[US] Court Issues Corrective Statements for Anti-Tobacco Campaign

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On 17 August 2006, the U.S. Federal District Court for the District of Columbia ("Court") issued a judgment against cigarette manufacturers ("Manufacturers") for violating civil racketeering laws by deceiving the public about the health risks of smoking. The Court ordered the Manufacturers to disseminate court-approved corrective statements ("Statements") to the public via television for at least 15 seconds on at least one "major" television network once per week between the hours of 7:00 p.m. and 10:00 p.m. between Monday and Thursday for one year and ordered the parties to submit proposals for the exact wording of the Statements.

The Court recently completed its review of the proposals and issued an amended final opinion on 27 November 2012 that set out five specific declarations that the Manufacturers may use for their Statements. The Court explained that it selected the approved declarations, such as "[a] federal court has ruled that the defendant tobacco companies deliberately deceived the American public by falsely selling and advertising low tar and light cigarettes as less harmful than regular cigarettes," because these declarations are "purely factual." Each declaration must also be prefaced by an admission that the Manufacturer "deliberately deceived the American public about the health effects of smoking". The United States Justice Department is set to meet with the Manufacturers in the coming months to discuss how the advertisements must be aired and further clarify the media that must carry the Statements and the anticipated costs involved.

A spokesman for the Campaign for Tobacco-Free Kids praised the ruling, exclaiming that it is "a small price to pay for the devastating consequences of [the Manufacturers'] wrongdoing." By contrast, the Manufacturers demonstrated a more cautious reaction to the ruling. A spokesman for Reynolds American Inc. Philip Morris USA explained that it is "reviewing the judge's ruling and considering their next steps," which may include appealing the ruling.

U.S. Federal District Court for the District of Columbia, decision of 17 August 2006

http://publichealthlawcenter.org/sites/default/files/resources/doj-final-opinion.pdf

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U.S. Federal District Court for the District of Columbia, amended final opinion of 27 November 2012

http://thinkprogress.org/wp-content/uploads/2012/11/tobacco-decision.pdf

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