

Worldwide news and comment

CANADA IMPLEMENTS "SLIDE AND SHELL" PACKAGING FOR CIGARETTES

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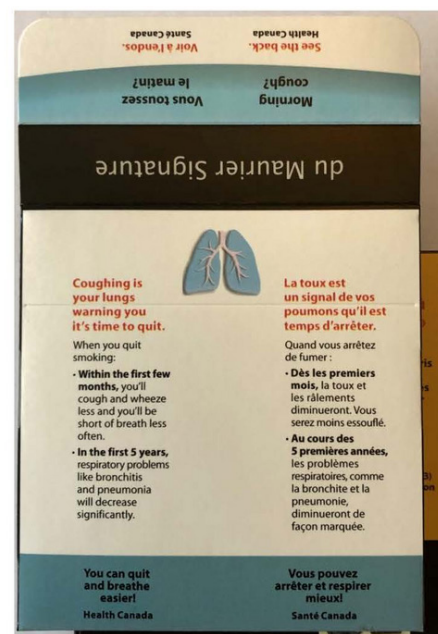
On 7 February 2022, Canada implemented the final phase of its plain packaging regulations by requiring that all cigarettes be sold at retail in the "slide and shell" format, something that no other country has done. Through the *Tobacco Products Regulations (Plain and Standardised Appearance)*, the result is that the surface area for warnings on the package front and back increases substantially compared with flip top packages, even though the 75% warning minimum size has not changed.

With the slide and shell package, the customer pushes up from the bottom an interior sliding compartment to open the package and remove cigarettes. While for flip top packages much of the warning at the top of the package is temporarily not seen when the package is opened, this is not the case for slide and shell.

Canada implemented most plain packaging requirements on 9 November 2019 at the manufacturer level and 7 February 2020 at the retail level. However, an additional 2 year transition period was given to implement the slide and shell format and to ban bevelled edges. The industry argued that it needed this extra time to change its machinery.

Canada to date is the only country to require a health message inside packages, currently with eight rotated bilingual (English, French) messages that are cessation focused. Previously the message would be on an insert for flip top packages and on the slide for slide and shell packages. Now with only slide and shell packages, the interior message will appear on the slide for all packages and is accompanied by a related message on the "flap" that is immediately visible when the package is opened. Health Canada's website depicts the content of the eight interior messages, though currently just in the previous insert format.

While flip top and soft pack formats dominate the cigarette market in most countries, historically in Canada slide and shell was the main format, particularly for packages of 25. By 2012, the



Package of 20 King size cigarettes in slide and shell format showing open package (left) and interior slide portion removed from package (right).

du Maurier brand shifted from slide and shell to a smaller flip top format with bevelled edges. In 2012, national regulations increased warning size from 50% to 75% of the package front/back, which was followed by tobacco companies shifting most brands from slide and shell to flip top, thus reducing the effective size and impact of the new warnings and undermining the government's objectives for the intended larger warnings. By November 2019, only a handful of brands remained in slide and shell. In Quebec, a provincial minimum surface area requirement for warnings of 46.5 cm² effective in 2016 resulted in many packages not switching to the flip top format in that province.

In Canada for a package of King Size cigarettes (82.0 to 85.0 mm in length), the length most commonly seen internationally, changing from flip top to slide and shell means the surface area for a 75% warning increases by 41% (from 37.6 cm² to 52.9 cm²) for a package of 20 cigarettes, and by 51% (from 43.7 cm² to 66.0 cm²) for a package of 25 cigarettes. For a package of regular size cigarettes (70.0 to 73.0 mm in length), the surface area for a 75% warning increases by 42% (from 31.5 cm² to 44.7 cm²) for a package of 20 cigarettes, and by 51% (from 37.7 cm² to 57.1 cm²) for a package of 25 cigarettes (there could be slight differences in these measurements based on cigarette length and brand. The measurements indicated here are for packages of Macdonald, which has typical package sizes). Given that the impact of health warnings increases with size, the larger surface area will increase the

impact of warnings, especially when Canada implements a new round of picture-based warnings currently in progress.

At the time of implementation, many convenience store employees in informal conversations repeatedly indicated that many customers did not like the new larger format as the packages were less convenient and were harder to fit in a pocket. Indeed, a larger package also makes it more difficult to place in a small purse, or to hide from parents and teachers. This provides further rationale in support of slide and shell.

Canada's slide and shell format requirement was supported by health organisations, by research, and by endorsing statements from at least 25 experts. The tobacco industry opposed slide and shell, claiming that the slide and shell format would cause contraband, a claim that the industry also made for plain packaging generally. Nonetheless, implementation of slide and shell has been successful, and Canada has provided a regulatory innovation for other countries to consider.

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BIDI WORKERS COERCED TO PROTEST AGAINST TAX INCREASES IN BANGLADESH

In Bangladesh, the bidi industry has been capitalising on the financial vulnerabilities

of its workers to shield itself against any taxation or tobacco control measures. The Bidi industry has been criticised for abusing human rights by offering extremely low wages, the average in Bangladesh being US\$ 0.77–1.57 per day according to a 2019 study. Although the industry has ranked fourth in the Bangladeshi government's list of 38 hazardous work environments not suitable for children, at least half of its labour force are aged between 4–14 years. It is therefore surprising when bidi workers all over the country take to the streets every year, in the months preceding the national budget, raising slogans not for humane wages, benefits and safe work environments, but for tax reduction on bidi in the national budget. Such protests of bidi industry workers have been going on for years. However, a qualitative study, conducted by Bangladesh-based research and advocacy organisation PROGGA between December 2020 and March 2021, with support from the U.S. Advocacy group, the Campaign for Tobacco Free Kids (CTFK), has revealed that these nationwide protests are being sponsored and actively organised by a handful of influential bidi companies who coerce workers and other small bidi factories into participating.

The study selected four districts of Bangladesh, which took into consideration the concentration of bidi factories, and the frequency and intensity of bidi workers' protests. A total of 92 participants were purposively selected to take part in interviews and focus groups. They were bidi workers, labour leaders and representatives of local civil society, that is, journalists, activists, teachers, and writers. The participants exposed that the bidi workers' movement is carefully staged by the factory owners, who manipulate the workers by saying that any hike in bidi prices and taxation would result in shut-down of factories and loss of livelihoods. Factory owners also threaten to revoke workers' cards or temporarily shut down factories, causing sudden loss of wages. The study found the leading bidi company of the country, Akiz Bidi Company, to be the primary organiser behind these protests but also found evidence of organising roles of three other local companies, Aziz Bidi and Maya Bidi (Rangpur) and Bangla Bidi (Pabna). Factory owners often bring workers to the capital from distant parts of the country to draw national attention before the budget. The companies cover the costs of travel, food and other expenses. In such gatherings, workers are never given any opportunity to speak for themselves. Only the company managers,



Bidi workers protest Tax increases on bidi products in Bangladesh. Image courtesy of PROGGA, Bangladesh.

agents and some so-called labour leaders make statements. Some organisations that claim to represent workers' interest are front groups for factory owners.

Such protests, orchestrated by corporate actors, have been somewhat successful. For example, in the final budget of 2019–20, the supplementary duty on non-filtered bidi was raised to 35 percent from 30 percent. However, due to protests from bidi factory owners and workers, on 13 October 2019, the National Board of Revenue (NBR) reinstated the previous 30 percent duty on non-filtered bidi.

Factory owners also promise that if the government reduces taxes on bidi, the wages of workers will be raised from the surplus money. However, evidence gathered suggests that between 2018 and 2021, bidi workers saw only a meagre increase of BDT 6 (US\$ 0.071) in their wages for producing 1000 bidi sticks. In the meantime, for the same number of sticks, factory owners saw an increase of BDT 118.8 (US\$ 1.40).

It was also revealed that bidi workers are not allowed to unionise and any attempt to do so would result in redundancies.

Previous research has refuted the bidi industry's claims that a tax increase would cause millions to lose jobs. For example, in 2017, an organisation called Research and Development Collective (RDC) claimed that increasing taxes would render 1.5–2 million workers jobless. In 2014, RDC claimed the number to be 2.5 million. In 2018, the Bidi Workers Federation claimed the number of bidi workers was 2 million. However, a 2019 study conducted by the country's apex revenue body NBR found that the total number of full-time equivalent bidi

workers stands at 46916 which is only 0.074 percent of the total labour force of Bangladesh (63.5 million), indicating that the size of the workforce has been exaggerated by the industry and its front organisations to manipulate policymakers.

PROGGA's study makes a number of recommendations that include increasing prices and taxes on bidis to discourage consumption and utilising some of the additional funds to generate alternative livelihood for bidi workers. The findings also suggest that authorities need to apply more stringent measures to ensure that the bidi industry is taxed effectively and ends exploitative child labour. In addition, the study emphasises encouraging bidi factory owners to switch to other businesses and employments through loans and other assistance.

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USA: FDA ANNOUNCES PLAN TO PROHIBIT MENTHOL-FLAVOURED CIGARETTES

In April 2022, the United States (U.S.) Food and Drug Administration (FDA) announced plans to prohibit the sale of menthol as a characterising flavour in cigarettes and all characterising flavours (except tobacco) in cigar products.

Comprehensive scientific reviews by both the Tobacco Products Scientific Advisory Committee (TPSAC) in 2011 and the FDA in 2013 found that menthol cigarettes cause substantial public health harms beyond those caused by other cigarettes. The TPSAC concluded that

the “Removal of menthol cigarettes from the marketplace would benefit public health in the United States.” However, the FDA has taken many years to act on the evidence. Consequently, in 2020, several public health and medical organisations filed a lawsuit in the U.S. District Court for the Northern District of California against the FDA for failing to act on its own conclusions and recommendations of the TPSAC.

Menthol can give the illusion of breathing more easily by reducing the irritation of tobacco smoke and making mentholated cigarettes more palatable than non-mentholated cigarettes. This increases the appeal of tobacco product use among youth and young adults. Menthol also enhances nicotine’s addictiveness in the brain, making it more difficult to quit smoking.

It is estimated that there were more than 18.5 million menthol cigarette smokers ages 12 and older in the U.S. in 2019, with high rates of use by youth, young adults, and African American and other racial and ethnic groups.

African Americans are the largest consumer of menthol cigarettes. In the 1950s, less than 10% of African Americans who smoked used menthol cigarettes. Today 85% of African Americans who smoke use menthol. For over 60 years the tobacco industry has actively targeted African Americans, particularly children, with ubiquitous marketing of menthol cigarettes through magazine advertisements, supplying free samples of cigarettes, sponsoring music and community events, and retail promotions including price discounting.

Tobacco use is the number one cause of preventable death among African American Americans, claiming 45 000 lives every year. It is a major contributor to three of the leading causes of death among African Americans, who die from smoking-caused illnesses at much higher rates than other Americans.

Modelling estimates a 15% reduction in smoking in the U.S. population over 40 years if menthol cigarettes were no longer available. It is also estimated that between 92 000 and 238 000 smoking-related deaths among African Americans and between 324 000 and 654 000 smoking-related deaths among the U.S. population would be avoided over the course of 40 years if the sale of menthol cigarettes were prohibited.

Furthermore, flavoured cigars are currently used by more than half a million youth in the U.S., and more young people tried cigars compared with cigarettes. The product standard proposed by the FDA is intended to reduce the appeal of cigars, particularly to youth and young adults, and decrease the likelihood of experimentation, nicotine dependence, and regular use, and improve public health by increasing the likelihood that existing cigar smokers will quit.

“The proposed rules would help prevent children from becoming the next generation of smokers and help adult smokers quit...Additionally, the proposed rules represent an important step to advance health equity by significantly reducing tobacco-related health disparities.” said Xavier Becerra, the Secretary of Health and Human Services.

TOBACCO-INDUSTRY LINKED VACCINE, COVIFENZ, IS REJECTED BY THE WORLD HEALTH ORGANIZATION

The tobacco plant based COVID-19 vaccine, Covifenz, produced by biopharmaceutical firm, Medicago in Canada has been approved for use by Health Canada in the country. It is also being considered by the regulating bodies of several other countries including the US and the UK.

However, on March 2, 2022, the WHO announced the vaccine would not receive approval from the COVID-19 Vaccines Global Access (COVAX). The WHO rejected the vaccine for global

emergency use because it has a policy of non-engagement with companies that promote lethal tobacco products. Medicago has strong financial ties with the tobacco industry. Philip Morris International (PMI) owns over a fifth of the pharmaceutical company with a 21% share.

However, following international pressure, the WHO subsequently stated that it would review its non-engagement policy with tobacco companies on health industry related issues. Many health advocates and researchers around the world are concerned about the tobacco industry’s intentions. A brief report by the Bloomberg Philanthropies funded STOP project cited a number of ways in which PMI benefits from its relationship with Medicago, including using the vaccine development as a form of corporate marketing, and using it as a tool to lobby government for other tobacco and health partnerships as well as maximising corporate social responsibility opportunities through vaccine distribution.

Medicago has attempted to distance itself from the tobacco company since 2020 when PMI publicly announced its role in creating a COVID-19 vaccine. Notable examples include, no mention of PMI in any of Medicago’s 2022 news releases and in December 2020, Medicago replaced its then CEO who incidentally happened to be the former vice president of PMI.

This article is based on one presented by the French advocacy group, Génération Sans Tabac (@GST_France).

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