



APPG on Smoking & Health Political Bulletin

Standard Packs: Regulations Needed Now

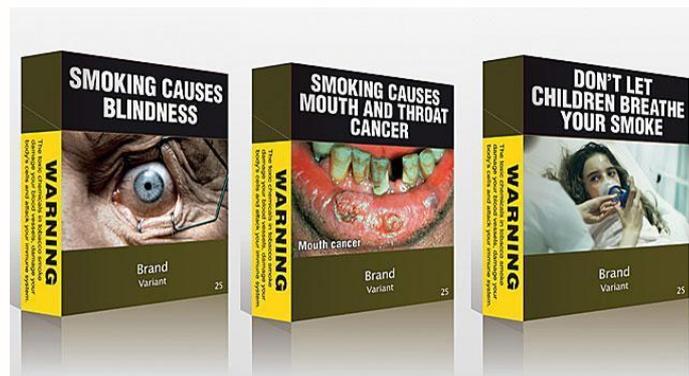
In November 2013, the Government announced that it would table amendments to what is now the Children and Families Act, to give the Secretary of State for Health the powers to introduce Regulations introducing the standardised packaging of cigarettes and other tobacco products and ending smoking in cars with children present.

The move followed a powerful cross-Party campaign in both Houses of Parliament, with overwhelming votes in support of both policies. At the same time, the Government also announced that it had commissioned Sir Cyril Chantler to conduct an independent review of the public health evidence on standardised packaging.

As we report on page 3 of this Bulletin, Sir Cyril's excellent review concluded that the evidence for standardised packaging was robust, and the usual industry arguments against it, for example that it would increase the level of illicit trade, have no foundation.

But that has not stopped the tobacco industry and its few remaining political allies from organising a last ditch effort to stop standard packaging from being introduced. As we report on page 2 of this Bulletin the big tobacco firms are paying large sums of money to agencies collecting signatures for emails to the Prime Minister.

There is a clear need for the Government to act quickly and decisively. There are of course a number of necessary steps that must be gone through to progress the introduction of the necessary Regulations. These steps must be taken soon, if the final form of the Regulations are to be placed before Parliament and voted on before the next General Election. The Government is already committed to a six week final public consultation period after the draft Regulations are published. The Government must also notify the European Commission and EU Member States of the proposed Regulations on standard packaging, which could take up to six months.



Daily Mail please note: standard packs are NOT plain!

The APPG officers have therefore written cross-Party letters to both the Prime Minister and Public Health Minister asking for assurances that the Regulations will indeed be published in the immediate future. It would be a wholly unnecessary tragedy if these major gains for public health, supported by overwhelming votes in Parliament, were delayed through poor timetabling or other bureaucratic obstacles.

Also on page 4 of this issue, we report on the latest evidence on electronic cigarette use in Great Britain which shows that their use is rising fast but that virtually all users are current or former smokers. In short, if properly regulated, they are not a gateway to start smoking, but a gateway to quit, and could have an important role in cutting the toll of death and disease that smoking still causes.

Finally, colleagues are warmly invited to a meeting on e-cigarettes called by three APPG's, including the APPG on Smoking and Health, on Tuesday 10th June at 3pm in the Boothroyd Room, Portcullis House. Details are given on page 4 of this Bulletin.

Paul Burstow MP
Chair of the APPG on Smoking & Health

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Tobacco Industry Digs in for Last Ditch Battle on Standard Packs

The All Party Group has written to the Prime Minister to warn him about concerns over a tobacco industry funded campaign to try to stop legislation on standardised packaging. We have reminded him of the Government's legal obligation to protect tobacco policy from the commercial interests of the tobacco industry.

FOREST, which receives funding from British American Tobacco (BAT), Japan Tobacco International (JTI) and Imperial Tobacco Ltd (ITL), have hired the marketing agency Kreate to collect "digital signatures" for the "Hands off Our Packs" petition to the Prime Minister. Kreate describes itself as *"an experiential agency that specialises in the delivery and staffing of face-to-face experiences"*.

The All Party Group has been sent an internal agency document setting out how the nationwide campaign is being run. Agency staff were recruited at £85 a day, and issued with a "petition app". According to Kreate *"when a consumer agrees to have a letter sent to David Cameron, they will receive an email for them to approve the letter to be sent"*. Locations for signature collections included London, and signatures were due to be collected during April.

Although Kreate make it clear that they want "clean/correct" data, the targets being set for their agents are an ambitious 100 signatures per person per day, a total that promotion industry insiders have said could be difficult if not impossible to achieve. Kreate says that: *"we CAN'T have any negative approach to this activity ... we'll need to be smart with targeted locations, how [staff] approach people and being thick-skinned to rejection and risk of confrontation"*. Staff are *"working for the client, not the tobacco industry"*, although the industry is of course effectively funding the exercise. Staff must also *"come across smart and therefore trustworthy ... no visible tattoos. Piercings (stud only). False nails (OK). Facial hair (smartly kept beards ok, or clean shaven)"*.

Agencies have apparently also been commissioned directly by BAT to run a six week, *"anti-plain packs roadshow"*, aiming to sign up 100,000 people to oppose plain packs. The company is reported to have allocated £500,000 to the activity. Over 100 people a day will be working on this campaign, tasked to find 4 sign-ups an hour. This is three times fewer than the number of signatures required by the FOREST campaign, which would need agents to achieve over 12

signatures an hour for a standard day.

So if you are approached by a well-groomed young man or woman offering you the chance to send a letter to David Cameron, they could be a front for the tobacco industry's efforts to protect its right to market cigarettes to children. Of course, they won't necessarily communicate that to you.

Meanwhile, the industry is also threatening legal action when the Regulations on standard packs are passed by Parliament. Alison Cooper, Chief Executive of ITL, was quoted in the Daily Telegraph of Thursday 8th May saying about existing pack design that *"It's our intellectual property and its brand equity we've invested in over a period of time and clearly we look to protect it. [Legal action] is not a priority on our agenda but clearly, at the end of the day as a last resort, it has to be considered."*

"Intellectual property" is the real heart of the tobacco industry opposition to standard packs – it's all about using brand identity to market tobacco products. But the industry's front groups will never use that argument, because they appreciate it has little or no public support.

Youth Protest at BAT AGM

On 30th April, over 100 young people from across the country staged a demonstration against BAT's opposition to standardised tobacco packaging as BAT shareholders met for the company's AGM. The young people came from all over England to confront shareholders and protest that current branded cigarette packs are deliberately designed to make smoking look appealing and to recruit new young smokers.



Public Health Case for Standard Packs is Strong, Chantler Review Concludes

“Standardised Packaging of Tobacco: Report of the Independent Review undertaken by Sir Cyril Chantler”: April 2014

<http://www.kcl.ac.uk/health/packaging-review.aspx>

In November of last year, the Government announced that it had commissioned an independent review into the standardised packaging of tobacco. Sir Cyril Chantler, an eminent paediatrician, was asked to *“give advice to the Secretary of State for Health, taking into account existing and any fresh evidence as to whether or not the introduction of standardised packaging is likely to have an effect on public health (and what any effect might be), in particular in relation to the health of children”*. The announcement followed Parliamentary votes to include in the Children and Families Act powers for the Health Secretary to introduce regulations on standardised packaging in England. The Scottish, Welsh and Northern Ireland Governments have also supported the policy.

Sir Cyril published his report on 31st March this year. His conclusion is unequivocal: *“Having reviewed the evidence it is in my view highly likely that standardised packaging would serve to reduce the rate of children taking up smoking and implausible that it would increase the consumption of tobacco. I am persuaded that branded packaging in encouraging young people to smoke and in consolidating the habit irrespective of the intentions of the industry.”*

The report endorses the key findings of the systematic review of relevant scientific studies conducted by researchers from the University of Stirling, which was commissioned by the Department of Health for the first consultation document on standard packs published in April 2012. The Stirling review found good evidence that standardised packs would lead to:

- A reduction in the appeal of cigarettes and tobacco products,
- Increased salience of health warnings, since putting health warnings next to attractive brand designs reduces their effect, and
- Increased perception of the harm that tobacco consumption can do.

Taken together, these factors are likely to lead in a reduction in tobacco consumption. The report concludes that *“the evidence base for the proposed ‘intermediate’ outcomes is methodologically sound, and, allowing for the fact that overall effect size*

cannot be calculated from it, is compelling about the likely direction of that effect.”

The report also explicitly rejects key arguments advanced by the tobacco industry against the policy, including that it could lead to price cuts for tobacco products, that it is unnecessary because existing marketing through pack design encourages brand switching rather than attracting new consumers, and that it would lead to an increase in illicit trade.

On **possible price cuts**, the report points out that evidence from Australia, which was the first country to introduce standardised packaging, shows that prices have in fact continued to rise, over and above tax increases.

On **brand switching**, the report states that *“there is clear evidence”* that marketing through packs does in fact increase the likelihood of smoking. Studies cited in the report include a Cochrane Review from 2008, which found that evidence from numerous cohort studies shows that the more branding images children were exposed to, the more likely they were to take up smoking, and that this was a *“causal relationship”*.

On **illicit trade**, the report rejects the claim that standardised packaging would increase the illicit market, especially in counterfeit cigarettes. *“There is no evidence that standardised packaging would increase the illicit market, especially in counterfeit cigarettes. There is no evidence that standardised packaging is easier to counterfeit, and indeed in Australia, hardly any counterfeit standardised packaging has been found to date. The tobacco industry has a history of attacking new tobacco control measures on the basis that they will boost illicit sales ... It seems to me that the solution is instead to have an effective enforcement regime, and the UK has already demonstrated that an effective enforcement regime and appropriate sanctions can keep illicit to low levels, even in a high tax jurisdiction”*.

Sir Cyril’s report was warmly welcomed by the officers of the All Party Parliamentary Group, Paul Burstow MP (Liberal Democrat), Bob Blackman MP (Conservative), and Kevin Barron (Labour). They made a joint call on the Government to publish its proposed Regulations on standardised packaging, under the Children and Families Act, as soon as possible.

New Figures on Electronic Cigarette Use in Great Britain

New evidence on the extent and nature of electronic cigarette use has been published by Action on Smoking and Health. [1]

The latest in a series of You Gov surveys was conducted in March 2014. It shows that there are an estimated 2.1 million adults in Great Britain using e-cigarettes. Of these one third are ex-smokers, and two thirds are still using tobacco as well as e-cigarettes. In 2010 only 8% of current smokers had tried e-cigarettes, by 2014 this figure had risen to 52%. The number of current or ex-smokers who use electronic cigarettes on a regular basis rose from 3% in 2010 to 18% in 2014.

There are a variety of reasons given by current and ex-smokers for why they use or have tried electronic cigarettes. Among current users of electronic cigarettes:

- The main reasons given by **ex-smokers** are “to help me stop smoking entirely” (71%) and “to help me keep off tobacco” (48%).
- The main reasons given by **current smokers** are to “help me reduce the amount of tobacco I smoke, but not stop completely” (48%), “to save money compared with smoking tobacco” (37%); and “to help me stop smoking entirely” (36%).

The survey findings are supported by the latest findings from Professor Robert West and colleagues at University College London, as part of the Smoking Toolkit Study, which covers England. [2] They report that the increase in use of e-cigarettes has more than offset a reduction in the use of nicotine replacement therapy (NRT) products such as patches and gum, and that the large majority of current e-cigarettes users are using them to reduce smoking. They also report that smoking prevalence rates by March 2014 may have fallen below 18% across England for the first time.

Both studies support the argument that electronic cigarettes are overwhelmingly used by current and former smokers, to cut down on cigarette use and to support efforts to quit smoking altogether. They are not being used to any significant extent by people who have never smoked. Properly regulated therefore, they may have a valuable role to play in cutting the toll of death and disease caused by smoking.

[1] <http://www.ash.org.uk/media-room/press-releases/over-2-million-britons-now-regularly-use-electronic-cigarettes>

[2] www.smokinginengland.info

Meeting of the All-Party Groups on Smoking and Health, Pharmacy and Heart Disease

“Electronic cigarettes: Gateway to Addiction or Cessation? Developing an APPG Position”

16.00 – 17.45 Tuesday 10th June
Boothroyd Room, Portcullis House

Speakers include:

Professor David Walker, Deputy Chief Medical Officer
Professor Robert West
Sarah Jakes, E-cigarette Consumer Association UK
Jeremy Mean, Department of Health
Rebecca Taylor MEP
Kevin Barron MP and Paul Burstow MP

Officers of the group:

Chair: Paul Burstow MP
Treasurer: Ian Mearns MP
Secretary: Bob Blackman MP

Vice Chairs: Kevin Barron MP
Lord Patel
Lord Rennard MBE

Baroness Finlay
Baroness O’Cathain OBE
John Robertson MP

The All Party Parliamentary Group (APPG) on Smoking and Health is a cross-party group of Peers and MPs which was founded in 1976

“To monitor and discuss the health and social effects of smoking; to review potential changes in existing legislation to reduce levels of smoking; to assess the latest medical techniques to assist in smoking cessation; and to act as a resource for the group’s members on all issues relating to smoking and public health.”

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