



Campaign for a Commercial-Free Childhood

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May 22, 2008

VIA E-mail (Gregory_Goeckner@mpaa.org)

Gregory P. Goeckner
Executive Vice President, General Counsel
Motion Picture Association of America, Inc.

Dear Mr. Goeckner,

We are writing in response to your letter of May 16, 2008, asking the Campaign for a Commercial-Free Childhood (CCFC) to discontinue our campaign urging the Motion Picture Association of America, Inc. (MPAA) to develop guidelines to restrict the marketing of PG-13 films to young children. While we are disappointed in your response, we appreciate your clarification of the MPAA's position on the marketing of PG-13 movies.

Our campaign simply seeks to encourage the MPAA to do what the staff of the Federal Trade Commission has recommended: develop a policy "to ensure that PG -13 movies are marketed in a manner consistent with their rating." It appears from your letter, and the May 8, 2008, conversation between Marilyn Gordon, the head of the MPAA's Advertising Administration, and Josh Golin, CCFC's Associate Director, that the MPAA is choosing not to act on the FTC's staff recommendation to adopt clear marketing guidelines for PG-13 movies and sees no problem in marketing these films — even those rated PG-13 for violence — to children as young as three. It appears also that the MPAA has no intention of exercising its authority to discourage companies from marketing violent PG-13 movies to preschoolers. As a result, while we will continue our campaign urging the MPAA to act on the FTC's recommendation, we will also step up our calls for government regulation to protect children.

Unfortunately, your letter also omits important facts and makes certain assertions that we believe must be corrected:

- It neglects to mention the FTC staff letter to CCFC (copied to the MPAA) on January 8, 2008 which recommended that the MPAA develop an "explicit policy, incorporating objective criteria ... (to) provide better guidance to industry members and ensure that PG -13 movies are not marketed in a manner inconsistent with their rating." This oversight is striking since that recommendation and the language you attribute to CCFC — that advertising PG -13 movies to children under 13 is "inconsistent with their rating" — originates from the FTC and not from our organization.
- Your response does not acknowledge CCFC's January 17, 2008, letter to MPAA CEO Dan Glickman, signed by more than twenty advocacy organizations, urging the MPAA to adopt the FTC's recommendations. That letter — a copy of which is attached and to which we have not yet received a response — stated:

“Given the developmental differences between a preschooler and a 13-year-old, marketing PG-13 films to young children can be harmful in three ways:

1) It undermines the integrity and effectiveness of an already flawed rating system; 2) it promotes family stress; and 3) it increases the likelihood that young children will be exposed to media material and messages that may not be suitable for them, such as messages that glorify violence.”

- It is inaccurate to claim that Ms. Gordon “reached out to [Golin] to discuss [his] concerns.” The phone conversation was initiated by Mr. Golin. It is also inaccurate to say that Ms. Gordon “spent a great deal of time discussing the specifics of ... the processes undertaken by our Advertising Administration to review advertising for rated motion pictures.” Ms. Gordon said several times that “many factors” went into the Advertising Administration review process, but did not discuss specifics.
- Ms. Gordon did say that the MPAA does not review ads for movie-related merchandise or food because they do not consider these to be ads for the movie, even though these ads often include clips from the movie, the film’s release date, and explicitly urge children to see the film. This position was reiterated by the MPAA in an article about CCFC’s letter-writing campaign in *Advertising Age’s Madison and Vine* (“MPAA Says It Won’t Block Marketers’ Movie Promo Plans”, May 16, 2008). This stance contradicts the regulations described in the MPAA’s Advertising Handbook which states that advertising subject to regulation by the MPAA includes “novelties, copy for exploitation tie-ins and cross promotions” (p. 7).
- Instead of addressing the concerns that are clearly raised by both our current campaign and our January 17 letter to the MPAA, you choose instead to point out that “(a)ttendance by children of various ages at a PG -13 motion picture is a decision best made by parents, taking into consideration the age, maturity and individual sensitivity of each child and the type of content in each movie.” Nowhere in our current campaign or in any of our materials do we suggest that parents should not be allowed to bring children under the age of 13 to PG -13 movies.
- It is also puzzling that your letter claims that you “receive very few complaints from the public about advertising” when you received more than 1,500 just last week. Since the MPAA has refused to adopt the FTC’s recommendation, we facilitated this letter writing campaign to allow parents and the public to register their concerns about a system of self-regulation that permits the widespread marketing of violent movies to preschoolers and other children much younger than the MPAA suggested age.

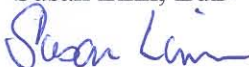
We agree, as you state, that “our shared goal ought to be providing parents with as much information as possible regarding the content of films.” What your letter fails to acknowledge, is that advertising is information. When a parent sees that Burger King is giving away *Iron Man* toys to children as young as three, isn’t it natural for them to assume the film is appropriate for young children? Isn’t the fact that ads for *Indiana Jones and the Kingdom of the Crystal Skull*, as well as commercials for Indiana Jones Lunchables and Frosted Flakes, are shown regularly on young children’s television programming likely to influence parents when they are deciding whether the film is appropriate for their children? It is either naïve or disingenuous to deny the fundamental inconsistencies of marketing a film with a PG -13 rating which warns “Parents Strongly Cautioned: Some Material May be Inappropriate for Children Under 13,” through a

multi-million dollar advertising campaign designed to make *all* children, including preschoolers, want to see that film.

We will continue our campaign to urge the MPAA to act on the FTC staff's recommendation to adopt clear marketing guidelines for PG-13 movies because children must be protected and it is important that the MPAA hear directly from parents. (Excerpts from some of the parents' letters to the MPAA are attached). We will also share these parents' concerns with the Federal Trade Commission and interested legislators. If, at any point, the MPAA decides to adopt the FTC staff's recommendation, we will be happy to suspend the campaign and discuss creating guidelines that would respect parents' authority as gatekeepers and help restore the integrity of the MPAA rating system.

Sincerely,

Susan Linn, EdD



Director, CCFC

Josh Golin



Associate Director, CCFC

Attachments: CCFC Coalition Letter to the MPAA, January 18, 2008
Excerpts from Parents and Concerned Citizens' Letters to the MPAA

Cc: Keith Fentonmiller, FTC
Kendrick MacDowell, NATO