Tobacco advertising, promotion and sponsorship (TAPS)

The problem and how to solve it

World Health Organization

International Union Against Tuberculosis and Lung Disease

Outline

1. Definitions of TAPS
2. Forms of TAPS
3. Solutions
4. Common loopholes and pitfalls
5. Challenges

Broad definition of TAPS included in WHO FCTC

Use of terms

Article 1(c) "tobacco advertising and promotion" means any form of commercial communication, recommendation or action with the aim, effect or likely effect of promoting a tobacco product or tobacco use either directly or indirectly

Article 1(g) "tobacco sponsorship" means any form of contribution to any event, activity or individual with the aim, effect or likely effect of promoting a tobacco product or tobacco use either directly or indirectly

WHO FCTC Article 13

1. Parties recognize that a comprehensive ban on TAPS would reduce the consumption of tobacco products.

2. Each Party shall, in accordance with its constitution or constitutional principles, **undertake a comprehensive ban of all TAPS**. This shall include, subject to the legal environment and technical means available to that Party, a comprehensive **ban on cross-border advertising, promotion and sponsorship originating from its territory**. In this respect, within the period of **five years after entry into force** of this Convention for that Party…

WHO FCTC Article 5.3 obligations

In setting and implementing their public health policies with respect to tobacco control, Parties shall act to protect these policies from commercial and other vested interests of the tobacco industry in accordance with national law.

Article 5.3 guidelines recommend:

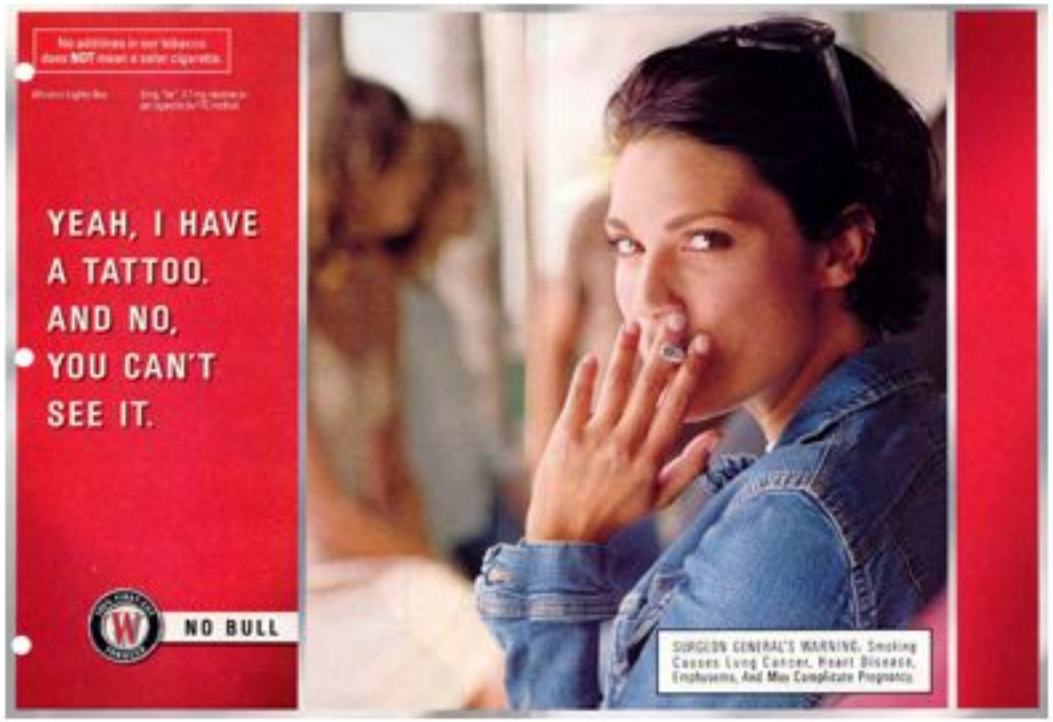
- Banning donations, funds, gifts, services from tobacco interest groups and inclusion on government committees and advisory bodies involved in tobacco control
- Rejecting partnerships and non-binding or non-enforceable agreements with tobacco industry or tobacco interest groups.
- Parties should regulate activities described as "socially responsible" by the tobacco industry, including activities described as "corporate social responsibility" (CSR)

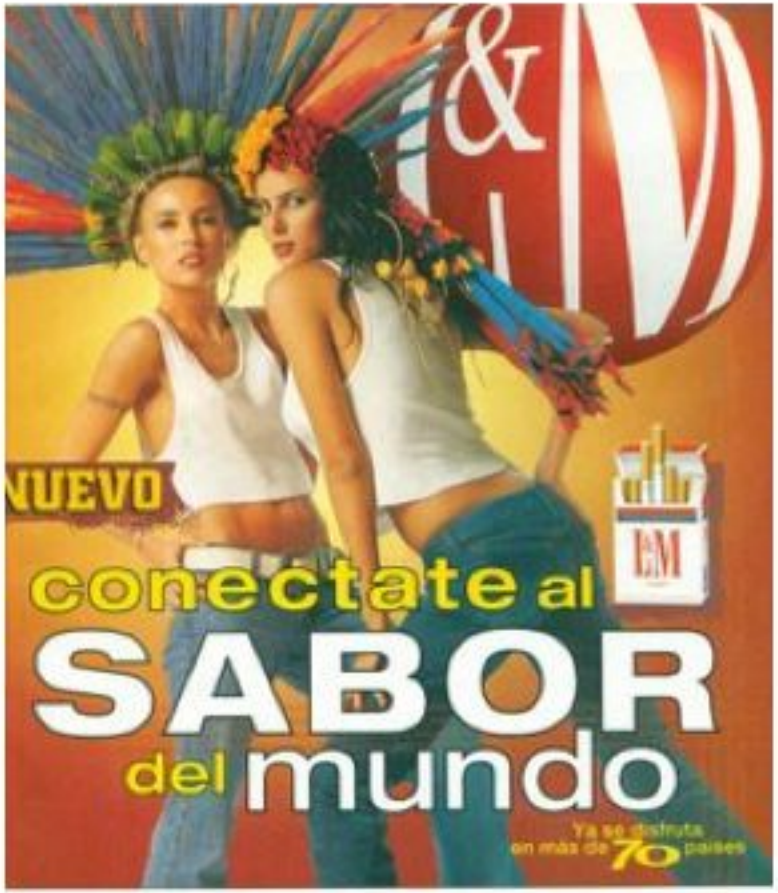
Examples of the many forms of TAPS

- Direct advertising
  - billboards, print media, radio, television
- Merchandising
  - lighters, clothing
- Sponsorship
  - sports, music events
- Brand stretching
  - holidays, cafés, music
- Packaging
  - reinforce brand imagery
- Product placement
  - films and television
- Other marketing communications
  - events/participatory promotions

- Corporate social responsibility
  - including youth smoking prevention programmes (YSP)
- Point of sale
  - cigarette pack "powerwalls", other signs
- Loyalty schemes and coupons
  - collecting coupons to exchange for promotional items
  - coupons may offset the effect of price increases
- Free samples
  - a popular tobacco industry strategy
- Internet
  - tobacco industry has its own sites
  - sponsor other sites unrelated to tobacco

Direct advertising: Paid advertising for the product itself





El fumar es perjudicial para la salud

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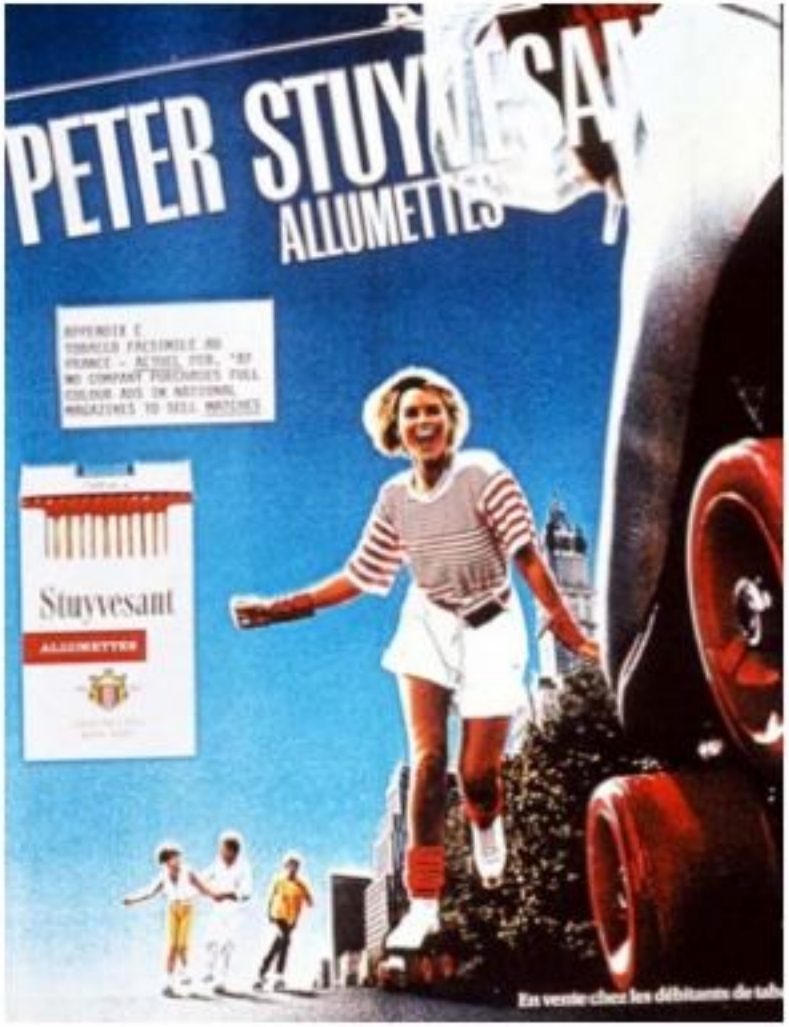
Brand stretching

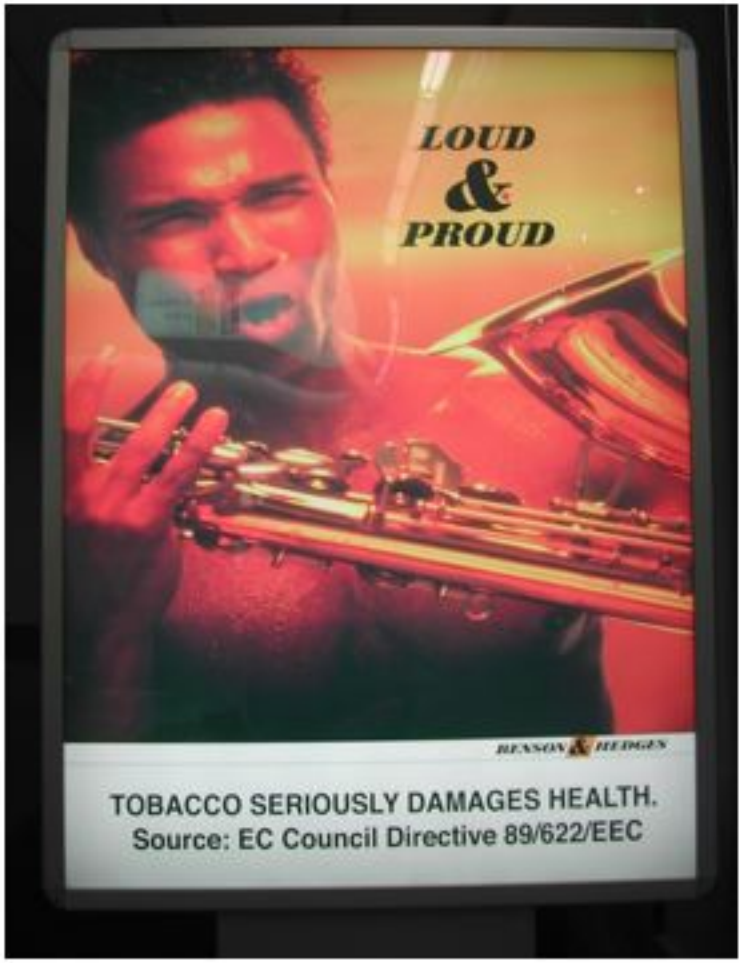
Tobacco brand names on non-tobacco products

Promotions for brand stretching

Advertisements for non-tobacco products (i.e. matches) with tobacco brand names



Tobacco companies circumventing bans on TAPS



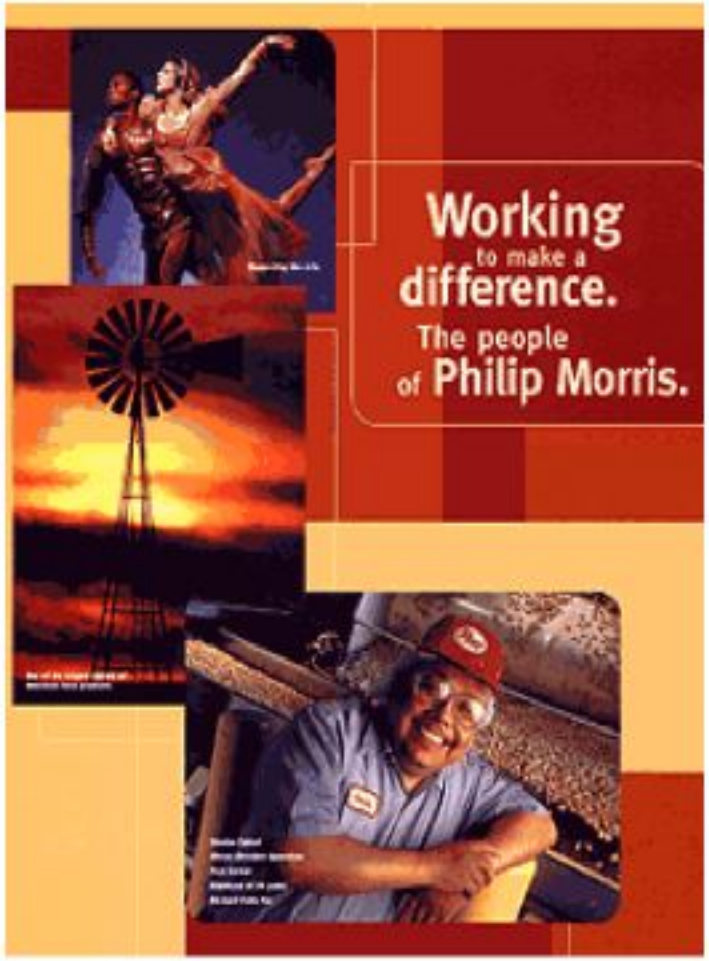
Sponsorship

Use of an event, individual or entity to promote tobacco products

Free samples of tobacco products

Vending Machines

Corporate social responsibility (CSR)



Tobacco industry sponsored Youth Smoking Prevention (YSP) programmes

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Product placement and smoking imagery in movies

Visible placement of a brand or visible use of tobacco products in movies, television, or other entertainment media

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Price discounts for consumers and incentives for retailers to promote certain tobacco brands

Price discounts, coupons, and other economic incentives to purchase tobacco products

Competitions with prizes for retailers to promote particular tobacco brands

Increasingly being used as bans on TAPS become more comprehensive

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Product displays at point of sale and in-store promotions

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Internet sales of tobacco and social networking sites promoting smoking

Cheap tobacco sales and popular youth websites promote smoking …

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The package as advertising

Canada

Split pack-
just like a
mobile phone

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TAPS: Current situation

- The tobacco industry spends billions of dollars each year marketing its products.
- The industry uses a sophisticated integrated marketing mix, all of which work together to promote and reinforce tobacco use, particularly among vulnerable groups.
- Despite evidence to the contrary, the industry still insists that TAPS does not increase consumption; it merely allows existing smokers to choose their brands.

The evidence is clear: TAPS increase consumption

- Major reviews of evidence conclude a causal relationship between TAPS and increased tobacco use
- TAPS encourage and influence youth to experiment with tobacco products and initiate regular use
- Reduces tobacco users' motivation to quit
- Encourages former users to resume tobacco use

Source: Tobacco Control Monograph 19. *The role of the media in promoting and reducing tobacco use*. US Department of Health and Human Services, 2008.

Why a **comprehensive** ban on TAPS is important

- Evidence clearly shows that TAPS increase tobacco consumption, including youth initiation
- Evidence shows that comprehensive bans on TAPS are effective in reducing tobacco use*
- Partial bans are ineffective. When one form of TAPS is banned, the tobacco industry shifts spending to other forms of promotion

* Source: Saffer H. Tobacco advertising and promotion. In: Jha P, Chaloupka FJ, eds. *Tobacco control in developing countries*. Oxford, Oxford University Press, 2000.

Other benefits of a comprehensive ban on TAPS

- Prevents glamorization of tobacco use
- Reduces social acceptability of tobacco use
- Reduces cues that reassure tobacco users, especially
  for those interested in quitting
- Frees the media from commercial influences so that they are more likely to report openly on tobacco issues
- Increases the impact of health warnings (on plain packaging)

Solution: Implement Article 13 Guidelines

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Article 13 Guidelines recommendations include:

- A ban on all TAPS in order to avoid shifting of expenditures:
  - banning direct and indirect advertising, including sponsorships, brand stretching, and price discounts
  - banning product displays and vending machines
  - ban on cross-border TAPS (in-flowing and out-flowing)
  - consider requirements for plain packaging
  - measures to restrict tobacco use in movies and other entertainment media
- If all TAPS cannot be eliminated:
  - large, graphic warnings on remaining advertising
  - disclosure of advertising and promotion expenditures

Solution: Key elements of effective legislation

- Definitions must be carefully defined, based on the Article13 Guidelines
- Definitions consider the broad definition of TAPS and include logos, images and colour combinations
- Legislation must allow for revisions to take account of new technologies and innovations, i.e. viral marketing

Common loopholes and pitfalls

1. Poor definitions
2. Not comprehensive in scope, resulting in expansion of non-banned promotions
3. Weak and ineffective enforcement and penalties
4. Tobacco displays at point of sale are restricted in size only rather than out of sight
5. Cross-border TAPS (Grand Prix, cricket, music events) are not banned
6. Viral promotions using new media technology such as the internet, text messaging and direct mail are not banned

Challenges: Monitoring and enforcement

Effective legislation requires:

1. An independent authority to monitor and enforce the law with adequate resources and powers to impose dissuasive penalties
2. A role for civil society in monitoring and enforcement, including complaints line, web site to report breaches and right to launch legal action

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Evidence and strategies on specific forms of TAPS: Point-of-purchase/out-of-sight tobacco displays

Evidence and strategies on specific forms of TAPS: Point-of-purchase/out-of-sight tobacco displays

Article 13 Guidelines:

"To ensure that points of sale of tobacco products do not have any promotional elements, Parties should introduce a total ban on any display and on the visibility of tobacco products at points of sale, including fixed retail outlets and street vendors. *Only the textual listing of products and their prices, without any promotional elements, would be allowed."*

After the Ban

Cigarette packs are hidden away from plain sight. Note the sign on top of the cabinet stating: "Cigarettes are sold here".

Evidence and strategies on specific forms of TAPS: Packaging as advertising

- The least expensive form of advertising
- The manufacturer's last chance at a customer
- The industry admits to using the pack as a 'promotion tool' and a 'silent salesman'. Packs aimed at young women, for example, should be 'slick, sleek, flashy, glittery, shiny, silky, bold'.
- No single factor is as important at the point of sale as the package itself.

M. Gershman, 1987

- "The answer to the question whether pack design can beat restrictions on cigarette advertising must be a very positive 'yes.' "

Kevin Sheridan, representative of packaging firm supplying Canadian tobacco companies

Evidence and strategies on specific forms of TAPS: Plain packaging

Benefits include:

- Removing the pack's ability to mislead and deceive consumers
- Reduced ability to promote smoking and brand personality through the pack
- Decreasing rates of youth initiation and consumption
- Enhancing the effectiveness of health warnings on packs

versus

Evidence and strategies on specific forms of TAPS: Corporate social responsibility (CSR)

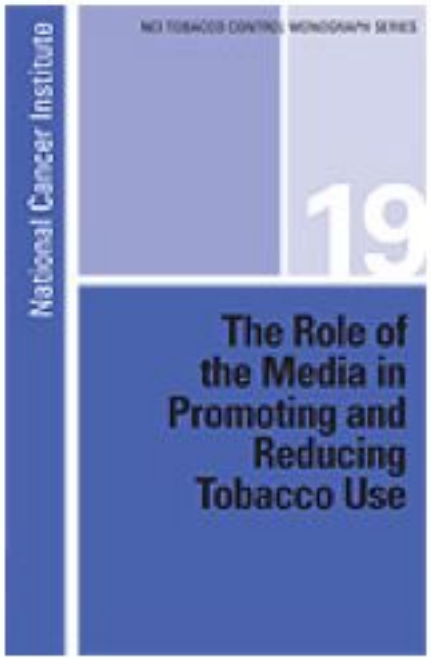
Tobacco companies use CSR as a tool to gain credibility and influence with governments by:

- funding charities, education, community projects and political parties
- developing and promoting youth smoking prevention projects that studies confirm are ineffective.

Source: *Tobacco industry and corporate social responsibility…an Inherent contradiction*.
WHO Tobacco Control Papers, 2004

Article 13 Guidelines recommend that CSR from the tobacco industry should be banned as this is a form of TAPS

Evidence and strategies on specific forms of TAPS: Tobacco imagery in movies



Conclusions from National Cancer Institute (NCI) Monograph 19

The total weight of evidence from cross-sectional, longitudinal, and experimental studies indicates a causal relationship between exposure to movie smoking depictions and youth smoking initiation.

NCI, 2008

Evidence and strategies on specific forms of TAPS: Countering tobacco imagery in movies

The impact of smoking in movies can be reduced with these policies:

- Run proven anti-smoking advertisements before all movies with tobacco imagery in all distribution channels
- Require adult ratings for movies with tobacco imagery
- Certification of no pay-offs for including tobacco imagery in the movie
- Ban on displaying tobacco brands on screen

Source: *Smoke-free movies: From evidence to action*. WHO, 2009

Summary

1. TAPS cause increases in tobacco consumption and initiation by youth
2. WHO FCTC requires implementation of Article 13 within five years of ratification
3. There are many different forms of TAPS and all need to be comprehensively banned
4. Experiences from other countries show it can be done

How can a complete ban on TAPS be implemented and enforced in your country?

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Credits for Photographs and Illustrations

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Left: Ontario Tobacco-free Network (Ontario Lung Association; Canadian Cancer Society, Ontario division; Heart and Stroke Foundation of Ontario)
Right: Anne Jones

Slide 2
Left (vending machine): Japan Association Against Tobacco (JAAT)
Right: WBB Trust (Bangladesh)

Slide 7
Left: Campaign for Tobacco-Free Kids, http://www.tobaccofreekids.org/adgallery
Right: Campaign for Tobacco-Free Kids, http://www.tobaccofreekids.org/adgallery

Slide 8
Ross Hammond

Slide 9
Rick Pollay

Slide 10
Left (top): Heather Selin
Left (bottom): Ehsan Latif
Right: Heather Selin

Slide 11
Campaign for Tobacco-Free Kids, http://www.tobaccofreekids.org/adgallery

Slide 12
Left: World Health Organization
Right: Japan Association Against Tobacco (JAAT)

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Slide 14
Campaign for Tobacco-Free Kids, http://www.tobaccofreekids.org/adgallery

Slide 15
Left: Superman II: Warner Bros. Entertainment, Inc.
Center: 101 Dalmatians. The Walt Disney Company
Right: My Best Friend's Wedding, Sony Pictures

Slide 16
Left: Anna Gilmore
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Left: Ontario Tobacco-free Network (Ontario Lung Association; Canadian Cancer Society, Ontario division; Heart and Stroke Foundation of Ontario)
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Slide 18
Left: You Tube
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Slide 19:
Alex Lee

Slide 24
Row 1 from left: Judith Mackay; Ehsan Latif; World Health Organization
Row 2 from left: Japan Association Against Tobacco (JAAT); Ontario Tobacco-free Network; Campaign for Tobacco-Free Kids, http://www.tobaccofreekids.org/adgallery

Slide 28
WBB Trust (Bangladesh)

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