

to tell the two products apart; they both fizz and they are put in a glass and you drink both of them.

There is no distinction.

Mr. BELL. The one advertiser is trying to convey the impression that his product is robust, so to speak, and has a particular appeal for adult use.

Mr. ADAMS. You would require him to say——

Mr. BELL. There is no requirement. He is trying to find some platform on which to distinguish his product.

Mr. ADAMS. If he decided he was not going to use that pitch any more, is there any requirement that you do say——

Mr. BELL. No; there is no public health or public interest question involved there. It is just a matter of the individual judgment of the advertiser to decide how best to present his product.

Dean BARROW. Mr. Alexander.

Mr. ALEXANDER. It seems to me Mr. Bell is trying to divorce the picture in the advertising, and what the advertisement is for.

Many of the cigarette ads show young couples out on strolls and are pitched specifically at young people, giving the impression that it is desirable to smoke, that you get a girl or something if you smoke that brand.

Mr. BELL. Could I respond to that by pointing out with some personal knowledge of this field, that there are restrictions in the broadcast field specifically relating to that and there are restrictions relating to the advertising of cigarettes generally adopted by the industry itself.

There is the cigarette advertising code, for example, which provides that no one under 25 years of age in appearance, not only actual age but looking younger than 25 years of age, may be portrayed in the cigarette commercials.

The radio and television codes of the NAB have similar restrictions on the advertisements appealing directly to young people.

Mr. ALEXANDER. Aren't those recent, as a result of the cigarette advertising code?

Mr. BELL. Those are adopted by the industry itself in recent years, yes; but they were adopted before some of the other actions including the FCC's recent application of the Fairness Doctrine.

In fairness to the industry it is worthy to note that they have sought to exercise a degree of restraint here and self-policing as part of a public responsibility and they have been able to do it without the Government dictating specific rules and regulations to them.

I think the cigarette advertising code has been very effective in eliminating many of the appeals to young people such as testimonials, for example, of athletes and others that young people look up to. They are no longer shown on the air in advertisements because of the codes of the industry, itself.

I think that is a commendable approach which should be noted.

Dean BARROW. Professor Robinson.

Mr. ROBINSON. I would not like to have the burden of making the argument that cigarette advertising does not induce smoking. I think that would be a pretty heavy burden. I think the real question comes down to whether or not, if we think cigarette advertising is bad, the Fairness Doctrine is an appropriate vehicle for addressing ourselves to the problem.