

Briefing on the tobacco industry and their tactics (Nov 2024)

Smoking is the leading cause of premature death and disability, responsible for [half the difference](#) in healthy life expectancy between the most and least deprived in the UK. [Two out of three](#) people who try one cigarette become daily smokers, and [three-quarters of smokers](#) would never have started if they had the choice again.

The tobacco industry is *hugely* profitable, far more so than other consumer products, despite falling rates of smoking. They have monopoly-like pricing power with little competition in the market while selling products which are highly addictive but lethal for the majority of users.

There is an international treaty that the UK is party to, **the WHO Framework Convention on Tobacco Control (FCTC) [article 5.3](#)**, which requires the Government to protect health policy from the interests and influences of the tobacco industry. We urge you to make your staff aware of this and read the DHSC [guidance on government engagement with the tobacco industry](#) which should also guide you and your team in deciding what contact to have with the industry.

The Tobacco and Vapes Bill returning to Parliament is the first step towards a smokefree future, creating a smokefree generation and taking vital powers to curb youth vaping. As the Bill progresses through Parliament it is likely that the tobacco industry will attempt to water down, disrupt or delay the Bill to buy more time in the UK market. Industry will always protect their profits - despite many company taglines portraying them as part of the 'solution'.

This briefing provides a guide to the tactics and arguments we expect industry to use around this bill, along with the public health responses.¹

Industry Tactics:

Using front groups, proxies, lobby groups and pro-tobacco think tanks

The tobacco industry often works through proxy organisations who will represent industry interests. These organisations are frequently funded by the tobacco industry but will rarely declare this. Tobacco Tactics, an initiative run by the University of Bath, have compiled a list of [front groups](#), [lobby groups](#) and [think tanks](#) that are associated with the tobacco industry, including the Adam Smith Institute and the [Institute of Economic Affairs](#).

Spotlight on Forest (The Freedom Organisation for the Right to Enjoy Smoking Tobacco)

[Forest](#) is a 'smokers rights' group that regularly opposes tobacco policy and is often quoted in the media. Although they claim to speak for smokers they rely heavily on funding from the 'big 4' tobacco companies. In 2000, Simon Clark, the Director of Forest, when questioned by the Select Committee on health [admitted that 96% of their budget came from industry](#). They have campaigned to repeal the 2007 indoor smoking ban even though [the majority of smokers are supportive, along with 90% of non-smokers](#).



Forest | Voice and friend of the smoker
<https://www.forestonline.org>

Forest | Voice and friend of the smoker

Advocating for smokers' rights and choice.
Join a community that values your voice and celebrates the freedom to smoke.

¹ These tactics are not unique to Tobacco and if you are interested in wider public health then please round our joint report with the Obesity Health Alliance and Alcohol Health Alliance: [Killer Tactics](#).

Industry capitalises on other stakeholders' [concerns with legislation](#) and provide platforms for them to air their grievances to undermine progress. For example, at Conservative Party Conference PMI sponsored and sent a representative to speak on a [panel event](#) where UK Hospitality was discussing the Government's proposed extensions to smokefree places.

Funding pro-tobacco media

As well as using proxies, the tobacco industry funds roundtables and media work to shape the narrative around tobacco policy. This gives legitimacy to false claims that are made around policy interventions. For example, the Spectator is hosting a roundtable this month (Nov 2024) which is sponsored by PMI; in October PMI sponsored an article in [Conservative Home](#); and the Economist has been [criticised](#) for running articles sponsored by industry.

Litigation, or the threat of it, against Government

The tobacco industry has a long history of taking legal action against the government. Most recently, tobacco manufacturer Imperial Brands submitted a letter to the then Secretary of State for Health and Social Care [threatening legal action](#) against the Government claiming the consultation process that preceded the Tobacco and Vapes Bill was unlawful. British American Tobacco, Japan Tobacco International and Philip Morris International (whose corporate slogan is 'Delivering a smoke-free future') were all listed as interested parties. Government lawyers [responded](#) saying the proposed challenge was a baseless attempt to delay the Bill being introduced. When standard packaging was introduced the tobacco companies took the UK Government to court and comprehensively lost with an eviscerating judgement against them. Read more about the history of tobacco industry legal action [here](#).

Common arguments used by the tobacco industry:

The tobacco industry rely on a handful of narratives to counter proposed tobacco control legislation or weaken regulations around their other products. Be mindful of individuals or organisations raising the following topics:

Claim	Fact ²
Tobacco control regulations will result in a burgeoning black market.	<p>There are almost no tobacco control regulations in the last 20 years the industry has not argued will increase the black market. However, despite many regulations in this period the illicit market is in decline shrinking from 22% of the market in 2000 to 11% in 2022 thanks to an effective enforcement strategy.</p> <p>Raising the age of sale will have a gradual impact over time, so is unlikely to significantly impact the black market. When the tobacco age of sale increased from</p>

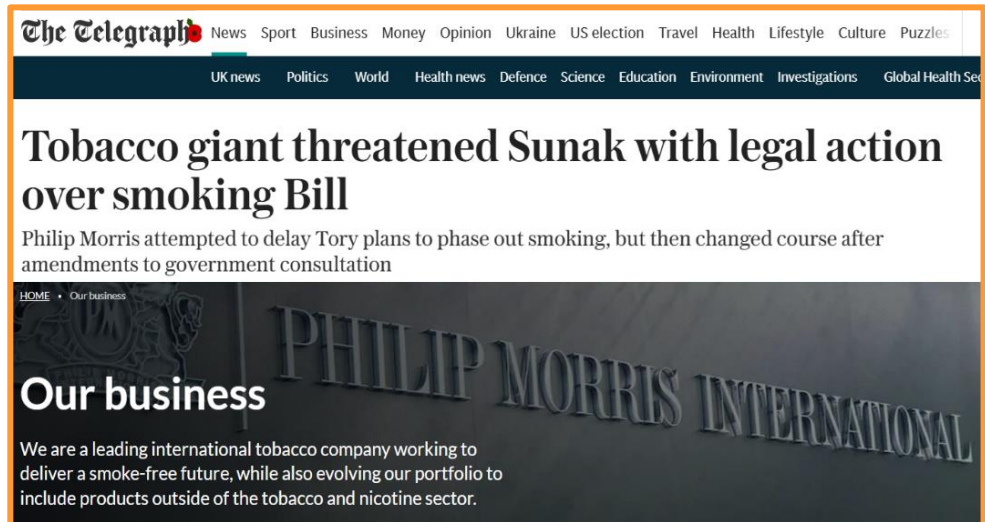
² You can read more on ASH's [Frequently Asked Questions](#) page.

	16 to 18 in 2007 it had no impact on black market sales.
Regulations should be relaxed for heated tobacco products (also called heat not burn)	<p>Heated tobacco products are likely to be less harmful than smoking but more harmful than vaping. Any loopholes in the law which does not comprehensively include all tobacco products risks undermining the effectiveness of legislation, hence all tobacco products should be included.</p> <p>Vaping products also require further regulation but continue to be an important lower risk tool for supporting quitting and will be required as a legal alternative for those who still initiate smoking even when the age of sale has increased</p>
The impact of a smokefree generation on small retailers will be too great and lead to assaults on staff.	<p>Research independent of the tobacco industry commissioned by ASH finds that most retailers support the government proposals, with only 26% opposed. A majority of small businesses reported that previous regulations (the display ban and standardised packaging had no impact on their business).</p> <p>Selling tobacco is highly profitable for manufacturers, but not for retailers. Retailers make lower profit margins on tobacco than for selling other products (6.6% compared to 24.1% in 2016) while tobacco manufacturers make on average 50%.</p>
Tobacco control polices are unenforceable.	The 2007 smoking ban, which was a much more drastic intervention was self-enforcing, with 97% compliance from day one. It is very rare that individuals take up smoking later in life so hypothetical scenarios about a 37 year old versus a 38 years old are unlikely and retailers will continue to 'challenge 25'.
There will be a negative impact on the country's coffers following a reduction in tobacco tax receipts	Tobacco costs the UK economy far more than we gain in tax receipts. Reducing smoking rates will directly benefit the public purse and save tens of thousands of lives.
Smoking is a 'right' and prohibiting the sale of tobacco is 'immoral' or an infringement on liberty.	There is no freedom in addiction. Most smokers want to quit but can't and it takes an average of 30 attempts to stay smoke free. Often the choice to start is made at a young age, locking smokers in for a lifetime of early disability and death.

Public support for protecting policy making from ‘Big Tobacco’

The public overwhelmingly support ensuring that public health policy is protected from the influence of the tobacco industry, with [78% in favour and just 2% opposed.](#)

The public know what we know to be true. It is, at best, ironic that the tobacco industry position themselves as on the side of smokers when they make millions every year selling products that, when used as intended, kill two thirds of long term users, whilst simultaneously threatening to sue the Government for trying to protect the public.



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Tobacco giant threatened Sunak with legal action over smoking Bill

Philip Morris attempted to delay Tory plans to phase out smoking, but then changed course after amendments to government consultation

HOME • Our business

Our business

PHILIP MORRIS INTERNATIONAL

We are a leading international tobacco company working to deliver a smoke-free future, while also evolving our portfolio to include products outside of the tobacco and nicotine sector.

If you have any questions on this briefing or would like to report communications you've received from the tobacco industry, please do get in touch: publicaffairs@ash.org.uk