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In High Court petition, no-smoking advocates protest alleged 'hidden cigarette advertising' on 'Big Brother'

Petitioners: No coincidence that only 20.6% of the public smokes yet 80% of participants do so on show

• By JUDY SIEGEL

The Israel Cancer Association and smoking prevention lawyer Amos Hausner have asked the High Court of Justice to bar smoking both inside and outside the villa in Neveh Ilan where the *Big Brother* reality show will begin filming its fifth season in a few months.

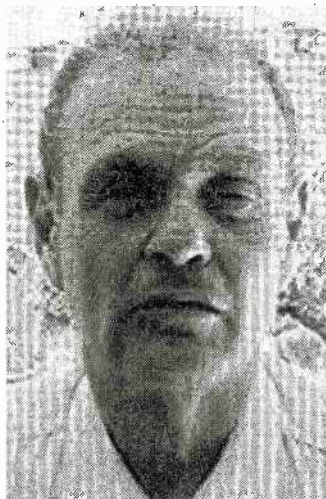
Justice Salim Joubran, who received the petition, asked the Second Channel Authority that is responsible for programming on Channel 2 and the Keshet TV company that owns the concession and is in charge of the show, to respond within 60 days.

Hausner, chairman of the Israel Council for the Prevention of Smoking, and his lawyer colleague Nir Ofer presented the petition on behalf of the ICA and the voluntary organization Avir Naki (Clean Air). The Health Ministry and the Communications Ministry were also listed as respondents to the petition.

The petitioners argued that as the villa is a workplace where some two dozen strangers live for several months, cut off from the outside world, and smoking by about 80 percent of the residents violates laws prohibiting smoking in public places.

Hausner previously persuaded the Supreme Court sitting as the court of civil appeals to prohibit actors on theater stages from smoking as part of their roles.

The petitioners said that



AMOS HAUSNER
(Judy Siegel)

the presentation of the residents smoking in the *Big Brother* house is evidently deliberate, and may constitute hidden and indirect advertising of cigarettes. The Second Channel Authority was asked to request from Keshet all the contracts it signed with the producers and the promoters of the international "Big Brother" concept, so it could be determined whether smoking was listed as one of the components of the show. The authority was also required to obtain and publish the criteria according to which participants are selected.

It is unlawful to praise smoking in any manner in any method of advertising to encourage young people (the majority of *Big Brother* viewers) to smoke, and to give pro-smoking messages as hidden advertising, the

lawyers stated.

As only 20.6% of the general Israeli public smoke, the fact that 80% of the residents smoked regularly in the villa over the past four seasons the show has been broadcast suggested it was not a coincidence, the lawyers maintained, with smoking presented as a positive matter. Since the weekly budgets of the residents are rationed, they are required to choose between food and cigarettes, which results in endless discussions over smoking and raises the rating of the show.

On numerous occasions, the petitioners had asked the Second Channel Authority to stop smoking on the show but they received no response.

Hausner said that he had studied the reactions to *Big Brother* in some of the scores of other countries where the show is broadcast. In many of these, the residents of the villa are heavy smokers.

This was true in Britain, where heavy public criticism forced the production company to bar smoking inside the house, but not outside as requested in Israel.

Hausner said that according to materials cited in the application to the court, residents are told by Keshet never to discuss hard or soft drugs, but they never censor talk about smoking. "Until the High Court of Justice case is settled, we want anti-smoking advertising to be financed by Keshet to balance it out," Hausner said.