**[John Oliver]:**

Tobacco. It used to be a  cornerstone of American life. It was how we knew sex was over before the female orgasm was invented.

Even if you didn't smoke, you could not escape those who did. Cigarettes were in
the hands of trusted news men, beloved cartoon characters, and cowboys in T.V.
commercials.

**[Commercial Narrator**]:

You've had your  supper and coffee. The horses are settling

down. You settle back. You start to think  about Saturday night and town. Come to

where the flavor is. Come to Marlboro Country.

**[Oliver]:**

That of course is the iconic Marlboro Man, as synonymous with ruggedness
and freedom as he was with dying from smoking related diseases. Because, and this is true, that's what happened to at least four of the actors who played him.

Four dead actors. It's like if there was a gas leak on Whose Line is it Anyway? (SATIRE)

What did you have to "yes and" each other? Why? Look you can admit it is weird seeing those cigarette ads now, and that's because for the past  half century America has steadily limited how tobacco companies are able to behave.  We've put warning labels on packaging and banned cigarettes ads from TV. All while tobacco executives defended themselves against hard public health questions.

**[Cullman]:**

It's true that babies born from women who smoke are smaller, but they're just as healthy as the babies born from women who do not smoke. And some womenwould prefer having smaller babies.

**[Oliver]:**

Yeah. Oh you heard him pregnant ladies. Enough cigarettes and
you're pretty much just shooting out Lego babies. They fit in Star Wars toys. Who wouldn'twant that? That's adorable. By the late 90's, the regulations were such that tobacco companies here voluntarily retired not just the Marlboro Man, but also Joe Camel, who people had ridiculously accused of being targeted at children just because he was an adorable cartoon camel who dressed like the Fonz and smoked. All these restrictions helped lower smoking rates in the U.S.
from about 43 percent in 1965 to 18 percent today. Which you would assume decimates
the American tobacco industry. Which is what makes this clip from 2008 so surprising.

 **[Reporter from clip]:**

Tobacco is what you might call smoking hot. Is this the best time ever to be a tobacco farmer?

**[Man]:**

Probably the most profitable.

 **[Oliver]:**

Wow. So it's an aging product that's decreasing in popularity and yet somehow it just can't stop making money. It's basically the agricultural equivalent of U2.
Now, now, one of the reasons...One of the reasons for this might be that while Americans are smoking less, in some parts of the world people are smoking more; to an occasionally shocking extent.

You might remember this viral video. Video of this two year old boy. He's just puffing away on a cigarette in Indonesia and it's gone completely viral. The mom said he's totally addicted and if he doesn't get the smokes he gets angry, starts banging his head on the wall.

 **[Oliver]:**

Yeah, of course he gets mad when you take away his smokes. He thinks they're

gone. He doesn't have object permanence  yet.

The smoking baby was such a media sensation,news crews from across the world attempted to find him.

 **[Reporter]:**

Just across this bridge lies  the small fishing village that is home to the smoking baby.

**[Reporter 2]:**

We briefly caught up with Aldi and his mother Dianna at the airport, flanked by a local T.V. crew.

**[Dan]:**

Are you Aldi? Hi. I'm Dan. How you doing little dude?

**[Oliver]:**

Holy sh\*\*, just look at that kid! He's his own Rat Pack. All he's missing is three other kids dressed like him and a casino.

**[Audience laughter]**

And this is where this story gets really interesting, because that baby's favorite brand of cigarettes was A Mild, which owned by Philip Morris International, the company that cells Phillip Morris brands everywhere but America. They like other multinational companies have flocked to Indonesia, a market where two-thirds of adult males smoke. And there are very few restrictions. And I do mean very few.

**[Dan]:**

This really brings home the point. This is entrance to a school and, come with me, just a few steps away from the  entrance, there is this kiosk that is sponsored by Marlboro Lights. And at this kiosk a student can come and buy an individual cigarette. They're only a dime
a piece and they even have a lighter on a string.

**[Oliver]:**

Yeah, well of course the lighter's on a string. What kind of irresponsible cigarette vendor outside a school would let a child walk away with a lighter. They're dangerous.
**[Audience laughter]**

Think about it. Just think about that. And look, Indonesia is far from the only country where Philip Morris International, or PMI, has expanded. They own seven of the worlds' top 15 international brands, including  Marlboro. And recently, Marlboro has boosted its global market share thanks to its worldwide "Don't be a Maybe be Marlboro" campaign. And if you're thinking what the  f\*\*\* does "don't be a maybe" mean, please let this video by the people responsible  for the campaign explain it to you.

**[Narrator on video]:**

a brand, Marlboro  was not resonating with adult smokers even though its values of freedom, authenticity, and master of destiny were.

**[Audience chuckles]**
Smoker's missed the essence of the cowboy. Which led us to our opportunity. Eliminate the word "maybe" from our smokers' vocabulary. To become the catalyst that inspires smokers from just thinking about life to taking the lead in their life. To live the Marlboro values. To be true, bold, and forever forward.

**[Oliver]:**

That is a pile of horse sh\*\*.
**[Audience laughter]**

**[Applause and cheering]**

Think about it, just think about this. Even Don Draper looks at that ad and goes pull it back a little bit.

**[Audience laughter]**
These are cigarettes we're talking about, not Jesus. Now countries can try to counteract the influence of that kind of marketing. But, if tobacco companies feel too threatened they'll put them through legal hell. Let me take you on a world tour of how they attack laws intended to protect public health. Because it's kind of amazing. Let's start in Australia. In 2011 they

passed a plain packaging law. And what that means is this:

**[Reporter]:**

Cigarettes come in packaging like this. Pretty drab coloring, messaging the Australian government rights, pictures it chooses. The brand name there really

relegated to the bottom.

**[Oliver]:**

 Australia's plain packaging law bans tobacco company branding from packaging and replaced it with upsetting photos such as the toe tag on a corpse, the cancerous mouth, the nightmarish eyeball, or they diseased lung. Now...

**[Audience gasps]**

Yes. I'm pretty sure I'd find a healthy lung disgusting, but—

**[Audience laughter]**

But that thing does look like you're trying to breath through baked Zitti, so just

 **[Audience Laughter]**
take that down. Just take it down. Perhaps unsurprisingly since this law was
implemented total consumption of tobacco and cigarettes in Australia fell to record
lows and nightmares about eyeballs have risen to record highs. Take it down! Take
down the demon eye.

**[Audience laughter]**

To get these laws though, Australia has had to run a gamut of lawsuits. First, two

tobacco companies sued Australia in its highest court to stop them. The result was a little surprising, as Australia's Attorney General let everyone know.

**[Roxon]:**

 I'm delighted to be able to say that we have won that legal action, and just as some icing on the cake, it seems the big tobacco companies will also be required to pay the government's costs.

**[Oliver]:**

Yes!
**[Audience cheers and claps]**

Score one for the little guy. Even if that little guy is sixth largest country in the world in terms of landmass. And the tobacco companies didn't just lose, the judges called their case delusive, unreal and synthetic, and said it had fatal defects.

Which sounds a little like the only reviews of NBC's The Slap.

**[Audience laughter]**

What, what is this thing? How long am I supposed to watch it for? Which one is the slap?

 **[Audience laughter]**

But Australia's legal troubles were just beginning, because then Philip Morris Asia

got involved.

**[Reporter]:**

The company is threatening to take the Australian government to an

international court, and says that removing brands from cigarette packs will lower the

value of its trademark and intellectual property.

**[Oliver]:**

That's right, a company was able so sue a country over a public health measure through an international court. How the f\*\*\* is that possible? Well, it's

really a simple explanation. They did it by: digging up a 1993 trade agreement between Australia and Hong Kong which had a provision that Australia couldn't seize

Hong Kong-based companies' properties. So, nine months before the lawsuit started PMI

put its Australian business in the hands of its Hong Kong-based Phillp Morris Asia

division and then they sued, claiming that the "seized property" in question were the

trademarks on their cigarette packages. And you've got to give it to them. That's

impressive. Someone should really give those lawyers a pat on the back. And a

punch in the face. But, a pat on the backfirst. Pat then punch. Pat- Punch. Theyneed a Pat-Punch.
**[Audience laughter]**

Little pat, big punch. That's what they need. But wait, there is more here because you

will never guess who else is coming after Australia.

**[Reporter]:**

Three governments, Honduras, The Dominican Republic, and Ukraine have

filed complaints with the World Trade  Organization against Australia's plain

packaging laws.

**[Oliver]:**

That's right. Ukraine is charging Australia with hurting its tobacco export,

something which was a bit of a surprise to a Ukrainian member of Parliament.

**[Orobets]:**

When I first read the position of the government, it seemed to be a joke. Because we have zero trade exchange between Australia and Ukraine of any tobacco goods.

**[Audience laughter]**
**[Oliver]:**

Zero trade. Zero. So Ukraine is inserting themselves into something they have nothing to do with. They're taking the Kanye West approach to international trade disputes.

**[Audience laughter, applause]**

It's just- they're just wiggling in there. The truth is, as you have probably guessed

by now, tobacco companies have encouraged these suits, even covering some of the

legal costs. Meaning the tobacco industry is treating Ukraine like a stage parent

treats a child in a beauty pageant. Oh no, no. Brandy wants to do it. Oh, yes

I paid for her outfit and pushed her onto the stage, but this was all her idea. And I

swear to God Brandy if you drop that flaming baton you are f\*\*\*ing walking home.

You walk home, Brandy.
**[Audience laughter]**

And tobacco companies aren't just going  after big countries like Australia.

**[Reporter]:**

Philip Morris has also launched a legal challenge against the small South American country of Uruguay for damaging its business prospects. Uruguay has a population of just three and a half million people and is a relatively tiny cigarette market.

**[Oliver]:** That's right. Philip Morris International is currently suing Uruguay. A country that you think about so little, that you didn't even notice that that's not Uruguay. This is Uruguay.

**[Audience laughter and applause]**

Now the background here. Nine years ago, Uruguay started introducing increasingly larger health warnings. Smoking rates dropped. And Uruguayans like the laws, with 68 percent of smokers saying they should be stronger. But just because they wanted it, hasn't stopped PMI from suing for the  past 5 years. And that's a lot for a small

country to take on. Luckily, they've had help.

**[Translator]:** Uruguay has received the  support of the World Health Organization and the Pan-american Health Organization, as well as the mayor of New York City Michael Bloomberg, who donated 500,000  dollars for payment of attorneys' fees.

**[Oliver]:**

The legal fees were getting so  expensive the had to take money from Michael Bloomberg.
[Audience laughter]

On the scale of how sh\*\*ty that has got to feel, it's just barely higher than borrowing

money from your ex-girlfriend's current boyfriend's step dad.

**[Audience laughter]**And if forcing Uruguay to do that was not bad enough, let me tell you what Philip
Morris International has done to Togo. Togo is one of the ten poorest countries
on Earth, and they recently unveiled some new tobacco laws.

**[Translator]:**

Togo is setting conditions on the sale of tobacco. Starting on September

1st of 2014, packs of cigarettes sold in Togo must bare warnings in French, Eew, and

Kabiye about the health risk associated  with the consumption of tobacco.

**[Oliver]:**

Now at first written warnings  sound great until you learn that 40 percent

of the adult population of Togo is illiterate. Which is why some members of the Togolese

government wanted something more like  Australia's Zizi lung packaging. Take it

down. Take it down. It's still disgusting.

**[Audience laughter]**

But when they got wind of this Phillip  Morris International, a company with annual

net revenues of 80 billion dollars, basically threatened to sue Togo, whose entire GDP

is 4.3 billion. And when your GDP is only  a couple of billion more than the box office

of Avatar a protracted legal case is not really what you need. Now we actually

reached out to Togo and asked to see their correspondents with the tobacco companies.

And they gave us this letter from PMI. We had to translate it from French, but it

was worth it because this thing is almost comically appalling. It informs Togo that

plain packaging laws would result in "an  incalculable amount of international trade litigation." Suggesting Togo would lose any legal challenge by citing among other

things an Australian High Court decision which they write "concluded that plain

packaging constitutes a substantial privation of property rights." Now the

court case they're referring to is the one from earlier. You remember, the one tobacco companies lost so badly they had to cover the court costs. [Audience laughter] And yet, they quote the one judge in that case who ruled in favor of tobacco, ignoring the

other six who called their case, if you remember, "delusive, unreal and synthetic,"

and say it had fatal defects. That's like when a sh\*\*ty movie engineers a good review out of a bad one. Like, Mortdecai is a pile of dot, dot, dot, great.

 **[Audience laughter]**

But this letter is bullsh\*\*. And yet Togo, justifiably terrified by threats of billion dollar settlements, backed down from a public health law many people wanted. And

it's not just Togo. British-American Tobacco sent a similar letter to Namibia and one

of their subsidiaries sent one to the Solomon Islands, a country with a population of 600,000. At this point it's safe to say if you live in an apartment with at least two other people and you ask
one of them to please smoke outside, you can look forward to a letter from a tobacco company very soon.

**[Audience laughter]**

And look, I could get angry and I could call tobacco companies assholes or monsters

or open sores on Satan's d\*\*\*, but instead-

**[Audience laughter]**

Instead, instead, let's rise above it and let's try and broker peace. Because it's clear what each side wants. Countries want to warn their citizens about the health

dangers of smoking tobacco. Tobacco companies want to be able to present branded images

that they have spent time and money to cultivate. So may I suggest a compromise?

I present to you the new face of Marlboro, Jeff, the Diseased Lung in a Cowboy Hat.

**[Audience laughter]**

We are offering Jeff to you, Phillip Morris International, to use as you wish. Put him

on your billboards. Put him on some ads. In fact, and don't be mad, we've--

**[Audience laughter]**

We've already started doing that for you. This is an actual billboard that we have put up in Uruguay--

**[Audience laughter and applause]**

--of Jeff the diseased lung. That is in Montevideo right now. And people seem to

like it there.

**[Audience laughter]**

Because of course they like it. Of course they like it. Everyone loves Jeff the

Diseased Lung in a Cowboy Hat. Oh, one more thing. To be completely honest, we didn't

just do it in Uruguay. Because we also, and don't be mad, we made some Jeff branded

t-shirts and we shipped them to Togo yesterday where they've been quite a hit.

And if you don't believe me, check this out.

 **[Audience laughter, applause]**

Marlboro, Jeff's already out there. You just need to claim him. Our lawyers, unlike yours, will not sue. And I know our viewers would love to help you get the message out there. In fact you can tweet about Jeff using the hashtag "#jeffwecan" to get

him trending worldwide and get PMI's attention. Post Jeff's photo on Google Plus and tag him "Marlboro" which might push him to the top of Marlboro's Google image search.

We can do this everyone! Don't be a maybe about this.

**[Audience laughter]**

In fact, who here would like to meet Jeff? Let's bring Jeff out! Come on, Jeff!

 [Western music plays]It's Jeff! It's Jeff, everyone. It's Jeff the Diseased Lung. Look at him, Marlboro. He's not a maybe. He's not a maybe because

he's definitely suffering from emphysema, aren't you Jeff?

**[Jeff coughs, weezes]**

Classic Jeff. And guess what, PMI? Even though I cannot stress this enough, you do not market to children, kids love Jeff too. Don't you kids? What do you say Marlboro?

**[Kids cheering, audience applause]**

Let's make Jeff happen. That's our show, see you next week! Goodnight! Jeff! Jeff!