Worldwide news and comment

WORLD: GTNF, COP7... & UNLIKELY PRAISE FOR RUSSIAN COMMUNISTS

A campaign poster for the Russian communist party. The slogan reads "Comrades, transform yourself!" It's a strange world when the Russian communist party is praised for its embrace of e-cigarettes, as it was by GTNF 2016 host Patrick Basham. Photo source: <https://www.rt.com/viral/346003-lenin-stalin-communist-russia/>

The December 2016 edition of the tobacco industry trade publication *Tobacco Reporter* provided a fascinating insight into the alternative universe of the tobacco industry and its acolytes. Published in the wake of the seventh WHO Framework Convention on Tobacco Control (FCTC) Conference of the Parties (COP7), it attempts to position the tobacco industry as having interests aligned with public health, and innovation in tobacco products as the greatest contributor to tackling the smoking epidemic. In addition, it positions the tobacco industry as open, transparent and engaging with a wide range of stakeholders, while attempting to paint the COP process as lacking in transparency.

The opening editorial heralds the Global Tobacco and Nicotine Forum (GTNF), held in Brussels from 27-29 September as

setting 'new standards' for tobacco related events, particularly noting the abandonment of the Chatham House rule for the first time since the GTNF was created eight years ago (The Chatham House rule requires that participants not quote or identify speakers or their affiliations, nor any other participants. GTNF also placed restrictions on reporting of proceedings). It notes that while there are risks of negative publicity, especially for an industry as 'reputationally challenged' as tobacco, it also provides the industry an opportunity to explain its position and correct misperceptions.

Of course, there is nothing to stop the industry from holding other events behind closed doors while holding up GTNF as a model for engagement that is otherwise increasingly denied to the tobacco industry. Perhaps FCTC Article 5.3 – which recognises the fundamental and irreconcilable conflict between the tobacco industry's interests and public health policy aims, and accordingly seeks to restrict the influence of the tobacco industry on policy-makers, is causing increasing desperation for the industry.

In an almost pleading tone, a pledge is made that GTNF will continue in the spirit of openness in the hope "that the FCTC too, will gain the confidence to expose its inner workings". It is precisely when the tobacco industry is privy to the inner workings that it is most potent at attempting to dilute, delay and derail effective public health measures.

In further coverage of GTNF, the few public health advocates who attended are singled out for praise for engaging with the industry. The GTNF advisory chairman Mark Kehaya noted that "while regulators understandably seek to protect policy making from vested interests, this is no justification for industry exclusion" – perhaps the most spectacular example in history of completely missing the point.

After overlooking the tobacco industry's long record of public health policy interference, he then went on to outline recent product innovations, and claim that "private sector initiatives have done arguably more to enhance public health than any state intervention." Presumably the steady decline in smoking prevalence among countries with progressively more comprehensive tobacco control legislation in place for the last 30 years – well before the advent of e-cigarettes – was just a simple accident of history?

The GTNF host Patrick Basham must have raised a few eyebrows, even among the friendly audience, when he decried the retreat of free speech, and praised the

Russian Communist Party for embracing e-cigarettes, in contrast with the US Democratic party which had banned them at their 2016 convention. A recent campaign poster shows Stalin vaping, with the caption 'Comrades, transform yourself' – not the most immediate image that comes to mind when celebrating freedom.

Industry delegates would have been heartened by the vice chair of the European Parliament's Committee on International Trade Iuliu Winkler – presumably unaware of his obligations under FCTC Article 5.3 – reassuring the host of his commitment to sound lawmaking and the need to 'legislate wisely and manage conflicting interests'. Not the best look, given recent scandals at the European Commission around tobacco-related policy making and conflicts of interest.

A panel to discuss nicotine reduction, came to the conclusion that any legislation would be a bad idea. (Has the industry ever suggested anything other than self-regulation is the best strategy?) David Sweanor of the University of Ottawa made the point that forced change only works if there are viable alternatives. He suggested a softer approach, such as lighter taxation for non-combustible products to incentivise the market.

Given the forceful advocacy from e-cigarette proponents that they are the most viable strategy for moving to a smoke free world, and the more recent noises from the tobacco industry about heat-not-burn products being revolutionary, one might well ask 'why not combine mandatory nicotine reduction AND tax incentives?'

Among the usual industry talk of consumer choice and satisfying consumer needs (as if nobody is addicted, or ever started smoking when they were enticed by advertising and naïve to the dangers of addiction), one tobacco industry representative acknowledged some truths within tobacco control. British American Tobacco group scientific and R&D Director David O'Reilly was quoted as saying tobacco is the only fast moving consumer business where most users want to stop using its main product – a stark contrast to the 'choice' narrative peddled by the industry. He also acknowledged that price hikes are effective at stimulating quitting – again, in stark contrast to the usual industry opposition to tax increases, based on the premise that increased taxation only causes people to switch to illicit tobacco.

While several GTNF speakers tried to present public health and tobacco industry interests as currently aligned through harm reduction, O'Reilly's statements are more representative of genuine agreement.

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EUROPE: THE CONTINUED REINVENTION OF CODENTIFY & INEXO

The independent blog *Why it is bad* has been following the evolution of the tobacco industry's track and trace system Codentify. In 2016, it revealed that Codentify had been sold to a third party company, Inexto. Theoretically, the sale should have allowed Inexto to achieve the necessary arm's length from the tobacco industry, in order for it to be adopted by the European Union to meet obligations under the FCTC Protocol on Illicit Trade.

However, as the blog revealed, Inexto was hardly independent – the company was in fact staffed with long time Philip Morris executives (the full story can be found in the September 2016 edition of Tobacco Control).

Recent further investigations by the author of *Why it is bad*, Oscar Larsson, have uncovered further concerning details about the company's lack of independence. In an article published on 30 January 2017, he shows that Inexto's statutes are anonymous. At the time of the blog article being published, a brochure was also available online, which made no mention of Codentify or its origins with the tobacco industry. The brochure was removed following publication of the blog post.

Furthermore, Inexto's head office is located at a small residential apartment building, rather than an office building. Of the 15 tenants, Larsson could find only one who is likely to have a connection to Inexto – Sylviane Marguerat Jendly, the Manager, Procurement Switzerland at Philip Morris. Conveniently, the building is located a few blocks from Philip Morris' Lausanne headquarters.

As Larsson notes, these moves are in line with what was predicted about Codentify in a 2011 research article published in tobacco control (<http://tobaccocontrol.bmj.com/content/23/e1/e3.extract?sid=3bf33f8e-e0ea-4581-8490-559024c0a4b6>). The lack of transparency about Inexto's current links with PMI, and limited available information about its shareholders, require careful scrutiny by any regulators intending to engage with Inexto.

The full blog post can be found at <https://whyitisbad.wordpress.com/2017/01/30/inexto-and-codentify-connecting-the-dots/>

UGANDA: POSTIVE SIGNS FOR TOBACCO CONTROL ENFORCEMENT

Media reports in December 2016 showed promising signs that Uganda's

comprehensive tobacco control legislation will be enforced, unlike earlier tobacco control legislation.

The news outlet allestafrica.com reported that environment police in Mukono district seized shisha pots and smoking pipes from several bars after operators refused to comply with shisha bans which came into effect in July 2015. The policy had previously displayed warnings about the law, but bar operators removed them. Bar operators charge around 10,000 Ugandan Shillings (approximately US\$2.80) per person for one smoking session. In a country where the average per capita income is approximately US\$700 per year, shisha smoking is a lucrative business for bar owners.

The Tobacco Control Act was assented to by President Museveni in Sep 2015, and gazetted on November 18 2015. In addition to the shisha ban, smokeless tobacco was outlawed, bars, restaurants and hotels are smoke free, and there is a requirement for smokers to be 50 metres from public spaces such as hospitals, schools and taxi ranks. There are also increased restrictions on advertising, new labelling requirements and bans on sales of single cigarettes and to people under the age of 21. Violations of the law attract a fine of 420,000 Shillings (US\$117) or imprisonment of not less than 1 year, or both.

Predictably, the bill faced significant opposition from the tobacco industry, which called it 'oppressive'. Among the strategies which were used by the industry to interfere with the legislation was the use of corporate front groups to lobby the government, farmer protests, and direct lobbying of government officials by the tobacco industry.

A recent fact sheet published by the Centre for Tobacco Control in Africa (CTCA) and Makerere University provides an outline of factors that helped get the bill over the line. These include the technical support provided by the CTCA, and the fact that it was tabled as a private member's bill in parliament, which bypassed the slower bureaucratic process of bills introduced through cabinet. The commitment and support by the members of parliament who moved the bill were particularly noted, as was the support of the president, the speaker and deputy speaker. In addition, there were several 'champions' within the parliament who not only supported the bill, but also monitored tobacco industry activities within parliament.

Like many countries in Africa, Uganda has not experienced the peaks of the tobacco epidemic seen in other

countries. Robust enforcement of the tobacco control act has enormous potential to head off a public health disaster. Smoking prevalence is currently relatively low, at 17% of men, and 2% of women. However, with a population of around 40 million people, nearly half of whom are aged under 15, the country represents an important potential growth market for tobacco companies. Preventive measures are therefore critical.

BANGLADESH: ACHIEVEMENTS IN GRAPHIC WARNING LABELS & TAX INCREASES

A new report by the Bangladesh civil society organisation PROGGA Knowledge for Progress details recent progress in implementation in Bangladesh of two of the most effective tobacco control strategies: implementation of graphic health warnings and tax increases.

Amendments to the country's tobacco control law were made in 2013 to introduce graphic health warnings. According to the report, and from a playbook familiar to tobacco control practitioners everywhere, tobacco industry interference helped delay finalisation of the amendments for a full 22 months. The new warning requirements were eventually finalised in March 2015. Nine warning labels – seven for combustible tobacco products and two for smokeless – were approved, and tobacco companies were granted 12 months to fully implement the warnings.

The tobacco industry further attempted to delay implementation of the requirement, including hiring a prominent lawyer to influence relevant government departments. However, Bangladesh civil society swung into action to create a groundswell of pressure and support for the new law.

An awareness-raising campaign was held, including a series of roadshows, leaflet distribution, meetings with policy makers, earned media coverage, social media and radio publicity which focused on providing information about the need for graphic health warnings, as well as revealing tobacco industry tactics. Although it only lasted for one month, it achieved the result of graphic health warnings being implemented by the due date of March 19, 2016.

One compromise was achieved by the tobacco industry: the graphic warning labels are printed only on the lower half of cigarette packs. The PROGGA report recommends that the current 50% should be expanded to cover 80-90% of the package as a next step.

The public health community has also focused on increasing tobacco taxes, given that the real price of tobacco fell in Bangladesh between 2009 and 2015. The tobacco tax structure in Bangladesh is complex: a supplementary duty is imposed as a percentage of price, which varies significantly across tobacco products and brands. Lack of transparency has meant that the industry has been able to exploit the base price declarations which form the basis of each tax and keep prices low.

Activities focused on presenting research findings about the effectiveness of tobacco taxes, working with the Voices of Tobacco Victims (VOTV) movement, together with a range of awareness raising, lobbying and media strategies, including pre-budget meetings with media. The

aim of the campaign had been to increase tobacco taxes, and simplify the tax structure to achieve a uniform increase in taxation. While the campaign did increase awareness about the need for increased taxation, reforms were not introduced as hoped, with the tax on premium cigarettes increased by only 1%. Nonetheless, the price of cheaper cigarettes increased by 28%, bidis by 50% and smokeless tobacco by 66%. Despite this achievement, a significant price difference remains between premium and cheap cigarettes.

The Bangladesh prime minister Sheikh Hasina has pledged to make Bangladesh a tobacco-free nation by 2040. Reforming and increasing tobacco product taxes are urgent priorities if the country is to achieve this goal.

The full report can be accessed at http://progga.org/wp-content/uploads/2011/04/Latest-Achievement-of-BD_GHW_Tobacco_Tax.pdf

USA: SURGEON GENERAL PUBLISHES FIRST REPORT ON E-CIGARETTES AMONG YOUTH

The US Surgeon general published a new report in December 2016, the first comprehensive review of the public health impact of e-cigarettes on youth and young adults.

The report found there are significant gaps in knowledge about e-cigarettes, although that is changing rapidly. Despite these gaps, enough is currently known to take action to prevent harm. Noting that e-cigarette use increased 900% among US high school students between 2011 and 2015, it calls for action to protect young people.

While exclusive e-cigarette use is higher than exclusive use of combustible tobacco products, dual use was found to be high; among high school students, nearly 59% of current combustible tobacco product users were also current users of e-cigarettes. Contrasting with arguments by proponents of e-cigarettes for their cessation potential, use of e-cigarettes as a cessation aid is not reported as a primary reason for use among youth and young adults. Instead, curiosity, flavouring and taste, and low perceived harm were cited as reasons for use.

Although the report acknowledges that e-cigarettes are less harmful than combustible tobacco products, e-cigarettes do expose users to several chemicals, several of which are not completely understood. The report therefore recommends both research, and a precautionary approach of comprehensive action based on evidence-based tobacco control approaches. Among the recommended strategies are: including e-cigarettes in tobacco control strategies, providing information about the potential dangers of e-cigarettes, and strong regulation including marketing restrictions.

Predictably, the report was criticised by e-cigarette proponents. Public policy group R Street was quoted in a Reuters report as stating "The long tradition of scientifically rigorous messages and reports from the surgeon general appears to have ended. The report focuses on youth experimentation and completely omits the opportunities for harm reduction these devices offer for adult smokers". The statement is in line with similar arguments regularly used by e-cigarette groups, which typically advocate for lax legislation regarding supply and advertising restrictions, privileging harm reduction for existing smokers over

E-Cigarette Use Among Youth and Young Adults

A Report of the Surgeon General

U.S. Department of Health and Human Services

The US Surgeon General's first report on e-cigarettes among youth.

A large Marlboro advertising display in Vienna, Austria. Despite recent claims by Philip Morris that it is leading the push for a smoke free world, the company continues to advertise wherever tobacco control legislation is non-existent or inadequate. Austria is a notable laggard in effective tobacco control in Europe. Photo credit: Matthew Steliga.

any caution about the impact of e-cigarettes on people who have not previously used tobacco products.

While debate continues about the potential role and efficacy of e-cigarettes in reducing combustible tobacco use, it is entirely appropriate for health authorities to recognise the potential harm of initiating nicotine use among never-smokers, and legislate accordingly.

SLOVENIA: NEW TOBACCO CONTROL LAW ADOPTED

Slovenia's amended tobacco control act was adopted by the government in December 2016. Among the notable inclusions are plain packaging and the introduction of graphic health warnings.

The health ministry will also receive an additional 4 million euros per year to implement tobacco control measures. According to the most recent edition of the Tobacco Atlas, 1.2 Euros per person per year would allow Slovenia to pay for the four 'best buys' in tobacco control policy, namely raising taxes, enforcing a national comprehensive smoke free law and a ban on advertising and promotion, and mandating large graphic health warnings. With a population of just under 2.07 million in 2016, the additional funding has enormous potential to achieve a significant reduction in smoking prevalence.

As reported in the November 2016 edition of Tobacco Control, the proposal, which was first introduced in February 2016, had also included a tobacco levy which was to have been set at between 50 cents and 1 Euro per pack. This had been subject to intense debate, with the ministry of health advocating it be set aside for preventive programs and capacity building. The finance ministry had argued it should contribute to general revenue.

While the levy has been dropped from the new amendments, the tobacco excise will increase by 10 cents per pack. A number of advertising restrictions have been introduced, as well as a licensing fee for tobacco vendors. The licensing fee included in the original proposal was for a fee of 200 Euros per outlet per year; this has now been reduced to 23 Euros, payable every five years.

Also missing from the regulations is a prohibition on smoking in cars with children present, an omission that has been criticised by the youth organisation No Excuse Slovenia. The NGO has been one of the most vocal in support of stricter regulations to protect Slovenian youth from the harms of tobacco.

There are concerns about the potential for plain packaging to be subject to legal challenges by the tobacco industry. It will

therefore be subject to additional examination through parliamentary processes. With adult smoking prevalence at nearly 27% of males and 21.5% of females, and higher than average youth smoking prevalence for a high income country, this will be an important step forward.

WORLD: BLOOMBERG FUNDING SUPPORT REACHES NEARLY ONE BILLION

Bloomberg Philanthropies announced a further US\$360 million funding commitment to global tobacco control in December, bringing its total contribution to nearly a billion dollars. The pledged funds will continue to build on the achievements of the Bloomberg Initiative to Reduce Tobacco Use, which covers 110 countries including China, India, Indonesia and Bangladesh – all of which have both high smoking prevalence and large populations. Over the last decade, 59 countries have been supported to pass tobacco control laws, reaching 3.5 billion people over the last ten years. It is estimated that these efforts have contributed to saving 30 million lives.

The announcement has been welcomed by health groups. José Luis Castro, President and Chief Executive Officer of Vital Strategies, a principal partner of the Bloomberg Initiative, said: "For the past nine years, Bloomberg's global funding for tobacco control has enabled countries around the world, and organizations such as Vital Strategies, to help implement proven tobacco control strategies that have the greatest impact. Initiatives benefiting from Bloomberg Philanthropies have helped tobacco users to quit, potential users to decide against starting to use tobacco, and many non-smokers – particularly women and children – to be better protected from the deadly harms of second-hand smoke."

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