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## **HEALTH OFFICIALS REJECT ADULT FILM INDUSTRY EFFORTS TO SCRAP CONDOM RULE** **Two Cal/OSHA Reports Say Condom Use Is Essential to Protecting Adult Film Performers**

**Sacramento, Wednesday, Aug. 3, 2016** - Adult film industry bosses suffered a new setback this week in their campaign to overturn state health rules that require them to provide condoms to their adult film performers and ensure that the performers wear them in sexually explicit scenes.

Separate reports by the staffs of the Division of Occupational Safety and Health (Cal/OSHA) and the Occupational Safety and Health Standards Board reached the same conclusion: condom use is essential to protecting adult film workers from sexually transmitted diseases (STDs).

The reports responded to a petition from Eric Paul Leue, the leader of a trade group that represents adult film producers. The group asked Cal/OSHA to amend its regulations to remove the condom requirement rule.

“These staff reports are a tremendous victory for the cause of protecting workers’ health and safety,” said Los Angeles political consultant Rick Taylor. “The adult film industry wants to kill the condom use rule. But cooler heads and science have prevailed, and California’s top worker safety experts have reaffirmed that condoms are the gold standard for protecting performers.

“These new reports again prove that the adult film industry’s producers are on the wrong side of medical science,” said Taylor. “They’re like climate change deniers. They’re wrong. And all the science proves them wrong.”

The industry’s relentless campaign to gut existing condom use regulations and its refusal to obey these same rules during filming also emphasizes the importance of voter passage of Proposition 60, said Taylor, chief strategist for the Prop. 60 campaign. Prop. 60 is a measure on November ballot in California that would provide state health officials with additional tools to enforce the rule on condom use.

“The industry’s record of resistance to condom use is so blatant and persistent that it’s obvious we need Prop. 60 to fight back and protect adult film performers,” said Taylor.

The condom requirement has been in effect since 1992 but 97 percent of the performers in adult films do not wear condom, studies have shown.

Producers frequently bully and blackball performers who seek to use condoms, say critics, who also claim that the result of widespread non-compliance is that the incidence of STDs among adult film industry performers is at epidemic proportions, according to recent studies. “I never saw so much

chlamydia and gonorrhea in a population,” Dr. Peter Kerndt, former head of the Los Angeles County STD Program, told the *Los Angeles Times* in March 2016.

Prop. 60 will close loopholes in Cal/OSHA regulations that agency officials say seriously interfere with their efforts to protect adult film performers.

Specifically, Prop. 60 will extend the window of time (the statute of limitations) authorities will have to file a complaint against adult film industry producers violating the condom rule. In addition, Prop. 60 will enable health officials to seek penalties not only against the producers of condom-less film productions but also against the agents and distributors of such films. “We listened to what Cal/OSHA officials said about loopholes in the law,” said Taylor. “Now we’re fixing them.”

Asked by the adult film industry trade group to drop the required use of condoms in favor of “alternative methods” of protection, Cal/OSHA staff conducted an extensive review of scientific studies and found that STDs “such as HIV, hepatitis B, hepatitis C, gonorrhea, chlamydia and trichomoniasis – are effectively prevented by correct condom use and less effectively prevented by the alternative methods identified by the petitioner [the adult film industry trade group].”

The industry claims its test screenings for STDs are effective in keeping sick performers from participating in explicit sex scenes and that taking drugs, like Truvada, can prevent HIV infections.

However, Cal/OSHA staff noted that many STD infections exist weeks before they are discovered by testing. During those latency periods, those infected can infect their sexual partners. In addition, the performers’ strict adherence to taking the expensive Truvada anti-HIV pills “cannot be fully overseen by an employer,” Cal/OSHA staff pointed out, unlike the wearing of a condom, which is observable. Also the staff noted that Truvada’s manufacturer advises its customers to wear condoms.

Despite the overwhelming scientific evidence that condoms are essential, the two staff reports recommended that Cal/OSHA’s governing board hold hearings – including one on Aug. 18 in Oakland – to give the adult film industry an opportunity to discuss “additional protections for workers in the adult film and similar industries” and to address the industry’s complaints that its views are not being adequately considered by Cal/OSHA.

At the same hearings, health officials will also hear from the AIDS Healthcare Foundation (AHF), which has championed the use of condoms in the adult film industry. AHF has urged that the word “condom” be explicitly used in Cal/OSHA regulations so there is no mistake about what is meant when those regulations say “barrier protections” must be used by adult film performers.