



July 19,2002

Mr. David Stern  
Commissioner  
National Basketball Association  
Olympic Tower, 645 Fifth Ave.  
New York, NY 10022

Dear Mr. Stern:

The National Basketball Association (NBA) Hoop-It-Up tournament is currently sponsored by the Lorillard Tobacco Company and Lorillard's "*Tobacco is Whacko...If You're a Teen*" program. We believe that this partnership between the NBA and a tobacco company that sells more cigarettes to more African American youth than any other is harmful to the effort to reduce tobacco use among children and harmful to the NBA's image. We are writing to urge you to sever this youth-oriented activity's ties to Lorillard.

The NBA and its players serve as role models for our youth. Cigarette smoking is the leading cause of preventable death in the United States and is responsible for over 400,000 deaths every year, but the problem of tobacco is truly a youth-oriented problem.

Nearly 90% of all smokers become regular smokers before the age of 19. Most are addicted to tobacco long before they are old enough to purchase it legally. Sadly, the evidence demonstrates that the tobacco industry has for decades targeted our young people as the smokers of the future. The tobacco companies recognize that if kids don't start smoking, their market will shrink. Lorillard's Newport brand is smoked by 80% of African-American youth who smoke, an astounding market share that was not achieved by accident.

Lorillard and the other tobacco companies claim that they don't want kids to smoke, but the objective evidence tells a very different story. According to the most recent government reports, tobacco marketing expenditures rose 42% to \$26 million a day in the two years after their 1998 settlement with 46 states. Much of this marketing is done in ways that particularly appeal to young people. At the same time, Lorillard and the other tobacco manufacturers have continued to fight reasonable government efforts to reduce youth tobacco use. In addition, Lorillard is now suing the American Legacy Foundation, the foundation established by the state attorneys general in the 1998 settlement to conduct a real nationwide youth anti-tobacco marketing campaign, in an effort to bring their highly effective campaign to a stop.

A recent unpublished study found that Lorillard's "*Tobacco is Whacko...If You're a Teen*" campaign has had no impact on teens and experts have expressed serious concern that the manner in which the "*Tobacco is Whacko*" campaign is framed makes it more likely to encourage young people to smoke as an act of rebellion than to discourage tobacco use among youth. The "*Tobacco is Whacko...If You're a Teen*," slogan frames smoking as an adult activity, which, as any parent knows, and tobacco industry internal documents recognize, is one of the most effective ways to tempt rebellious teens to try something. It is unfortunate but true that Lorillard's anti-smoking program is nothing more than a public relations gesture.

If further evidence were needed, it was provided when the State of Minnesota's official youth anti-tobacco program, Target Market, tried to sponsor a popular skating event in Minnesota. The Target Market program is youth-led and has been widely praised as effective. Target Market was rejected and was told that, because of an exclusivity clause in their contract, Lorillard is the only youth anti-smoking sponsor that would be allowed to sponsor the event. If the real goal were reducing youth tobacco use rather than promoting the company that has a near monopoly on the African-American youth market, would Target Market have been excluded? We don't think so.

We assume that the NBA's goal is to send a message to young people designed to discourage tobacco use. We believe that by partnering with Lorillard, the NBA is hurting the cause of preventing youth smoking. Lorillard is using its so-called youth anti-smoking program to distract attention from the fact that it continues to use the same marketing techniques that have led millions of African-American young people to smoke Newport and to discourage public policy makers from taking the kind of action that will make a real difference.

By entering into this partnership, you are allowing the good name of the NBA to be used as part of a public relations effort by Lorillard to provide it the cover to continue to market to our nation's youth and to avoid meaningful government regulation. The bottom line is that sports programs and tobacco companies do not mix. We know it, kids know it and there are a lot of parents and other concerned fans out there that know it.

We have been inundated by people upset about the partnership between the NBA and Lorillard and who have asked us what they can do to be sure that their voices are heard nationally and in communities around the country. Our hope is that once this matter has been brought to your attention you will act quickly to sever the relationship with Lorillard. Legitimate organizations concerned about reducing tobacco use among young people stand ready to work with you and the Hoop-It-Up program if you take this step.

We would welcome the opportunity to meet with you to discuss this situation and ways that the NBA can turn a bad situation into a good one. We've asked Matt Myers, President of the Campaign for Tobacco-Free Kids, to contact you further on our behalf. Also, feel free to contact him directly at 202-296-5469 if you have any questions.

Sincerely,



John R. Seffrin, Ph.D.  
CEO  
American Cancer Society



M. Cass Wheeler  
CEO  
American Heart Association



John L. Kirkwood  
CEO  
American Lung Association



Matthew L. Myers  
President  
Campaign for Tobacco-Free Kids