The Union

A tobacco control enforcement team in Punjab, India, remove illegal tobacco advertising. Credit: Matthieu Zellweger

Factsheet 3.

03

Tobacco advertising, promotion and sponsorship [TAPS] bans

Key Facts

- Tobacco advertising increases consumption.
- One third of youth experimentation with tobacco is a result of exposure to tobacco advertising, promotion and sponsorship.[1]
- Comprehensive bans on tobacco advertising, promotion and sponsorship (TAPS) reduce tobacco consumption.
- Partial advertising bans do not work because tobacco companies use indirect advertising methods to circumvent bans.
- Article 13 of the WHO Framework Convention on Tobacco Control [WHO FCTC] requires parties to implement measures that allow for a comprehensive ban on direct and indirect tobacco advertising, promotion and sponsorship.

Tobacco advertising:

The tobacco industry markets its products directly through advertising, and indirectly through promotions and sponsorship. Comprehensive TAPS bans must cover traditional and emerging platforms for marketing, including: print media; branded packaging; point-of-sale displays; billboards; online and social media; direct mail; sponsorship of events, individuals and organisations; brand-stretching to non-tobacco products; apparent 'corporate social responsibility' campaigns; free give-aways and price promotions.

The effect of advertising on tobacco consumption

Tobacco companies invest tens of billions of dollars world-wide on advertising, promotion and sponsorship – their targets are often young people and women.[1]

Tobacco companies claim that their marketing is designed to persuade smokers to switch to their brand. But evidence shows that these campaigns associate smoking with attractive images including independence, glamour and machismo.[2] Branding is used to discourage smokers from quitting, to encourage new smokers, and to undermine restrictions on tobacco marketing.

Why tobacco advertising should be banned

Comprehensive advertising bans can decrease tobacco consumption.[3] A study of 22 high-income countries concluded that comprehensive bans on tobacco advertising and promotion could reduce tobacco consumption by up to 7.4%.[4]

Individual countries have experienced a decline in consumption of up to 16% after the introduction of advertising bans.[5,6] Partial advertising bans or voluntary agreements have little or no effect on tobacco consumption.

Why partial advertising bans do not work

Although a partial advertising ban will reduce the number of promotional platforms the tobacco industry can use, the total amount these companies invest in promotion remains the same.[7] The industry circumvents partial advertising bans or voluntary agreements where possible[2] by switching to unregulated advertising platforms. For example, when Thailand banned tobacco advertising in

1992, British American Tobacco switched its sponsorship strategy to motor rallying and motorbike racing. It used broadcasts of regional competitions in order to undermine national regulations.

Using indirect advertising to get around advertising bans.

As the number of countries restricting tobacco advertising grows, so does the tobacco industry's use of indirect promotion. Indirect marketing thrives on legal loopholes, or those advertising opportunities not covered by TAPS bans, as in the example from Thailand above. Brand–stretching is becoming more widely used, and as yet is prohibited by just one third of countries.

Malaysia provides a good example of how tobacco companies can circumvent partial advertising bans. In 1982 it introduced a ban on the advertising of cigarettes on television and radio. In spite of this, the levels of indirect tobacco advertising increased to higher levels than in any other country during the 1980s and 1990s. The transnational tobacco companies (TTCs) set up separate businesses, which they projected as independent entities, focusing on activities such as travel, music, clothing and sport. By the mid-1990s TTCs were the largest advertisers in Malaysia, accounting for 25% of total national advertising expenditure.

Status of TAPS bans

Only 10% of the world's population is covered by a complete TAPS ban. 24 countries have a complete ban on direct and indirect TAPS activities. More than 100 countries are close to having a complete TAPS ban. However, 67 countries currently do not ban any TAPS activities, or have a ban that does not cover advertising in national broadcast and print media.

However progress is being made:

- India's TAPS ban includes regulation of tobacco imagery in films and television and prohibits brand names being shown or product placement.
- Iran prohibits all forms of direct and indirect advertising.
- Lebanon's comprehensive tobacco control legislation includes a TAPS ban. A challenge by the industry shortly after the law's passage was successfully countered.

Packaging as advertising

Cigarette packs are also a key advertising medium for the tobacco industry. As more countries introduce larger text and pictorial warnings, opportunities for the tobacco industry to advertise on packs are becoming limited. In December 2012, Australia's plain tobacco packaging came into effect. Early evaluation indicates that plain packaging is associated with lower product appeal, more support for the policy and more urgency to quit among adult smokers.[8]

'Corporate Social Responsibility'

Corporate Social Responsibility is being used increasingly by tobacco companies to indirectly advertise and promote their products. It also is a public relations strategy. Through philanthropy or sponsorship the company presents itself as socially responsible, with a view to improving its image. Recent research indicates that one of the key aims of these programmes is to help the company secure access to policymakers and thereby increase the company's chances of influencing policy decisions.[9]

WHO FCTC requirements

Under Article 13 of the WHO FCTC parties must implement measures that allow for a comprehensive ban on direct and indirect tobacco advertising, promotion and sponsorship. This includes cross-border advertising originating in their territory.[10] Guidelines for implementing Article 13 have been adopted by parties to the WHO FCTC and should be used to guide governments in developing and implementing comprehensive legislation within the recommended deadline of five years.[11]

Point-of-sale display ban, UK.

Best practice

- Adopt a comprehensive ban on all direct and indirect forms of tobacco advertising, promotion and sponsorship.
- Cover all media, players and platforms comprehensively.
- Discard voluntary codes proposed by the tobacco industry.
- Carefully define the terms 'advertising', 'sponsorship' and 'promotion'.
- Ensure the ban covers promotion originating in and entering a country.
- Ban commercial displays of product packages.
- Impose substantial penalties on those who breach the ban.
- Announce the ban well in advance of implementation. Amend the ban as required to include innovations in industry tactics and media technology.

References

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