



Mr. Tom Sherak, President, Board of Governors
The Academy of Motion Picture Arts and Sciences
8949 Wilshire Boulevard
Beverly Hills, California 90211

January 7, 2011

Time sensitive

Dear Mr. Sherak:

It has come to our attention that the celebrity gift bags for the 2010 Grammy Awards included electronic cigarettes (*Newsday*, Dec. 10, 2010). With the 2011 award season upon us, we are alerting the Hollywood Foreign Press Association, National Academy of Recording Arts & Sciences, and the Academy of Motion Picture Arts and Sciences to the grave public health implications of allowing promoters of electronic cigarettes to exploit your events for publicity and promotion.

Electronic or “e-cigarettes” are non-flammable nicotine delivery devices. According to a report by the American Medical Association, little independent research has been conducted into their ingredients and health impact, yet they are promoted by many vendors as a safe alternative to cigarettes and, in some instances, as smoking cessation aids. Marketing claims vary among manufacturers and vendors. The FDA has issued warning letters to five electronic cigarette distributors for various violations of the Federal Food, Drug, and Cosmetic Act, including unsubstantiated claims and poor manufacturing practices. Three states (California, Utah, and New Jersey) prohibit the sale of electronic cigarettes to minors. Oregon has reached settlements with two major electronic cigarette manufacturers prohibiting the sale of their electronic cigarettes in that state. In addition, the U.S. Air Force has included electronic cigarettes in its regulations governing tobacco use, thereby prohibiting electronic cigarettes in the workplace and medical treatment facilities.

The tobacco industry has a long history of exploiting motion pictures, television and entertainment events to promote cigarette and cigar use and tobacco brands. These campaigns have included cross-promotion, product placement, and systematic supply of free products to

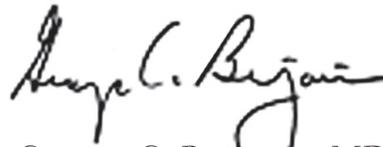
entertainment industry members with the aim of generating images in the news media. It appears to us that “e-cigarette” marketers are adopting similar tactics.

Given the nicotine content of these devices, their restriction in several states, and the lack of regulatory assurance of their quality or safety, we strongly urge you to make sure that your awards event this year is not exploited as an endorsement vehicle for electronic cigarettes. Thank you for your timely attention to this matter. Please contact Stanton A. Glantz, Director, UCSF Center for Tobacco Control Research and Education, at (415) 476-3893 if you have any questions.

Sincerely,



O. Marion Burton, MD, FAAP
President
American Academy of Pediatrics



Georges C. Benjamin, MD, FACP, FACEP (E)
Executive Director
American Public Health Association



Nancy A. Brown, CEO
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Stanton A. Glantz, PhD
UCSF Professor of Medicine
Director, Center for Tobacco Control
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cc: Mr. Bruce Davis, Executive Director, AMPAS