobacco

Air America	1990	Sony	R	American Tobacco
Another 48 Hours (as "48 Hours Now")	1990	Viacom	R	American Tobacco
Cadillac Man	1990	MGM	R	American Tobacco
Come See the Paradise	1990	Fox	R	American Tobacco
Delta Force 2	1990	MGM	R	American Tobacco
Flashback	1990	Viacom	R	American Tobacco
Flatliners	1990	Sony	R	American Tobacco
Goodfellas	1990	Time Warner	R	American Tobacco
I Love You to Death	1990	Sony	R	American Tobacco
Impulse	1990	Time Warner	R	American Tobacco
Internal Affairs	1990	Viacom	R	American Tobacco
Jacob's Ladder	1990	Sony	R	American Tobacco
Love at Large	1990	MGM	R	American Tobacco
Misery	1990	Sony	R	American Tobacco
Pretty Woman	1990	Disney	R	American Tobacco
Quick Change	1990	Time Warner	R	American Tobacco
Taking Care of Business (as "Filofax")	1990	Disney	R	American Tobacco
Tales from the Darkside: The Movie	1990	Viacom	R	American Tobacco
Texasville	1990	Sony	R	American Tobacco
The Grifters	1990	Filmyard	R	American Tobacco
The Handmaid's Tale	1990	Cinecom	R	American Tobacco
The Hot Spot	1990	MGM	R	American Tobacco
The Last of the Finest	1990	MGM	R	American Tobacco
The Rookie	1990	Time Warner	R	American Tobacco
The Two Jakes	1990	Viacom	R	American Tobacco
Trust	1990	Time Warner	R	American Tobacco
White Palace	1990	Comcast	R	American Tobacco
Late for Dinner	1991	Sony	PG	American Tobacco
Samantha	1991	Academy	PG	RJ Reynolds
Talent for the Game	1991	Viacom	PG	American Tobacco
What About Bob?	1991	Disney	PG	American Tobacco
City Slickers	1991	Sony	PG-13	American Tobacco
Doc Hollywood	1991	Time Warner	PG-13	American Tobacco
Dutch	1991	Fox	PG-13	American Tobacco
Eyes of an Angel (as "The Tender")	1991	MGM	PG-13	American Tobacco
Lena's Holiday	1991	Crown Int'l	PG-13	American Tobacco
Soapdish	1991	Viacom	PG-13	American Tobacco
29th Street	1991	Fox	R	American Tobacco
Ambition (as "Mind Game")	1991	Filmyard	R	American Tobacco
Billy Bathgate	1991	Disney	R	American Tobacco
Bugsy	1991	Sony	R	American Tobacco
California Casanova	1991	Cinemax	R	American Tobacco
Crooked Hearts	1991	MGM	R	American Tobacco
Defenseless	1991	Time Warner	R	American Tobacco
Frankie & Johnny	1991	Viacom	R	American Tobacco
Harley Davidson and the Marlboro Man	1991	MGM	R	American Tobacco
Heaven Is a Playground	1991	Time Warner	R	American Tobacco
Homicide	1991	Sony	R	American Tobacco
Jungle Fever	1991	Comcast	R	American Tobacco
Liebestraum	1991	MGM	R	American Tobacco
Married to It	1991	MGM	R	American Tobacco
Ricochet	1991	Time Warner	R	American Tobacco
Run	1991	Disney	R	American Tobacco
Scorchers	1991	Starz	R	American Tobacco
Talkin' Dirty After Dark	1991	Time Warner	R	American Tobacco
The Hard Way	1991	Comcast	R	American Tobacco
The Rapture	1991	Time Warner	R	American Tobacco

Thelma & Louise	1991	MGM	R	American Tobacco
True Identity	1991	Disney	R	American Tobacco
V.I. Warshawski	1991	Disney	R	American Tobacco
Out on a Limb (as "Welcome to Buzzsaw")	1992	Comcast	PG	American Tobacco
The Babe	1992	Comcast	PG	RJ Reynolds
Love Potion #9	1992	Fox	PG-13	American Tobacco
Prelude to a Kiss	1992	Fox	PG-13	RJ Reynolds
Shadow of the Wolf	1992	Sony	PG-13	American Tobacco
Singles	1992	Time Warner	PG-13	American Tobacco
Basic Instinct (as "Love Hurts")	1992	Sony	R	American Tobacco
CrissCross	1992	MGM	R	American Tobacco
Crossing the Bridge (as "The Bridge")	1992	Disney	R	RJ Reynolds
Leather Jackets	1992	Sony	R	American Tobacco
Man Trouble	1992	Fox	R	RJ Reynolds
My Cousin Vinnie	1992	Fox	R	American Tobacco
Storyville	1992	Fox	R	RJ Reynolds
The Opposite Sex and How to Live with Them (as "Rules of the Game")	1992	Filmyard	R	American Tobacco
Universal Soldier	1992	Sony	R	American Tobacco
Sister Act 2	1993	Disney	PG	American Tobacco
Robocop 3	1993	MGM	R	American Tobacco
Striking Distance (as "Three Rivers")	1993	Sony	R	American Tobacco
Clifford	1994	MGM	PG	American Tobacco
Imaginary Crimes	1994	Time Warner	PG	American Tobacco
Clear and Present Danger	1994	Viacom	PG-13	American Tobacco
Naked Gun 33 1/3	1994	Viacom	PG-13	American Tobacco
Beverly Hills Cop 3	1994	Viacom	R	American Tobacco
Chasers	1994	Time Warner	R	American Tobacco
China Moon	1994	MGM	R	American Tobacco
Nobody's Fool	1994	Viacom	R	American Tobacco
Pentathlon	1994	Lionsgate	R	American Tobacco
The Paper	1994	Comcast	R	American Tobacco
The Ref	1994	Disney	R	American Tobacco
The Shawshank Redemption	1994	Sony	R	American Tobacco
The Specialist	1994	Time Warner	R	American Tobacco
Timecop (as "Time Cop")	1994	Comcast	R	American Tobacco

Notes:

Films listed = 600; **PG** = 180 (30%); **PG-13** = 107 (18%); **R** = 310 (52%). PG-13 rating introduced in 1984.

American Tobacco-engaged films = 366 (61%); **Brown & Williamson** = 31 (5%); **Liggett & Myers** = 2 (<1%); **Philip Morris** = 155 (26%); **RJ Reynolds** = 98 (16%). Fifty-one films (8%) were mentioned on more than one tobacco company's manifests.

Some 150 unidentified, unreleased, limited release, TV movies of the week (MOW), and straight-to-video films were omitted from this manifest. Certain independent producer-distributors' film libraries have been absorbed by other companies. Online sources were consulted to trace corporate histories and estimate current film ownership. Of the feature films retained in the analysis, 52 percent are titles owned or controlled by current major-studio members of the Motion Picture Association of America (MPAA): **Comcast's Universal** = 68 (11%); **Disney** = 22 (4%); **Fox** = 68 (11%); **Sony** = 88 (15%); **Time Warner's Warner Bros.** = 85 (14%); and **Viacom's Paramount** = 52 (8%). **MGM**, either through original production-distribution or acquisition, owns or controls 145 of the listed films (24%). **StudioCanal** accounts for 13 films (2%) and twenty-three **other companies** appear to account for 59 films (10%).

References for tobacco company-engaged films: Searches on the companies' names, the names of their product placement agents and agencies—including Associated Film Promotions (AFP), Delta Consultants, Rogers & Cowan, Unique Product Placements (UPP)—the tobacco companies' advertising agencies, film and PR executives, film actors and producers, and film studios, along with search terms including "placement," "exposure," "report," "agreement," and terms and names associated with official inquiries into tobacco product placement were entered at Truth Tobacco Documents Library (www.industrydocumentslibrary.ucsf.edu/tobacco). Working title and release titles of certain films were reconciled using film industry databases and resources including IMDbPro.com and FilmRatings.com. More information, including historical studies, is available at www.smokefreemovies.ucsf.edu.