



Scottish Coalition On Tobacco (SCOT) consultation response on plain and standardised packaging of tobacco products

June 2012

SCOT - the Scottish Coalition on Tobacco - is a campaigning coalition of 13 health and medical organisations that have a shared interest in matters relating to tobacco and health. The alliance was founded under a different name in 1999, bringing together a broad range of organisations who have joint concerns, interests, and views on taking action to reduce the harm caused by tobacco.

Members of coalition are: ASH Scotland, British Heart Foundation Scotland, British Lung Foundation Scotland, British Medical Association, Cancer Research UK, Chest Heart & Stroke Scotland, Macmillan Cancer Support, Royal College of Nursing, The Roy Castle Lung Cancer Foundation, Royal College of Physicians of Edinburgh, Royal College of Psychiatrists, The Stroke Association (Scotland Office), and the Royal Environmental Health Institute of Scotland.

This is the agreed SCOT coalition response representing the majority view of members and does not necessarily represent the view of each member organisation. If individual members have taken a different position on particular points, this will be reflected in their own submissions

1. Which option do you favour?

- Do nothing about tobacco packaging (i.e., maintain the status quo for tobacco packaging);
- Require standardised packaging of tobacco products; or
- A different option for tobacco packaging to improve public health.

RESPONSE

Require standardised packaging of tobacco products

2. If standardised tobacco packaging were to be introduced, would you agree with the approach set out in paragraphs 4.6 and 4.7 of the consultation?

- Yes
- No
- Do not know or have no view

Please provide an explanation for the answer you provided and evidence if available.

RESPONSE

Yes

The proposals set out in the consultation document will reduce the opportunities available for tobacco manufacturers to use packaging as a form of promotion for their products. The systematic review of the evidence on plain packaging published alongside the consultation makes it clear that current branding and marketing practices are likely to both encourage uptake and continued consumption of tobacco products.

While following the approach in the consultation document will be a significant improvement over the current situation, there are areas where the scope could be extended to enhance protection of public health from tobacco marketing.

These include:

Standardising cigarettes design features in addition to standardising packaging: The history of regulating tobacco industry marketing activity has been characterised by rapid adaptation to marketing restrictions by manufacturers and displacement of activity from prohibited routes to novel means of promotion. Were packaging to be standardised yet the appearance of tobacco products themselves to be unregulated, we would expect similar results to occur as options like colouring and branding cigarettes themselves would remain open. Borland & Savvas (2012) have demonstrated that cigarettes design can influence perceptions about the product, so it is as important to standardise tobacco product appearance as it is tobacco packaging.

Borland R, Savvas S. Effects of stick design features on perceptions of characteristics of cigarettes. Tobacco Control. 2012 Mar 6. doi:10.1136/tobaccocontrol-2011-050199

Regulate brand names to prohibit misleading descriptors: Brand descriptors with positive connotations such as 'smooth', 'slim' or 'gold' have been shown to affect perceptions of relative harm between products (Mutti et al 2011). Descriptors that can be shown to affect consumer perceptions of harm between products should not be permitted.

Mutti S, Hammond D, Borland R, Cummings MK, O'Connor RJ, Fong GT. Beyond light and mild: cigarette

brand descriptors and perceptions of risk in the International Tobacco Control (ITC) Four Country Survey. Addiction. 2011 Jun;106(6):1166-75.

Enlarging pictorial warnings: Numerous studies have identified large pictorial warnings to be more effective than text-only warnings (Hammond 2011). Because of this, and the fact the removal of branding will allow more usable space on the pack for communication of warnings on the harms of tobacco use, current warnings should be enlarged to 75% of the front and 90% of the back of the packaging.

Hammond D. Health warning messages on tobacco products: a review. Tobacco Control. 2011 Sep;20(5):327-37.

Revise emissions information: The current practice of quantitatively reporting tar, nicotine, and carbon monoxide yield information can mislead consumers into believing that lower yield products confer significant health benefits (Gallopel-Morvan 2010) which is not the case in reality due to compensatory smoking behaviour (McNeill 2004). Existing quantitative information should be replaced with qualitative information on the harms of consuming tobacco products.

Gallopel-Morvan K, Moodie C, Hammond D, Eker F, Beguinot E, Martinet Y. Consumer understanding of cigarette emission labelling. Eur J Public Health. 2011. Jun;21(3):373-5

McNeill A. Harm reduction. BMJ Journal. 2004 Apr 10;328(7444):885-7.

Provision of evidence-based quitting information: Smokers who are motivated to quit are more likely to successfully do so if they access evidence-based support (ASH Scotland & Health Scotland 2010). Most smokers in Scotland, 69% (Bromley & Given 2011), say they would like to stop smoking. To facilitate smokers to seek assistance when motivated to quit, region-specific smoking cessation information (telephone number and website address) should be included on each pack.

ASH Scotland, Health Scotland. A guide to smoking cessation in Scotland 2010. Edinburgh: Health Scotland. Available from: <http://www.healthscotland.com/documents/4661.aspx> [Accessed 25 May 2012]

Bromley C & Given L (eds). 2011. Scottish Health Survey 2010 - Volume 1: Main report. Scottish Government. Available from: <http://scotland.gov.uk/Publications/2011/09/27084018/0> [Accessed 25 May 2012]

3. Do you believe that standardised tobacco packaging would contribute to improving public health over and above existing tobacco control measures, by one or more of the following:

- Discouraging young people from taking up smoking;
- Encouraging people to give up smoking;
- Discouraging people who have quit or are trying to quit smoking from relapsing; and/or
- Reducing people's exposure to smoke from tobacco products?

- Yes
- No
- Do not know or have no view

Please provide an explanation for the answer you provided and evidence if available.

RESPONSE

Yes

The systematic review of research on plain packaging published alongside the consultation indicates that standardised packaging will contribute to all four of these outcomes.

The review demonstrates that branding and design currently permitted on tobacco products makes these products more attractive than standardised packaging. Branding detracts from the impact of health warnings on the packaging, and can also have the effect of misleading consumers over relative harms of product through visual cues like colour (lighter colours being associated with reduced harm).

This effect is likely to be strongest in discouraging young people from starting smoking, as the systematic review found that non-smokers and young people tend to react more negatively to standardised packaging. This is a crucial observation, as two-thirds of UK smokers start smoking before the legal age of sale of 18 and nearly 40% before the age of 16 (General Lifestyle Survey 2012). Further, most smokers regret their decision to commence smoking - around 90% of an international survey that included the UK agreed or strongly agreed with the statement 'if you had to do it over again, you would not have started smoking' (Fong et al 2004).

It is also important to remember that, while the evidence supporting the introduction of standardised packaging has limitations - as do all forms of research (and these limitations are clearly described in the systematic review) - this is not the same as there being 'no evidence'. While standardised packaging has yet to be implemented in any jurisdiction (so it has not yet been possible to gather post-intervention evidence), the pre-implementation evidence that exists is compelling, and more than sufficient to justify action.

Office for National Statistics. 2012. General Lifestyle Survey, 2010. Available from: <http://www.ons.gov.uk/ons/rel/qhs/general-lifestyle-survey/2010/index.html> [Accessed 25 May 2012]

Fong GT, Hammond D, Laux FL, Zanna MP, Cummings KM, Borland R, Ross H. 2004. The near-universal experience of regret among smokers in four countries: findings from the International Tobacco Control Policy Evaluation Survey. Nicotine Tob Res. Dec;6 Suppl 3:S341-51.

4. Do you believe that standardised packaging of tobacco products has the potential to:

a. Reduce the appeal of tobacco products to consumers?

- Yes
- No
- Do not know or have no view

Please provide an explanation for the answer you provided and evidence if available.

RESPONSE

Yes

As other forms of tobacco marketing (such as broadcast and print advertising and sponsorship) have been restricted over the last decade, tobacco marketing activity has become focused on the remaining opportunities for communicating to existing and new consumers. With recent moves by all UK nations to prohibit the display of tobacco products at the point of sale, the product packaging - carried by the smoker and displayed whenever the product is consumed - has become one of the remaining outlets for the promotions of tobacco branding to potential new smokers.

The systematic review of the evidence demonstrates convincingly that standardised packaging is less appealing to consumers than current packaging with this effect being strongest among non-smokers and younger people. There is strong evidence that standardised packaging will reduce the appeal of tobacco products to consumers.

b. Increase the effectiveness of health warnings on the packaging of tobacco products?

- Yes
- No
- Do not know or have no view

Please provide an explanation for the answer you provided and evidence if available.

RESPONSE

Yes

Currently there are a wide range of design features available to tobacco manufacturers to adorn the packaging of their products. In recent years these features seem to have become ever more sophisticated. The systematic review chapter on 'the multifunctional role of tobacco packaging' describes recent innovations such multi-sensory, tactile, and interactive packaging with QR barcodes for use with web-based services. However, even 'standard' cigarette packs can have a range of features that are designed to attract the eye and make the brand distinct (e.g. Imperial Tobacco's holographic cigarette packs for its leading brand, Lambert and Bulter).

Research summarised in the systematic review shows how features like brand logos and colours can draw visual attention away from health warnings. Likewise the review demonstrates that removal of these features will give greater prominence to consumer health warnings.

c. Reduce the ability of tobacco packaging to mislead consumers about the harmful effects of smoking?

- Yes
- No
- Do not know or have no view

Please provide an explanation for the answer you provided and evidence if available.

RESPONSE

Yes

Meaningful reductions in risk of disease from technical changes to cigarette design have not been borne out in published scientific literature (Thun & Burns 2001). In reaction to growing public awareness over the health risks of smoking, purportedly reduced risk products such as 'light' and 'ultra light' cigarettes were introduced during the 1950s and 1960. The term 'light' has unambiguous meaning in conferring ideas of reduced exposure and hazard to the consumer, however in practice - due to compensatory smoking behaviour - such impressions of reduced harm are likely to mislead the consumer.

Because of this, descriptors such as 'light' and 'mild' were prohibited at the European level in 2003 to prevent smokers being falsely reassured by choosing apparently lower risk products.

However, the research summarised in the systematic review demonstrates that consumer misperceptions can persist through cues such as the colour, the use of certain descriptors such as 'smooth' and 'slim', and also the use of quantitative emissions information (evidence cited in response to question 2). Hence to best avoid providing consumers with the impression that one type of cigarettes can confer significant health benefits over another, the evidence supports standardising packaging, prohibiting misleading descriptors, and replacing the current system quantitative emissions information with qualitative information on the harms of smoking.

d. Affect the tobacco-related attitudes, beliefs, intentions and behaviours of children and young people?

- Yes
- No
- Do not know or have no view

Please provide an explanation for the answer you provided and evidence if available.

RESPONSE

Yes

The systematic review of evidence on plain packaging identified 16 studies that examined whether standardised packaging will impact upon attitudes, beliefs, and behaviours around smoking. The weight of evidence favours the view that standardised packaging will have a positive effect: it suggests that standardised packs will reduce consumption and increase negative attitudes about smoking. The review notes that studies tended to find that young people, non-smokers and lighters smokers were particularly likely to perceive that standardised packs would discourage or reduce smoking. This impact on people, particularly young people, who have not yet started smoking (or are at an early stage of their smoking career) has the potential to be especially important in preventing uptake and continuation of smoking.

5. Do you believe that requiring standardised tobacco packaging would have trade or competition implications?

- Yes
- No
- Do not know or have no view

Please provide an explanation for the answer you provided and evidence if available.

RESPONSE

No

Standardised tobacco packaging would apply equally to all tobacco products sold in the UK, regardless of type or manufacturer. The current choice of products that consumers have access to will not be limited, retailers and consumers will still be able to identify and select between different products by brand name. Currently available brands will still be available and new ones may be introduced. UK nations all have plans to implement point of sale display legislation, with accompanying regulations providing the opportunity to inform adult consumers of tobacco about which brands are available through price and product listings.

The only published study available on whether standardised packaging might affect retail transaction times found no evidence that standardised packaging increased the time taken to select a tobacco product for purchase (the study found a slight decrease in transaction times with standardised packaging and a large reduction in selection errors) (Carter et al 2011).

It has been suggested that standardised packaging for tobacco products will result in a devaluing of tobacco branding, commoditising tobacco products to the point at which they will have little else to compete on but price. Further, opponents of standardised packaging have suggested that the 'price war' that could result will paradoxically increase smoking prevalence, particularly among young people, as the lower prices increase consumption.

However, analysis commissioned by tobacco manufacturers overstate the likely magnitude of this effect, and in any event price reductions by manufacturers in response to standardised packaging can be countered by duty increases, leaving the price to the consumer unchanged (Reed 2011).

Carter OB, Mills BW, Phan T, Bremner JR. Measuring the effect of cigarette plain packaging on transaction times and selection errors in a simulation experiment. Tob Control. 2011 Sep 26. doi:10.1136/tobaccocontrol-2011-050087

Reed H. 2011. Analysis and review of J. Padilla, "The impact of plain packaging of cigarettes in the UK: a simulation exercise" A report by Howard Reed of Landman Economics for Action on Smoking and Health. Landman Economics. Available from: http://www.ash.org.uk/files/documents/ASH_801.pdf [Accessed 25 May 2012]

6. Do you believe that requiring standardised tobacco packaging would have legal implications?

- Yes
- No
- Do not know or have no view

Please provide an explanation for the answer you provided and evidence if available.

RESPONSE

No

Any legislation to require standardised packaging of tobacco products will be very likely to be challenged by the tobacco industry under trade and intellectual property law (as has been Australia’s experience who are currently defending against several challenges).

However, trade laws frequently permit constraints on trade for the protection of human health and well-being, and there is sufficient evidence that standardised packaging will accomplish these goals. Legal opinion (Davison 2010) from Australia suggests that the case for standardised packaging as a form of acquisition of intellectual property is weak. Standardised packaging may not equate to an acquisition of intellectual property as Governments do not intend to make use of the logos and branding of tobacco manufacturers. The rights to use logos and brands imagery will still rest with the tobacco manufacturers they will just no longer be able to use them in one particular context.

Tobacco manufacturers have a history of losing or withdrawing legal challenges to tobacco control regulation. Australia has elected to proceed with the implementation of standardised packaging while legal challenges remain unresolved. The evidence supporting standardised packaging is sufficient for its implementation and the UK should follow Australia’s lead, proceeding with the legislation as soon as possible.

Davison M. Plain packaging of cigarettes: would it be lawful? Australian Intellectual Property Law Bulletin 2010;23(5):105–8.

7. Do you believe that requiring standardised tobacco packaging would have costs or benefits for manufacturers, including tobacco and packaging manufacturers?

- Yes
- No
- Do not know or have no view

Please provide an explanation for the answer you provided and evidence if available.

RESPONSE

Yes

Standardising tobacco packaging will reduce manufacturers’ costs as resources will not need to be invested in revising branding and packaging (or conducting packaging-led promotions, such as ‘limited edition’ packs)

once standardised designs are established by regulatory agencies. Manufacturers will lose the ability to present their products in the packaging of their choice however this is the goal of the policy.

After implementation, standardised packaging will still need to be manufactured, and with full colour pictorial warnings (which should ideally be routinely refreshed to maximise impact), will still require a certain level of investment in manufacture and design. In any event, relatively little packaging for tobacco products is produced in the United Kingdom, with tobacco cartons amounting to less than 5% of the sales of folding cartons in the UK (SFAC 2012).

Smokefree Action Coalition. The economic impact of the introduction of plain, standardised tobacco packs on employment in tobacco manufacturing and tobacco packaging sector in the UK. SFAC: May 2012.

8. Do you believe that requiring standardised tobacco packaging would have costs or benefits for retailers?

- Yes
- No
- Do not know or have no view

Please provide an explanation for the answer you provided and evidence if available.

RESPONSE

Yes

There is no published evidence that standardised packaging will increase transaction times for retailers, if anything it may be a slight benefit (Carter et al 2011). Clearly the ultimate aim of standardised packaging - as with any tobacco control policy - is to reduce the volume of tobacco consumed. However, from the published evidence summarised in the systematic review, we would expect the most significant effect from standardised packaging to occur in preventing uptake of smoking in young people. This should result in a gradual effect, reducing tobacco consumption over many years, giving retailers time to adjust and diversify away from tobacco products - including to other products that have a higher margin.

Carter OB, Mills BW, Phan T, Bremner JR. Measuring the effect of cigarette plain packaging on transaction times and selection errors in a simulation experiment. Tob Control. 2011 Sep 26. doi:10.1136/tobaccocontrol-2011-050087

9. Do you believe that requiring standardised tobacco packaging would increase the supply of, or demand for, illicit tobacco or non-duty-paid tobacco in the United Kingdom?

- Yes
- No
- Do not know or have no view

Please provide an explanation for the answer you provided and evidence if available.

RESPONSE

No

Tobacco manufacturers frequently argue that regulatory measures such as tobacco duty increases and restrictions on their freedom to market (such as point of sale tobacco display bans) will result in increases in

the illicit market, hence their claims should be carefully scrutinised in this regard.

These claims should be seen in the light that successive UK governments have pursued effective policies in reducing the illicit trade, a fact that manufacturers rarely acknowledge in public discourse. The illicit trade in tobacco products has been in consistent decline over the last decade, mid-point estimates for the illicit trade in cigarettes halving from around 20% in 2000 to around 10% in 2010 (HMRC & UK Border Agency 2011). While estimates for the illicit market in hand-rolled tobacco are higher, at just under 50% of the total market (Ibid), it has also seen encouraging declines in recent years.

Specifically, tobacco manufacturers argue that standardised packaging will be easier to counterfeit than existing branded packaging, facilitating counterfeiting by lowering complication and cost, and thereby increasing the size of the illicit market. However, existing brands are already counterfeited to a high standard for low cost, it is difficult to see how the adoption of standardised packaging (including full colour pictorial warnings and other covert and overt security markings) will meaningfully alter the opportunities available for the illicit trade.

HM Revenue & Customs, UK Border Agency. Tackling Tobacco Smuggling - building on our success. April 2011. Available from: <http://www.hmrc.gov.uk/news/tackling-tobacco.htm> [Accessed 25 May 2012]

10. People travelling from abroad may bring tobacco bought in another country back into the United Kingdom for their own consumption, subject to United Kingdom customs regulations. This is known as ‘cross-border shopping’. Do you believe that requiring standardised tobacco packaging would have an impact on cross-border shopping?

- Yes
- No
- Do not know or have no view

Please provide an explanation for the answer you provided and evidence if available.

RESPONSE

No

Opponents of standardised packaging have argued that standardisation of tobacco packaging may encourage current smokers to travel abroad to buy fully branded foreign packs, or turn to buy imported illicit tobacco products with current branding (implicit in this argument is the acknowledgement of the power of branding in the tobacco category).

The power of branding and marketing on purchase of tobacco products is significant, however there is no evidence that suggests making a product less attractive would provoke a notable change in foreign travel and/or purchase patterns for smokers. The introduction of pictorial warnings in the UK during 2008/9 (making tobacco products significantly less attractive) did not appear to materially alter the pre-existing decline of the illicit tobacco market, hence provides no evidence for a change in purchasing patterns.

11. Do you believe that requiring standardised tobacco packaging would have any other unintended consequences?

- Yes
- No
- Do not know or have no view

Please provide an explanation for the answer you provided and evidence if available.

RESPONSE

No

As discussed in the response to question 5, it has been suggested by those opposed to standardised packaging that, following the introduction of standardised packaging, tobacco products will become commoditised and competition will be focused on price alone, driving down prices. However, even if this were to occur, it could be offset by duty increases.

12. Do you believe that requiring standardised tobacco packaging should apply to cigarettes only, or to cigarettes and hand-rolling tobacco?

- Cigarettes only
- Cigarettes and hand-rolling tobacco
- Do not know or have no view

Please provide an explanation for the answer you provided and evidence if available.

RESPONSE

Cigarettes and hand-rolling tobacco

All tobacco products cause harm to health, and hence standardised packaging should apply to all tobacco products: cigarettes, hand-rolled tobacco, pipe tobacco, cigars, oral tobacco (including that used chiefly in the UK by black and minority ethnic groups), and tobacco sold for use in shisha pipes.

13. Do you believe that requiring standardised packaging would contribute to reducing health inequalities and/or help us fulfil our duties under the Equality Act 2010?

- Yes
- No
- Do not know or have no view

Please provide an explanation for the answer you provided and evidence if available.

RESPONSE

Yes

There are strong and persistent associations between health inequality and tobacco use, a large prospective cohort study of 15,000 people from the Scottish towns of Renfrew and Paisley followed over nearly 30 years found survival of never smokers in the lower social classes was better than survival of smokers in the highest social classes (Gruer et al 2009). In Scotland, as is the case in many countries in the latter stages of the smoking epidemic, smoking is strongly patterned by deprivation, with adult smoking prevalence 9% in the least deprived 10% of areas compared to 44% in the 10% most deprived (Scottish Government 2011).

As smoking is unevenly distributed across society and standardised packaging is a population level intervention, more individuals from poorer areas will be exposed to the intervention. As one component of a comprehensive tobacco control strategy, standardised packaging is likely to contribute to reducing health inequalities.

Gruer L, Hart CL, Gordon DS, Watt GC. *Effect of tobacco smoking on survival of men and women by social position: a 28 year cohort study.* *BMJ.* 2009 Feb 17;338:b480. doi: 10.1136/bmj.b480.

Scottish Government. 2011. *Scotland's People Annual report: Results from 2009/2010 Scottish Household Survey.* Available from: <http://scotland.gov.uk/Publications/2011/08/17093111/0> [Accessed 25 May 2012]

14. Please provide any comments you have on the consultation-stage impact assessment. Also, please see the specific impact assessment questions at Appendix B of this consultation document and provide further information and evidence to answer these questions if you can.

RESPONSE

Costs to manufacturers (questions 1-3)

Long term costs to manufacturers should decline as there will be no need to regularly redesign packs to promote specific brands, see Tiessen et al (2010).

Tiessen J, Hunt P, Celia C, Fazekas M, De Vries H, Statsky L, Diepeveen S, Rabinovich L, Ridsdale H, Ling T. 2010. *Assessing the Impacts of Revising the Tobacco Products Directive.* *Rand Europe.* Available from: http://ec.europa.eu/health/tobacco/docs/tobacco_ia_rand_en.pdf [Accessed 25 May 2012]

Trading down to lower-priced tobacco products (question 11)

As described in the impact assessment launched alongside the consultation, there has been a pattern of downtrading in the cigarette market over recent years, with a decrease in the market share of premium brands and an increase in the economy and ultra-low price categories. As consumers are already trading down, it may be difficult to identify any specific effect from standardisation of packaging. If an additional effect on downtrading is detected following implementation of standardised packaging, it may be seen as further evidence on the importance of packaging in driving consumer choices within the tobacco category.

Consumer surplus (question 11)

The Impact Assessment states: "in any discussion of consumer surplus it is implicitly assumed that consumers have stable preferences over time and can therefore be regarded as rationally addicted" citing Becker's theory of rational addiction from 1988. However, as has already been discussed in response to question 3, most smokers start before 18 and a significant proportion before they are 16. Hence, decisions over

consumption of tobacco products may not be made rationally and applying standard rational choice models may not be appropriate.

15. Please include any further comments on tobacco packaging that you wish to bring to our attention. We also welcome any further evidence about tobacco packaging that you believe to be helpful.

Display bans and standardised packaging

In the debate surrounding the introduction of standardised packaging, some have suggested that, were standardised packaging to be implemented, point of sale display legislation (as has been passed by all UK nations, each at varying stages of implementation) would be unnecessary. This is not the case and it is important to proceed with standardised packaging in addition to, not instead of, existing point of sale display legislation.

Display ban legislation is effective for limiting the promotion of tobacco products at the point of sale, however outside of the retail environment (e.g. whenever the consumer displays the product at home or in a public area such as a bar or restaurant) the packaging still acts as a mobile advert for the brand. Hence standardised packaging provides an additional benefit when combined with restrictions on tobacco products at the point of sale

Adaption to point of sale display legislation has already begun in large shops in England and regulations for the UK nations have been drafted with the intent of allowing retailers to retain their current gantries (an approach proposed and supported by the retail trade). This means that tobacco will, in most instances, continue to occupy the same physical space as it did prior to legislation, albeit covered over. If standardised packaging were to be implemented, repealing point of sale display legislation would still leave tobacco products in a privileged position and a focal point in the retail environment, which would be undesirable from a perspective of reducing smoking's status as a social norm and tobacco as a 'normal' product. In a recent study of the removal of tobacco displays in Ireland (McNeill et al. 2011), young people were less likely to think that more than 20% of people their own age smoked following the display ban, demonstrating the effect having tobacco in a prominent, visible place can have on perceptions of social norms around smoking.

McNeill A, Lewis S, Quinn C, Mulcahy M, Clancy L, Hastings G, Edwards R. Evaluation of the removal of point-of-sale tobacco displays in Ireland. Tobacco Control. 2011 Mar;20(2):137-43.

Tobacco industry monitoring

Inclusion in the current consultation of a declaration of direct or indirect links to the tobacco industry from respondents is welcome. In other countries (including the United States and Canada, with Australia planning to follow), tobacco companies are required to report promotional expenditure. If such a reporting system were in place in the UK, the Department of Health would have better evidence to inform its development of impact assessments for a range of tobacco control legislation (including point of sale display bans and standardised packaging).

The UK should require mandatory reporting of tobacco sales data and all promotional expenditure including payments to public relations companies and any other third parties, such as trade bodies, in line with WHO FCTC Article 5.3 guidelines. This would ensure that government can monitor innovation in marketing activity by the tobacco industry, as well as any lobbying activity, more effectively.

More information is available on US and Canadian Schemes at:

US Bureau of Consumer Protection, Cigarette sales and marketing expenditure reports:
<http://business.ftc.gov/legal-resources/516/34> [Accessed 25 May 2012]

Health Canada, Tobacco Industry Reporting: Tobacco Reporting Regulations:
<http://www.hc-sc.gc.ca/hc-ps/pubs/tobac-tabac/tir-rft/report-eng.php> [Accessed 25 May 2012]