News analysis

European Union: shock at Rylander appointment

Almost anyone toiling at the coal face of tobacco control knows the name of Ragnar Rylander, and for the most alarming of reasons. Therefore, how could the Swedish scientist have been appointed to the Scientific Committee on Health and Environmental Risks of the European Commission, the secretariat of the European Union? How could advisers to Health Commissioner David Byrne, renowned for his strong leadership on tobacco control, have failed to note the widespread publicity given to Rylander over recent years? This was especially notorious in the period when he was first exposed for his longstanding, covert association with Philip Morris, then his defamation case against his detractors, and finally their successful appeal.

After that, one would have thought he might have quietly retired, say to a remote Swedish lakeside retreat, to contemplate his years of secret service to the corporate corruptors of the scientific literature, especially on passive smoking. Instead, Rylander not only put himself forward for appointment, but robustly denied any wrongdoing when health agencies began a campaign of protest letters to Commissioner Byrne last July. He even tried to telephone some of those behind the campaign, apparently unable to understand that the appeal court judgement mentioning his ''scientific cheating without equal'' and his lack of hesitation to ''abuse science in the interests of capitalistic profit'', might be fair cause for their concern.

The result of the appointment, when the news became known among health groups around the world, was a barrage of protest letters to Commissioner Byrne, and presumably, some fairly red faces in Brussels. The wheels of bureaucracy creaked into action to investigate the appointment, and in October, the EU Commission adopted a decision to revoke it.

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As to how the appointment could ever have happened, one answer may lie in that familiar problem whereby those guarding the corridors of power have little detailed knowledge of what goes on outside in the real world, and most important, fail to consult those who do. It can only be hoped that this time, some hard lessons will be learned. With millions of tobacco industry documents now available—including, incidentally, over 16 000 relating to Rylander—and communication between health advocates around the world easier and quicker than in anyone's wildest dreams just a decade ago, it now takes only moments to check out the credentials of almost all individuals being considered for such posts, especially when their credentials are unclear. If only they had just asked…

Japan, India: mobile smoking vans

Japan Tobacco (JT) has launched mobile trailers called Smocars for smokers to smoke in even when it is not allowed in public places. Based on the classic Airstream holiday caravan from the USA, Smocars have been spotted at locations throughout Japan over the past year. JT says it has developed them as part of its initiative for ''increased coexistence between smokers and nonsmokers in public spaces''. At last winter's Sapporo Snow Festival, where the Smocar was just one part of a large JT presence, children taken into the car were given free soft drinks. More usually, Smocar is parked in areas such as Tokyo's Chiyoda ward, which has an unusually tough ban on smoking in public places. In a letter about the vehicles to the *British Medical Journal*, Professor Hiroshi Kawane from the Japanese Red Cross Hiroshima College of Nursing shrewdly observed, ''I think second-hand smoke combined with exhaust fumes from SmoCar has become a health hazard for nonsmokers in the vicinity of the car''.

Meanwhile, something similar has appeared in India. Godfrey Phillips, Indian subsidiary of Philip Morris, launched a similar mobile smoking lounge in Mumbai (formerly Bombay), which was parked at various landmark sites for a few days each, followed by appearances in Ahmedabad, Delhi, and Baroda. While apparently more inspired by function than the stylish design of the Smocar, they are scheduled to be taken to several southern Indian cities over the next few months. The vehicles display statutory health warnings and smokers are allowed to use them for 15–20 minutes. Entry is free and people using them can smoke their own cigarettes or buy them inside the van, along with soft drinks.

Brazil: growers' lobby stalls FCTC

Brazil played a major leadership role during the negotiations of the World Health Organization's Framework Convention on Tobacco Control (WHO FCTC). Since the mid 1990s, the country's national tobacco control policy has gained impetus, and the latest household based survey shows that regular adult (15+) smoking is declining, with current overall prevalence estimated at 19%. Brazil signed the WHO FCTC in

A mobile smoking van, Smocar, providing a place for smokers in Japan to smoke. Children are also allowed into the van, and given soft drinks.

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June 2003 and despite its significant tobacco growing, manufacture, and exports, it was expected to ratify. However, ratification is proving to be a bumpier road to travel.

In May 2004, Congress approved FCTC ratification, with the text being sent to the Senate's external affairs committee for consideration and approval, but a move to give it priority was halted at the request of a Senator who represents the southern region where the majority of Brazil's tobacco is grown. He said his request was based on the desire to carefully consider the situation of the growers. It was made after he met officials of Afubra, the Brazilian member (and one of the founders) of the International Tobacco Growers Association, whose links with the multinational tobacco companies are well established.

It was then announced that the Senate would call for a public hearing on the matter, but in the meantime Afubra launched a survey on its website, which asked for people's opinion on ''WHO's proposal to eradicate tobacco''. Interestingly, 41.5% of initial respondents were in favour, with only 34.5% against; 15.2% suggested viable alternatives should be found, and 4% advocated consensus through dialogue. It is unclear whether such a favourable response can be attributed to tobacco control advocates' voting on the site, as part of their efforts to support ratification.

Afubra has run ads and generated press reports of its arguments in regional and national news media. With few exceptions, coverage of the WHO FCTC has repeated the line taken by majority manufacturer Souza Cruz, Brazilian subsidiary of British American Tobacco, and Afubra itself. In addition to emphasising the economic benefits of tobacco, the arguments have ranged from the misleading to the absurd. Many included personal accounts of tobacco growers, saying they would have no means of survival without tobacco—''eradication'' and 2.5 million job losses, a mass rural exodus on a scale never seen before, and the imminent demise of the small rural farmer have been added to the familiar reiteration of the billions of dollars of tax generated by tobacco.

At the end of August, the Senate committee issued its opinion, in favour of ratification. However, the chamber of tobacco production, a quasi-independent but industry dominated body under the Ministry of Agriculture, called for delaying the decision until after municipal elections in October, and distributed information packs to Senators, as well as to the ministers of Agriculture, Health, Foreign Affairs, and Commerce. It also scheduled meetings with the governors of tobacco growing states. In September, members of an Afubra delegation at a technical exchange meeting in China praised their hosts for not worrying about ''anti-tobacco'' campaigns. According to Afubra's president, Chinese officials asked him to intervene with the Brazilian Embassy, to ensure that Brazil did not ratify, given that China ''will not ratify this document''.

When the Senate public hearing took place in September, with only one week's notice and reportedly fixed at the request of the tobacco lobby, six invited speakers argued for ratification, and six against. Despite the efforts of government and non-governmental groups to make clear that ratification would not mean an immediate end to tobacco production, and a very strong statement by the Minister of Health at the hearings, ratification was postponed without a new date being set for reconsideration by the Senate. According to media reports, the outcome of the public hearing was known before it took place, and the industry side spoke of the need to ''educate'' policymakers.

Public health professionals and others pressing for ratification in other tobacco growing countries need to be prepared for how the industry will use scare tactics and misrepresent the impact of the WHO FCTC on short and medium term tobacco production. The tobacco lobby's emphasis on the families that depend on tobacco, on the ''immediate'' end of all growing and production, the supposed call for tobacco ''eradication'' and the major economic loss and social unrest that would follow ratification, although completely unsubstantiated, grabbed the headlines in Brazil, and was effective in postponing the discussions. Health advocates in Brazil are busy countering this misinformation to ensure that health, not tobacco, wins the ratification debate at the earliest opportunity.

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Uganda: official's ''shock'' over warning size

This photograph of two brands, both made by Uganda's dominant manufacturer British American Tobacco (BAT), shows how the front and back of a 10 pack of Rothmans cigarettes bought in the UK, despite the diminutive size of the pack, have far more arresting warnings than the minute one on the side of a 20 pack of Embassy purchased in Uganda. To mark World No Tobacco Day and to highlight the lack of controls over BAT's operations, Kevin O'Connor, a journalist and athletics coach resident in Uganda, used pictures of the packs in his weekly column in a leading East African newspaper, *The Sunday Monitor*. Commenting on a preview of the pictures, the country's director general of health, Professor Francis Omaswa, referred to the ''shock'' he felt when comparing the UK pack warning with the ''tiny, inconspicuous'' warnings on Ugandan packs. And as O'Connor pointed out, the UK warnings are far from the world's best, with another developing country, Brazil, boasting large, graphic pack warnings (see *Tobacco Control* 2004;**13**:216).

Size does matter: two brands of cigarettes manufactured by BAT, one sold in the UK with large warnings, the other sold in Uganda with ''tiny, inconspicuous'' warnings.

New Zealand: hospitality trade's ''mindset'' problem

The Hospitality Association of New Zealand (HANZ) has been opposing the idea of smoke-free bar laws for many years. It has rejected the evidence from countries where smoke-free bar laws have not hurt bar profits, and has actively pushed for the ventilation ''solution''.

Since 1998 or before, HANZ's spokesman Bruce Robertson has been saying that a smoking ban in bars ''would have a major negative impact on business''. This is despite acknowledging that as far back as 1996, a survey in Dunedin found smoke was the most common cause of

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complaints by people who had recently visited bars and taverns, and the main reason people had stopped going. In 2000, Robertson was reported as predicting that a ban would result in a loss of business for the trade, a 10% loss of jobs, and the rise of ''quasi-legal or unlicensed'' bars; and in May 2003, a HANZ survey indicated that 23% of the nation's licensed premises expected to close if smoke-free bars were enforced, with 40% anticipating a 30% drop in income.

In December 2003, the New Zealand parliament passed a law banning smoking in bars, with effect from December 2004. In July 2004, Robertson was reported as saying that HANZ members were concerned, as ''reports in Ireland, where all workplaces became smoke-free in March, suggest revenue dropped 30%. In New York, where bars and restaurants went smoke-free from January 1 last year, some bar owners reported an initial drop of up to 50%.''

But in an article in a trade magazine in August 2004, Robertson took a very different line, writing that, ''There are a number of steps that can be taken, including a difficult shift in mind set... the Hospitality Association is working with the Ministry of Health to develop a public relations campaign which will not only inform the public of the new legislation but will also encourage patrons to support smoke-free bars… It is important as an industry that we do not again predict gloom and doom by publicly suggesting that our smoking patrons will now no longer want to socialise in bars and restaurants. There is a real danger that if the industry suggests this outcome it will become a self-fulfilling prophecy. Much as it goes against the grain, industry must explore opportunities to encourage smokers to continue to support licensed premises and look to find new markets amongst those who supposedly are not currently in bars and restaurants because of cigarette smoke.''

This is a rare and important example of the hospitality industry admitting that its previous stance was a ''mind set'' (though without mention of the inevitable and malign tobacco industry influence), and could result in ''a self-fulfilling prophecy'' of poor business for some. Perhaps New Zealand's hospitality trade could learn from the entrepreneurial flair of Ireland's famous pubs, whose trade association in Dublin quickly adopted a slogan boasting, ''The atmosphere's got even better''.

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UK: how did these get here?

GQ is an upmarket example of what is known in the advertising industry as a ''lifestyle'' magazine. More cynical observers, including those who stand to make money from this end of the magazine publishing industry, tend to call it a ''lads' mag'', on account of the preponderance of articles and advertisements related to things that young men with a reasonable disposable income and few responsibilities tend to be interested in, such as sport, cars, and electronic gadgets. Oh, and girls. Hence, in those halcyon days before the UK banned almost all tobacco promotion, this type of readership was an irresistible target for cigarette advertising, provided a cigarette brand could be associated with one or more of these subjects, or preferably the lot.

In August, in a no doubt unintended answer to the question posed in our last edition (FCTC: how will they keep pushing? *Tobacco Control* 2004;**13**:216–7), *GQ* appeared to offer one example. Over six pages, while readers could learn relatively little about Formula One motor sport, they could feast their eyes on a young female model in a variety of postures superimposed against striking shots of a racing car. Both the car and some of the model's clothes carried the distinctive Benson & Hedges brand name and colours. Anyone with a passing knowledge of advertising will know that these things tend not to get into magazine pictures like this by accident.

While British American Tobacco makes and markets Benson & Hedges almost everywhere it is sold, the big exception is the UK, where the brand belongs to Gallaher. *GQ* does not sell significant quantities overseas, so is ideal for advertisers to reach British lads without wasting precious advertising spend that could benefit other manufacturers who sell apparently identical products abroad. Interestingly, in other pages of the August Formula One feature, the model was wearing a silky-looking blouson in a fetching shade of purple exactly like the distinctive brand colour of Silk Cut, Gallaher's other major UK brand.

Action on Smoking and Health (ASH) complained to the appropriate trading standards authorities, but on the basis of past experience, recommends that no-one holds their breath waiting for a response—such enquiries as the publishers and advertisers will have to make are not noted for their speed. Sadly,

Readers of *GQ* magazine, a UK ''lads' mag'', were recently treated to shots of a young female model superimposed against a racing car, both clearly bearing the Benson & Hedges brand name and colours.

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Thailand: In August, artists from throughout South East Asia came to Bangkok, Thailand to compete in the coveted ASEAN Art Awards, founded and sponsored by the world's largest cigarette company, Philip Morris (PM). Despite meticulous planning of a full programme in several locations, the marketing people at PM did not anticipate a group of young people from Thailand and the USA crashing their parties. The young demonstrators staged their first protest outside the National Gallery of Art in Bangkok as artists, reporters and PM executives wined and dined at a reception inside. Next day, they followed the tobacco contingent to the ancient city of Ayutthaya, and joined a procession of elephants that the company had hired to lead its guests to an ''artist interaction'' activity among historic ruins. The protest was sponsored by the Thai Health Promotion Institute, and the US groups Essential Action and Reality Check.

there seems to be no health ministry unit, or other senior government agency, far less a sign of central government will, to respond in the necessary way when there appears to be a deliberate breach of the tobacco advertising ban: an immediate investigation, backed by legal powers to extract all necessary evidence, then, where appropriate, straight into court.

Guatemala: PM's youth leaflets sent to homes

As Guatemala struggles with the tobacco epidemic, the government continues to buy the tobacco industry's rhetoric on youth smoking prevention programmes. ''Yo Tengo Poder'' (I have the power) is a programme led by Philip Morris supposedly to prevent young people from smoking. At face value, of course, it looks like a legitimate programme, but as tobacco control advocates everywhere know, such programmes are at best ineffective, and at worst enhance the ''forbidden fruit'' image of smoking in children's minds, as well as marginalising opposition, blaming parents and society (not marketing) for youth smoking, and gaining unjustified credibility for tobacco companies by working with parents and in the community.

The brochure is being distributed direct to Guatemalan households. At the end there is an endorsement by the Minister of Education, and the fine print reads, ''Produced by Lifetime Learning System Inc and financed by Philip Morris International Inc''. As so often, in the fine print lies the truth. Health advocates, as well as staff from the Ministry of Education, should be made fully aware of the industry's strategy. In addition, it is the duty of people who have access to the academic literature describing the industry's strategy, to make policymakers aware of the research.

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Hungary: court victory on point of sale ads

Hungary chalked up another important victory recently when the high court ruled that point-of-sale (POS) tobacco advertisements visible from outside shops (in shop windows or entrances) were illegal. A string of court cases about such ads have been filed by tobacco control advocates since the country's advertising ban came into force in January 2002 (Hungary: tobacco ads forced back inside. *Tobacco Control* 2004;**13**:8). However, tobacco companies have continued to lobby the Ministry of Economic affairs and its enforcement agency to accept the companies' own interpretation of the law, which considered these ads to be legal. Now British American Tobacco, market leader, has reserved its right to challenge this important decision in the constitutional court. Health campaigners acknowledge that Hungary's ban is not total, but it only allows ads at the real point of sale, not in locations visible from public places.

UK: cig as a parrot

British people, especially the English, have long been renowned for a tendency to treat animals better than humans. Such a generalisation, while always dangerous, may indicate wider opportunities for encouraging smoking cessation. Following several reports of people giving up smoking for the sake of their pet dogs and cats, a feathered friend has now joined the list of deserving victims after a serious respiratory incident. When the ailing avian, a parrot called Jay Jay, had to be put on an inhaler to help him breathe, his owners finally saw the light—and put it out for good. ''Our smoking made Jay Jay as sick as a parrot,'' the couple were reported as saying, ''but we are all better now.''

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