

Court-Ordered Corrective Statements Remedy: Implementation Details

United States v. Philip Morris USA Inc.

In 2006, U.S. District Judge Gladys Kessler found the major tobacco companies guilty of violating civil racketeering laws (RICO) and engaging in a decades-long conspiracy to deceive the American public about the health effects of smoking and their marketing to children. Among her remedies, Judge Kessler ordered the tobacco companies to publish [corrective statements](#) about the adverse health effects of smoking and secondhand smoke and other topics. The companies must disseminate the corrective statements through television and newspaper advertising, their websites and cigarette packaging.

After 11 years of appeals by the tobacco companies to weaken and delay the corrective statements, a federal judge issued a final [order](#) directing them to begin running the corrective statement ads in newspapers on Sunday, November 26, 2017, with the television ads beginning the following day. Implementation details are still being finalized for the company websites and cigarette packs.

Television: The Defendant tobacco companies will purchase television ads with text and voice-over containing one of the five corrective statements.

- The ads will run five times per week for one year (52 weeks) for a total of 260 spots.
- The ads can run Monday through Thursday between 7:00 p.m. and 10:00 p.m. on one of the three major networks (CBS, ABC or NBC). Each month, up to one-third of the ads may be placed during programs on other networks or channels, provided that program has an overall audience at least as large as a program on one of the three major networks during the assigned time slots.
- To accommodate the length of the statements, four of the ads will be 45-second spots and one will be a 30-second spot.
- The spots will begin to air the week of November 26, 2017.

Newspapers: The Defendant tobacco companies will purchase five full-page ads in the first section of the Sunday edition of the 50+ newspapers specified by the Court. Each newspaper ad will contain one of the five corrective statements. The specific schedule is as follows:

- **Sun. November 26, 2017** – Adverse Health Effects of Smoking
- **Sun. December 10, 2017** – Addictiveness of Smoking and Nicotine
- **Sun. January 7, 2018** – Lack of Significant Health Benefit from Smoking “Low Tar,” “Light,” “Ultra Light,” “Mild,” and “Natural” Cigarettes
- **Sun. February 4, 2018** – Manipulation of Cigarette Design and Composition to Ensure Optimum Nicotine Delivery
- **Sun. March 4, 2018** – Adverse Health Effects of Exposure to Secondhand Smoke

For any newspaper that does not publish on a required Sunday, the corrective statement will appear in the first section of the Friday edition immediately preceding that Sunday. In Spanish language papers, the statements will appear in Spanish. The Defendants will also run the corrective statement as an advertisement on the website of each newspaper at approximately the same time as the print versions.

Newspapers for Corrective Statements Ads

National and regional papers

Atlanta Journal-Constitution
Boston Globe
Charlotte Observer
Chicago Sun-Times
Chicago Tribune
Dallas Morning News
Houston Chronicle
Los Angeles Times
Miami Herald
Daily News (N.Y.)
The New York Times
Philadelphia Inquirer
Richmond Times-Dispatch
San Francisco Chronicle
Tampa Bay Times
USA Today
Wall Street Journal
Washington Post
Star-Ledger (N.J.)
Detroit Free Press
Commercial Appeal (Memphis)
Baltimore Sun
Times-Picayune (New Orleans)
Clarion-Ledger (Jackson, MS)
Birmingham News
News Journal (Wilmington, DE)
Post & Courier (Charleston, SC)

Newspapers published by Eastern Group Publications (Hispanic-owned bilingual)—Los Angeles

Eastside Sun
Northeast Sun
Mexican American Sun
Bell Gardens Sun
Commerce Comet
Montebello Comet
Vernon Sun

Hispanic media

San Francisco La Oferta Review
Chicago Lawndale News
La Voz de Houston

African-American/community papers

Cincinnati Herald
The Northern Kentucky Herald

The Dayton Defender
Black Chronicle (OK)
Skanner (Portland, OR and Seattle)
Milwaukee Courier
Arizona Informant
Little Rock Sun Community Newspaper
Denver Weekly News
Inner City News (CT)
Gary Crusader (IN)
Louisville Defender
Insight News (MN)
St. Louis American
Omaha Star
Call & Post (OH)