

ash.

action on smoking and health



bulletin

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Tobacco's long hot summer

The summer recess is almost upon us but both sides of the tobacco debate are preparing for a fierce battle over proposals for further tobacco reform in what one academic is already calling "*a fight to the death*"



The case for plain packaging

In the aftermath of England's smokefree legislation a YouGov survey finds much public support for further tobacco reform.



The sweet smell of success

England went smokefree last July and the Office for National Statistics reports that strong supporters of the law outnumber strong opponents 10 to 1.



Sign EDM 1835 and protect young people Tobacco Control

That this House welcomes the publication of the Department of Health's consultation document on the future of tobacco control; believes that there is an urgent need for action to ensure that a new generation of young people do not become smokers...

Tobacco's long hot summer

ASH has warmly welcomed the Department of Health's new consultation document on the future of tobacco control. More than eight in ten current and former smokers say that they started before reaching the age of 19. Protection of young people should therefore be the focus for new legislation, which I hope will be announced in this year's Queen's Speech. We would like to see:

- ☉ An end to all displays of tobacco products at the point of sale
- ☉ The removal of tobacco products from vending machines, and
- ☉ The introduction plain packaging

Legal changes are vital but not enough to tackle the largest preventable cause of death and disease. We also need tough new targets on prevalence reduction, particularly for poorer communities and lower income groups. We need high and rising prices on tobacco products, backed by a crackdown on smuggling.

There should be more help for smokers who cannot quit, including easy access to nicotine replacement therapy and other stop smoking medications. We would like better funded stop smoking services and social marketing campaigns to get across messages about smoking, including the risks to children from smoking in the home.



Since 1998 the UK has come to lead the world on tobacco control. On the anniversary of smokefree legislation in England, we are already seeing the benefits in falling smoking rates and better health.

Smoking kills half of all lifelong smokers. In 1948 eight out of ten men smoked, today fewer than one in four adults smokes. Many believe that in just 20 years we could achieve adult smoking rates as low as 1 in 20. The consultation offers an opportunity for another major step forwards in reducing the terrible toll of death and disease caused by tobacco. Let's not miss the chance.

Deborah Arnott, Director of ASH

Plain packaging: Both sides

Industry protests

- No evidence of "real world" effectiveness
- Expropriates trademarks without compensation
- Violates free trade agreements
- Violates freedom of expression
- Likely to increase youth smoking
- Results in price competition and cheaper cigarettes
- Causes job losses in the "packaging industry"
- Increases the risk of counterfeits
- What products would be targeted next?

Health campaigners respond

- Industry has obstructed all efforts to test the reform in the "real world" but research from around the world shows smokers and non smokers can read their smoke signals.
- Legal objections were rejected by the European Court of Justice who ruled in 2002 "*in respect of the right to property... while that right forms part of the general principles of Community Law, it is not an absolute right and must be viewed in relation to its social function*".
- If the industry truly believed plain packaging would increase the size of their declining market would they really object so strenuously?
- Any fall in price must be offset by a rise in tax to prevent cigarettes becoming more affordable.
- Cigarettes still need packaging. Jobs are not under threat.
- Current branding is no obstacle for counterfeiting. Picture health warnings would remain and if smokers had to judge product authenticity by examining warnings this would be a welcome development.
- Effective tobacco control measures have provided useful lessons for other areas of health policy, this is no exception.

Plain Packaging: Reducing deception. Reducing appeal.

The proposal to put cigarettes in plain packaging is perhaps the most controversial of recent proposals from the Department of Health and Holyrood. A recent YouGov poll found that 40% of the population were yet to make their minds up. In fact the case for banning branding has been made best by tobacco executives themselves.

Packaging is the last remaining and most ubiquitous tobacco advertisement. Each smoker displays their brand every time they take their pack out to smoke. In doing so they are making a statement about how they want to be seen by others as they display and endorse the brand they have chosen.

Since 2003, the packaging of tobacco products marketed or manufactured in the European Union cannot have any texts, names, trademarks, figurative or other signs that suggest a particular tobacco product is less harmful than another. Under these regulations terms such as “light”, “mild” and “low-tar” are banned, yet for the last five years the industry has continued to signal precisely these misleading messages; messages that research shows are received and understood by us all, smokers and non-smokers, adults and children.

Packaging: The silent salesman

Tobacco manufacturers have strenuously resisted any proposal to encroach on their packaging, even to the point of claiming that plain packaging would increase the appeal of smoking to rebellious youth. Market analysts are unconvinced. They regard packaging as “*the silent salesman*”, quoted in the Financial Times (June 6, 2008). Adam Spielman, an analyst at Citigroup, says that among the proposals under consultation by the government, the most serious for industry profits would be a move to ban branding.

“In the medium term, we think plain packaging would go a long way to undermine the power of tobacco brands, and it is the brands that make the industry so profitable. Given the continuous volume declines, the industry is so profitable only because consumers are willing to pay a premium of £1.50 for certain brands.”

Among friends, the industry openly recognises the high value of “on-pack” branding and that they have used it to reduce the effectiveness of the ad ban. Speaking to a conference on tobacco organised by UBS in 2006 Geoff Good, Global Brand Director of Imperial Tobacco explained, “*In 2003 we saw the introduction of the Tobacco Advertising and Promotions Bill (sic) which effectively banned us from promoting all tobacco products and means there is no main media advertising.*” He continued, “*We therefore decided to look at the pack design.*” The resulting increase in

The case for plain packaging

- Each pack is an advert that smokers carry around with them and display as often as 20 times a day
- Brand colours misleadingly suggest qualities such as low tar, which it would be illegal to state explicitly.
- Even though the products are often in reality indistinguishable, branding on the pack is used to convey status, sophistication, manliness or femininity.

sales has led to “*over £60 million in additional turnover and a significant profit improvement*”. He concluded,

“Often in marketing it is difficult to isolate the effects of individual parts of the mix. But in this case, because the UK had become a dark market, the pack design was the only part of the mix that was changed and therefore we knew the cause and effect”.

Imperial’s Brand Director was only stating what has become an article of faith in tobacco marketing. Over a decade earlier the trade journal *Tobacco International* ran an article called *Rethinking cigarette packs for a new age* which called the package “*an important message carrier*” and concluded “*in the struggle to win over smokers, the pack and its message have become an increasingly important weapon*”.

Defending the tobacco

industry’s most valued asset

Industry lobbyists, however have a very different message when it comes to talking to Government and politicians. In 1993 the major players in the market, including Philip Morris, BAT, Imperial and Gallaher formed a “plain packs group”. We know from documents seized under court order that they agreed that they did not “*want to see plain packaging introduced anywhere regardless of the size or importance of the market*”. Over a series of meetings they agreed a set of key messages which they continue to use to this day.

The case for plain packaging R Cunningham and K Kyle 1995. Presentation to UBS Tobacco Conference, London G Good 2006. The case for the plain packaging of tobacco products B Freeman S Chapman M Rimmer 2007, University of Sydney.



The sweet smell of success

The Daily Mail has reported that emergency admissions for heart attacks have fallen sharply since England went smokefree on July 1st 2007. Research from the Office for National Statistics suggests that strong supporters of the law now outnumber those strongly opposed to it by 10 to 1. One year on, Smokefree England, Wales and Northern Ireland has been an unequivocal success.

Smokefree legislation has put the UK at the top of the European table of tobacco control policy. Forecasts of civil disobedience and the demise of the English pub proved greatly exaggerated, not least because smokers have made the law the political success of the year.

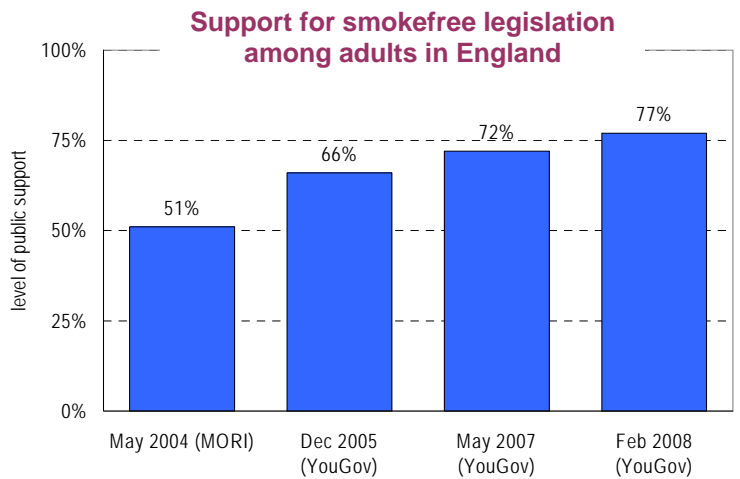
Four out of five back the ban

According to a report from the ONS published on June 16th, 80% of the population support Smokefree legislation, including 61% who support it strongly. This compares to just 6% who strongly oppose the law. This latest survey reflects the steadily rising tide of support seen since the issue first came on the agenda. In the Spring of 2004 support in England barely topped 50%, within 18 months that had risen to two thirds and soon after the law came in more than three quarters were in favour.

Research commissioned jointly by ASH, ASH Wales and ASH Scotland, found that support for smokefree laws is high and widespread. In every nation and region and across all age groups and social classes support for the legislation is around or above 75%. Even among smokers, fewer than half oppose the law and among occasional smokers (who account for one in five smokers) the law attracts 59% support.

It's all thanks to smokers

Success is due in large part to smokers understanding that the law is about protecting



others. Self reported and observed compliance have also been very high. Among smokers who had been to a bar in the last month 97% reported not having smoked in a bar since smokefree legislation came into force. Ninety percent of all those who had been in a bar in the previous month report having never or only once observed smoking in a bar since the smokefree came into force.

Protection from secondhand smoke

The benefits that smokefree legislation have brought are widely welcomed; 79% of pub goers – including smokers – say pubs and restaurants are a more pleasant place to be since going smokefree.

More importantly, people perceive health benefits to themselves and others. 86% (including 64% of smokers) believe the law has been good for the health of bar staff. More than 10 times as many people (79% compared to 7%) believe the law has been good for public health and among smokers. 76% of adults, including 44% of smokers, regard it as having been good for their own health, and only 1 smoker in 4 (24%) disagrees.

The same number of English non-smokers report being exposed to secondhand smoke as before the legislation came in (25%) and the percentage exposed at home also remains constant (13%) suggesting there has been little displacement of smoke from the pub to the home. However, of those who are exposed, 73% report being less exposed than before including over half who report being exposed “much less” than before.

Smokers who visit pubs

