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Tobacco Advertising and Promotion in the UK

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Background Most conspicuous forms of tobacco advertising and promotion in the UK were banned following the implementation of the Tobacco Advertising and Promotion Act 2002 (TAPA).¹ The law was introduced incrementally, starting with a ban on print media and billboard advertising in February 2003. This was followed by a ban on tobacco direct marketing in May 2003 and sponsorship within the UK in July 2003. Subsequently restrictions were placed on tobacco advertising at the point of sale in December 2004. This limited the amount of advertising allowed to a maximum space equivalent to the size of an A5 (21x15cm) piece of paper at the point of sale. (For further information on the history of tobacco promotion in the UK see: www.ash.org.uk/ash_ayx3aspp.htm) TAPA did not, however, regulate the display of tobacco products and the tobacco industry has exploited this loophole to promote its products in recent years.

Types of tobacco advertising Advertising may be classed as “above the line” or “below the line”. Above the line refers to advertising via mass media such as television, radio, newspapers, billboards etc., that is, media that are seen by large sections of the population. The UK TAPA bans all above the line tobacco advertising. Tobacco companies therefore increasingly rely on below the line marketing to promote their brands. This type of marketing typically includes public relations and sales promotions, point of sale displays and trade discounts for the promotion of particular brands.² This latter technique known as “push promotion” involves advertising to sellers and wholesalers, providing point of sale display gantries, giving retailers financial incentives and offering prizes and competitions around specific products. Other forms of below the line marketing include “buzz marketing”³ and “experiential marketing.”⁴ The tobacco industry uses all of these methodologies and others to continue to promote tobacco despite the 2002 Act.

In the USA, where most traditional forms of tobacco advertising are still permitted, tobacco companies have, nevertheless, switched to below the line marketing which now accounts for 97% of expenditure on tobacco marketing.⁵

Effect of tobacco advertising There is a clear relationship between tobacco advertising and consumption. A Government commissioned review of the evidence found that “*The balance of evidence supports the conclusion that advertising does have a positive impact on consumption*” (i.e. it increases consumption). The same review

Effect of tobacco advertising

also found that in countries that had banned tobacco advertising the ban “was followed by a fall in smoking on a scale which cannot reasonably be attributed to other factors”.⁶

An international overview of the effect of tobacco advertising bans on tobacco consumption concluded that “a comprehensive set of tobacco advertising bans can reduce tobacco consumption but a limited set of advertising bans will have little or no effect”.⁷ This is because tobacco companies respond to partial bans by diverting resources from the restricted to the non-restricted media.

There is also evidence that children and young people are more receptive than adults to tobacco advertising and that young people exposed to tobacco advertising and promotion are more likely to take up smoking.^{8,9} Research suggests that very young children understand that tobacco promotion is promoting smoking rather than a particular brand and that as they get older they can differentiate the brand messages.¹⁰ The authors suggest that the same process occurs in point of sale displays.¹¹

Many studies from the UK and elsewhere have shown that adolescents who smoke are more likely to be aware of and appreciate tobacco advertising than their non-smoking peers.¹²

Impact of Tobacco Advertising & Promotion Act (TAPA)

Based on evidence from other countries, the Government conservatively estimated that the tobacco advertising ban would result in a 2.5% fall in consumption and save 3,000 lives a year in the long term.¹³ Research conducted before and after the TAPA reveals that, overall, young people’s awareness of tobacco marketing and brand recall has declined since the ban. However, between 2002 and 2006 there was an increase in the proportion of young people aware of new pack design or size, increasing from 11% in 2002 to 18% in 2006.¹² Furthermore, never smokers’ susceptibility to smoke increased with greater brand awareness and with greater awareness of tobacco marketing.

Government Strategy

In 2008, the Government held a public consultation on the future of tobacco control as a first step towards developing a new national tobacco control strategy.¹⁴ The consultation included a range of measures designed to protect children from tobacco promotion. Subsequently, two of these measures – a ban on the display of tobacco products in shops and greater restrictions on tobacco vending machines – were included in the Health Bill. At the final stages of the Bill’s passage through Parliament, MPs voted for a ban on tobacco vending machines in addition to the ban on tobacco displays at the point of sale.

An amendment to the Health Bill to require plain packaging of tobacco products was debated but not voted on during the Report Stage of the bill in the House of Lords. However, the Government has agreed to include a review of the evidence for plain packaging as part of its new tobacco control strategy.

Framework Convention on Tobacco Control (FCTC)

The FCTC, the world’s first global public health treaty, established a policy framework aimed at reducing the adverse social, health and economic impacts of tobacco.¹⁵ Article 13 of the FCTC requires Parties to implement and enforce a comprehensive ban on tobacco advertising within five years of ratifying the FCTC. As a Party, the UK is bound by this agreement. The FCTC

defines tobacco advertising and promotion as “any form of commercial communication, recommendation or action with the aim, effect or likely effect of promoting a tobacco product either directly or indirectly.” Whilst already largely compliant via the TAPA, the measures listed below will also be required in order to fully meet the FCTC requirements.

Tobacco Promotion at the Point of Sale

Now that most forms of tobacco marketing are prohibited, tobacco companies increasingly rely on displays to attract customers’ attention and stimulate sales.

Research shows that Point of Sale (PoS) display has a direct impact on young people’s smoking. In 2006, almost half (46%) of UK teenagers were aware of tobacco display at PoS and those professing an intention to smoke were more likely to recall brands that they had seen at the point of sale.¹² Similarly research in Australia¹⁶ and the USA¹⁷ has shown that point of sale display advertising of cigarettes normalises tobacco use for children and creates a perception that tobacco is easily obtainable.

Tobacco companies have exploited the lack of regulation to control tobacco promotion at the point of sale through the use of creative display techniques. These include back-lit gantries, specially-designed towers to highlight certain brands and other non-standard shelving to make brands stand out.



Another way in which tobacco companies have succeeded in increasing point of sale exposure of their brands is by developing new variants of existing brands. Since 1998 brand families have grown in size by more than 50%, with popular brands such as Benson & Hedges increasing brand variants from 4 in 1998 to 12 by 2008.¹⁸ The increase in brand variants is designed to maximise their visual impact on shop shelves.

For further information on this topic see ASH Briefing: Tobacco displays at the point of sale. http://www.ash.org.uk/files/documents/ASH_701.pdf

Vending machines

Currently there is no specific law governing the use of vending machines in the UK. Instead, a voluntary agreement states that machines should be sited in places where children cannot access them and should be in full view of staff.¹⁹ Despite this agreement, vending machines are regularly used by children who have little difficulty in making purchases since the machines are self-service and rarely supervised.²⁰

According to a 2006 survey of smoking among children in England, 14% of 11 to 15 year olds who smoke report that vending machines are their usual source of cigarettes.²¹ However, vending machines account for less than 1% market share of all cigarettes sales, suggesting that children who smoke are more likely than adult smokers to purchase cigarettes from vending machines.

Under the current proposals included in the Health Bill, the Government will have reserve powers to prohibit or control sales of tobacco from vending machines. Separate regulations will apply to England, Wales and Northern Ireland. For further information on this topic see ASH Briefing: [Tobacco vending machines](#).

Tobacco packaging as a form of promotion

Tobacco packaging is the most ubiquitous form of tobacco advertising. Smokers display the product branding every time they take out their pack to smoke. The tobacco companies invest considerable resources in making the packs as attractive as possible and frequently change the designs, often producing 'limited editions' to coincide with anniversaries or other events.²²

The importance of the pack as a communication tool has been recognised by many industry analysts and marketing experts. As one journalist commented: *"In this struggle to win over smokers, the pack and its messages have become increasingly important weapons."*²³

Plain packaging

Plain packaging, also known as generic, standardised or homogeneous packaging, means that the attractive, promotional aspects of tobacco product packages are removed and the appearance of all tobacco packs on the market is standardised. Except for the brand name (which would be required to be written in a standard typeface, colour and size), all other trademarks, logos, colour schemes and graphics would be prohibited. The package itself would be required to be plain coloured (such as white or brown) and to display only the product content information, consumer information and health warnings required under the law.¹⁴

Established adult smokers rarely change the brand of tobacco they smoke and the vast majority know which brand they will ask for before they walk into a shop.⁹ Therefore, new, young smokers are the primary target of industry marketing. Brand imagery is much more important to younger age groups and they respond more effectively to it than older groups.¹⁶ Moving to plain packaging would therefore reduce brand appeal and reduce smoking initiation.

Plain packaging would also remove potentially misleading information on cigarette packaging. Although descriptors such as "light" and "mild" are prohibited under EU law²⁵ manufacturers have substituted these terms with words such as 'smooth' and used colours to distinguish one brand variant from another. Research commissioned by ASH found that both adult and young people were more likely to rate packs with the terms 'smooth' 'gold' or 'silver' as lower tar and with lower health risks than 'regular' varieties of the same brands.²⁶ Plain packaging would therefore increase the effectiveness of health warnings and reduce misconceptions about the risks of smoking.

For further information on this topic see ASH Briefing: Plain Packaging http://www.ash.org.uk/files/documents/ASH_699.pdf

Other forms of promotion

Although the Tobacco Advertising and Promotion Act prohibits advertising of tobacco products, accessories such as matches, lighters and cigarette rolling papers are currently exempt. A review of the promotion of these products found that they are very similar to tobacco marketing campaigns.¹² For example,

Promotion of tobacco related products

Rizla, a brand of cigarette rolling paper owned by Imperial Tobacco, is a sponsor of Suzuki British superbikes as well as a number of music events and festivals which are clearly targeted at young people. Rizla-branded non-tobacco products are available online to further promote the brand. The effect of these promotions is to create a positive image of smoking by associating it with sport and music activities favoured by young people.

Smoking in films

Smoking in films is now a major source of tobacco imagery and international research shows that it is linked to smoking uptake amongst young people.²⁷ A recently published monograph by the National Cancer Institute in the US concluded that, *“The total weight of evidence from cross-sectional, longitudinal, and experimental studies indicates a causal relationship between exposure to depictions of smoking in movies and youth smoking initiation”*.²⁸ These conclusions are relevant to the UK as most films viewed by young people are US in origin, although UK-based research evidence, which is currently underway, will be helpful in adding to the evidence base. ASH and other health campaigners believe there is a case for a tightening of the guidelines on the way films are classified to require smoking to be taken into account.²⁹

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Internet promotions

As more and more countries implement tobacco advertising bans, the tobacco industry has found ever more innovative ways of promoting its products. One way is via the Internet which is largely unregulated and therefore provides the tobacco industry with opportunities to market its products to a worldwide audience. Furthermore, researchers have shown that tobacco companies now engage directly with potential customers by, for example, inviting comments on new pack designs.³¹ Thus the distinction between market research and promotion has become increasingly blurred.

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