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## US porn filmmakers contest forced condom use

LOS ANGELES: US porn film producers vowed Wednesday to go to court to challenge a decision by Los Angeles County voters requiring actors in adult movies to wear condoms while performing on set.

The Free Speech Coalition, which describes itself as "the adult product and entertainment industry's trade association," said forcing actors to wear condoms would make porn filmmaking "untenable."

"Besides the obvious excessive costs of compliance, FSC and the industry have a number of concerns with the law itself," it said in a letter following a referendum measure approved by California voters Tuesday.

"We believe that the law is not only unconstitutional on the grounds of forced expression, but also falls within the jurisdiction of the state of California rather than local government.

"Therefore we will file suit and challenge this intolerable law in court," it said, adding: "The law, as passed, is untenable for adult production."

LA County voters backed the condom initiative after campaigners gathered over 360,000 signatures to force the issue onto the ballot the same day as White House and Congressional elections and over 170 state-wide polls.

The multimillion-dollar US adult movie industry, which is largely based in the San Fernando Valley north of Los Angeles, has argued that fewer viewers would want to see porn films with actors using condoms.

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So-called ballot Measure B, the "Safer Sex in the Adult Film Industry Act," requires porn film producers to apply for a permit to shoot sex scenes within LA County.

The LA County's Department of Public Health will use the fees received for permits to fund inspections of film sets to ensure actors are complying with the requirement for performers to use condoms while engaging in sex acts.

Actors or producers violating the rules will face fines or possible criminal charges.

The AIDS Healthcare Foundation, one of five groups that spearheaded the poll push, welcomed the result that saw 55.9 percent of voters back the condom-use proposal.

"This is what democracy looks like," said AHF president Michael Weinstein. "It's clear that the voters are ahead of the politicians and the editorial writers. They saw it as a simple issue of health, safety and fairness."

But FSC head Diane Duke predicted the law would be ruled unconstitutional.

"After being heavily outspent by a well-financed AIDS Healthcare Foundation, which poured millions of dollars into passing Measure B, the adult film industry will not just stand by and let it destroy our business," she said.

Weinstein disagreed, saying: "We don't believe that any court of law in California is going to decide that this industry should be exempt from workplace protections."

Last year, California porn filmmakers were forced to suspend production temporarily, after an actor tested positive for HIV, the virus that causes AIDS, in the latest such disruption to the industry.

Film L.A. Inc., which issues permits for film companies shooting in the West Coast city, said about five percent of the 45,500 permit days the agency issues per year are for pornographic film shoots. - AFP