

7.4

Policy Interventions: A Comprehensive Ban on Advertising

According to Mackay and Eriksen: ‘Cigarettes are the most marketed products in the world. There is no reliable estimate of global cigarette marketing expenditures, but roughly it is estimated to be in tens of billions of US dollars a year. Cigarette marketing is bolder and more aggressive in developing countries than in developed countries. Tobacco advertising is common in television, radio, sports, arts, music, fashion and street events, adventure tours, contests, give-aways and the internet. There are also hidden advertisements such as showing of cigarette smoking scenes and other tobacco products in films, sponsorship of universities, good-will donations to community events, and advertising of other goods and products bearing the brand name of tobacco products.’⁷³

It has long been recognized that reducing or eliminating advertising of tobacco products is important for tobacco control. Many countries have taken steps to reduce tobacco advertising, including prohibition of advertising at the point of sale.⁷⁴ Several countries, including India, have banned the advertising of tobacco products to a variable extent. Recognizing the impact of tobacco advertisements and promotional activities, the Framework Convention on Tobacco Control (FCTC) (Article 13) has called upon countries to undertake a comprehensive ban of all tobacco advertising, promotion and sponsorship to reduce the consumption of tobacco products.⁷⁵ The Indian Act for tobacco control (Cigarettes and Other Tobacco Products Act, 2003) banned all forms of advertising of tobacco products—except at the point of sale.⁷⁶

Tobacco advertising and promotion

In places where advertising is permitted, the largest single expenditure of tobacco companies is devoted to advertising and promotion, which exceeds the amount spent on purchasing tobacco leaf.⁷⁷ A majority of studies have shown that tobacco advertising leads to an increase in consumption. Tobacco advertising also has a powerful effect on young people. Tobacco promotion activities are causally related to the onset of smoking in adolescents, and exposure to cigarette advertising is predictive of smoking among adolescents. There is an increase in the prevalence of use of brands, as well as in the prevalence of smoking altogether, after the introduction of brand advertisements that appeal to young people.⁷⁸

The impact of tobacco advertising on consumption

Econometric research evidence

Most econometric studies have found that increased expenditure on tobacco advertising increases the demand for cigarettes, while banning advertising leads to a reduction in tobacco consumption. A meta-analysis of such studies found that tobacco advertising significantly increased tobacco sales.⁷⁹

Research evidence within a country before and after a ban on advertisements

Several studies have yielded convincing data that a complete ban on advertising makes an important contribution towards reducing the prevalence of smoking.⁷⁹ Some of them are summarized in Table 7.8.

International comparison of trends in tobacco consumption and anti-tobacco measures

A study by the New Zealand government, which examined the trends in consumption and

Table 7.8 Study results within a country before and after a ban on advertising⁷⁹

Country, year	Description of anti-tobacco measures	Effect
Norway, 1975	Complete ban on advertising and sponsoring coupled with health warnings, public information and age limits on sales	Long-term reduction in the prevalence of smoking by 9%
Finland, 1977	Complete ban on advertising, no smoking in public buildings, age limit on sales, strong public information campaigns	Reduction of cigarette consumption by 6.7%
Canada, 1989	Complete ban on advertising and sponsoring, with higher tobacco prices	Corrected for price increases, a long-term reduction of 4% on the prevalence of smoking
New Zealand, 1990	Ban on advertising and sponsoring, higher tobacco prices	Reduction in tobacco sales by 7.5%, of which 5.5% can be attributed to the ban on advertisements
France, 1991	Complete ban on advertising, limiting smoking in public buildings, removal of tobacco from the consumer price index	Reduction of smoking prevalence by 7% in 1991–1993

advertising of tobacco in 33 countries during 1970–1986, demonstrated that the higher the degree of governmental control on tobacco advertising and sponsorship, the larger the annual reduction of tobacco consumption. A cross-sectional time series analysis in 22 Organization for Economic Cooperation and Development (OECD) countries, during 1960–1986, concluded that increasingly strict regulation of advertising causes corresponding reduction in tobacco consumption.⁷⁹

When countries ban tobacco advertising in one medium, such as television, the industry can substitute advertising in other media with little or no effect on overall marketing expenditure. If the most comprehensive restrictions were in place, tobacco consumption would fall by more than 6% in high-income countries. Modelling based on these estimates suggests that the European Union's ban on advertising could reduce cigarette consumption within the European Union by nearly 7%.⁸⁰ Another study in 102 countries compared consumption trends over time in countries with relatively complete bans on advertising and promotion, and those with no such bans. In the countries with nearly complete bans, the downward trend in consumption was much steeper (Fig. 7.4). In Fig. 7.4, it can be noted that the group with comprehensive bans starts at a higher consumption level than the non-ban group but

at the end of the study period, has a lower consumption level. This change was due to the higher negative growth in the countries where the ban was operable.^{80,81}

The effect of tobacco advertising on young people

Advertising and promotion of tobacco products attract children's attention, and they remember its messages. There is also growing evidence that

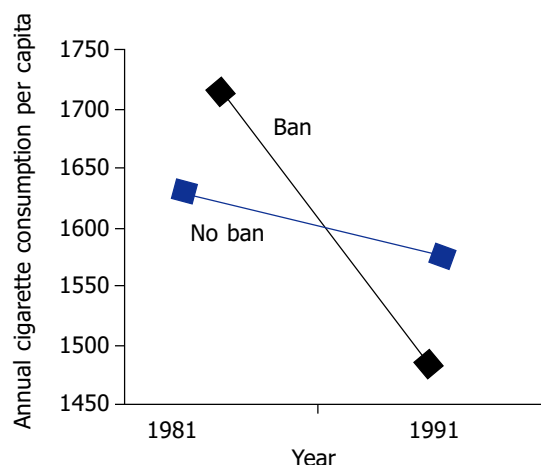


Fig. 7.4 Trends in weighted cigarette consumption per capita in countries with a comprehensive ban compared with countries with no ban^{80,81}

Source: Saffer, Henry. The control of tobacco advertising and promotion. Background paper, cited by Jha and Chaloupka

the industry is directing increasing shares of its advertising and promotion activity toward markets where there is judged to be growth or potential for growth, including some youth markets among whom smoking has until recently been uncommon.⁸⁰

An Indian study showed very high exposure of children to tobacco product advertisements. In Uttar Pradesh, 8 in every 10 boys and girls saw a tobacco product (cigarette or *gutka*) advertisement on billboards and 6 in every 10 saw such advertisements in other media. One in every 5 students was offered free cigarettes from a tobacco company representative. Six out of every 10 students in Uttar Pradesh said they saw cigarette advertisements on TV, in the newspapers and at social events.⁸²

Current cigarette smokers are significantly more likely than never-users to report watching cigarette advertisements in the print media, including newspapers. Current cigarette smokers were 12 times more likely than never-users to report being offered free cigarette samples by a tobacco company. Even exposure to *gutka/paan masala* advertisements on billboards was reported to be very high.

Current smokeless tobacco users are significantly more likely than never-users to report watching *gutka/paan masala* advertisements in the print media, including newspapers. Current smokeless tobacco users were five times more likely than never-users to report being offered free *gutka/paan masala* samples by a tobacco company. In Uttar Pradesh, over half of the students (53%) had seen several *beedi* advertisements on billboards and nearly one-third saw them at social events (31.1%). Current *beedi* smokers (69.7%) were significantly more likely than never-users (36.1%) to report watching *beedi* advertisements at social gatherings.⁸²

To achieve an impact on tobacco consumption by the youth, measures such as increased health education should be combined with a ban on advertising. A combination of an increase in tobacco prices and a complete ban on advertising

has proved to be more effective than either measure on its own.⁷⁹

Outdoor advertising

Outdoor advertising (e.g. billboards or posters) has always been heavily used by the tobacco industry. Voluntary restrictions on outdoor advertising, such as agreements not to place advertisements on billboards within a certain distance of schools, have not been effective in international experience. One study showed that despite such an agreement, during a 6-month period in 1994, tobacco advertisements were posted on two-thirds of the billboards near schools. In 1995, tobacco advertisements were posted near 40% of the schools.⁷⁹

Tobacco advertising and display of tobacco products at the point of sale

Point-of-sale advertising and promotion directly influence the products and brands that children buy and use. Point-of-sale advertising and promotions target and attract shoppers right at the places where they can immediately buy the specific products or brands. More specifically, point-of-sale tobacco advertising and promotion may have a direct impact not only on which brands of cigarettes children buy but also on the number of children who buy cigarettes.⁸³

Any weakness in the legislation regarding advertisements would lead to misuse of the gaps in the tobacco lobby. It has been recommended that the following fundamentals be incorporated into legislative drafts:⁷⁴

- Prohibit any advertisements of any kind everywhere, including at the point of sale.
- Prohibit advertising of price discounting; for example, no 'was/is' signs, no crossed out prices with the new price underneath. Price discounting is attractive to children and teenagers who are price sensitive.
- Ensure that the prohibition covers all potential and actual gimcracks, baubles and

gimmicks. Ensure that it precludes flags, banners, clothing, mobiles, wall hangings, carpets, coin mats, clocks, watches, internally lit revolving cabinets and objects in associated colours and themes, as well as colour coding, etc.

- Prohibit lighting directed at product displays.
- Prohibit value-added marketing devices such as give-aways with products; for example, cigarette lighters, calendars, books, maps, diaries, CDs, toys or cosmetics. These are particularly attractive to children.
- Prohibit display in association with or near products marketed for children (such as toys, videos, candy, sweets, crisps).
- Prohibit toys or confectionery that resemble tobacco or cigarettes.
- Prohibit audible as well as visual advertising.
- If possible, prevent misleading statements such as 'light' or 'mild'.
- If possible, prohibit the industry from making false or misleading statements to retailers about display legislation. This particular provision in the Tasmanian legislation has proved invaluable in preventing tobacco representatives from telling retailers that a particular display is lawful, when it is not. This provision has substantially enhanced the efficacy of enforcement mechanisms.

There are other useful legislative actions that should be tied or linked to the primary tobacco legislation. Licensing of tobacco product sellers might help to find the seller, cancel the license in case of violation of legislation and generate revenue from the licensing process, which can be used for the enforcement process. Infringement notices improve compliance rates, allow swift and sure 'punishment' for breaches of display provisions, without the complexity and cost of launching prosecution action, and have an immediate 'educative' effect on retailers.⁷⁴ There should be large notices in shops regarding the legislation and should include health warnings (both graphic and written), as well as information about who to contact in the government regarding breaches and access to cessation programmes.⁷⁴

Nominated officers might be appointed and trained to undertake enforcement and education work, and empowered by legislation to issue on-the-spot fines. Such an enforcement regimen markedly enhances community involvement in tobacco control activities, and reduces reliance on governments.⁷⁴

Other forms of tobacco promotion

As more and more countries impose total or partial bans on tobacco advertising, the industry is finding new ways to publicize their brands, especially among the youth. Such 'indirect advertising' methods include: sponsorship of sports or cultural events; displays at points of sale; 'brand stretching', where tobacco brand names are used as part of other product names; product placement in television and film shows; direct mailing, special sales promotions and samples.⁷⁸

Tobacco companies consistently predict that bans on advertisement will have a severe adverse impact on advertisers, the media and the economy as a whole. In most cases, however, tobacco advertising constitutes only a small percentage of the total advertising revenue, minimizing the economic impact on media outlets currently accepting tobacco advertisements. Several studies have shown that despite a total ban on tobacco advertising on television and radio, the advertising revenue went up by 500% in Hong Kong and 42% in Thailand.⁷⁸

Implications for India

The Cigarettes and Other Tobacco Products Act, 2003 has banned direct and indirect advertising of all tobacco products. However, advertising has been permitted at the 'point of sale' of tobacco products. The restrictions placed on display boards at such sites are not being strictly observed by vendors and the tobacco industry. Further, there is the danger that the industry may rapidly increase the number and type of outlets where tobacco products are sold and

festoon markets with display boards at supposed 'points of sale'. It is, therefore, ideal if the Act is amended to extend the ban to such 'point-of-sale' advertising as well. The danger of cleverly disguised surrogate advertising also exists and needs to be carefully monitored and countered through effective enforcement of the Act.

It has been found that only restrictions on content and placement of advertisements or bans in one or two categories of the media are not effective. However, the evidence suggests that tobacco control programmes with comprehensive advertising bans would reduce tobacco consumption. Counter-advertising, where the

media is used to promote public health, also reduces cigarette consumption. The taxation on advertising has also been found to reduce total advertising with the additional advantage of raising revenue that could be used to fund counter-advertising. Therefore, policy options for a comprehensive ban on tobacco advertising might include limitations on the content of advertisements, restrictions on the placement of advertisements, restrictions on the time that cigarette advertising can be placed on the broadcast media, total bans in multiple media, counter-advertising, taxation on advertising, and prevention and penalizing of cross-border advertising (as discussed in Section 6.3).⁸¹

7.4 POLICY INTERVENTIONS: A COMPREHENSIVE BAN ON ADVERTISING

KEY MESSAGES

- There is convincing evidence that tobacco advertising plays an important part in encouraging non-smokers to begin smoking.
- When countries ban tobacco advertising in one medium, such as television, the industry can substitute advertising in other media with little or no effect on overall marketing expenditures.
- Comprehensive bans on tobacco advertising and promotion can result in a considerable reduction of tobacco consumption at the national level.
- A complete ban on advertisements coupled with an intensive public information campaign on the ill effects of using tobacco products will lead to a reduction in tobacco consumption by 6%.⁷⁹
- In India, surrogate advertisements are still prevalent in the media and the existing laws need to be strengthened and enforced.