

Tobacco **FACTS**

PLAIN PACKAGING OF TOBACCO PRODUCTS

In April 2010 the Australian Government announced that all tobacco products must be sold in plain packaging in Australia by 1 July 2012 – the first country in the world to make this commitment.

Plain packaging of tobacco products is likely to:

- stop use of packs as promotion and advertising
- increase effectiveness of health warnings
- reduce tobacco industry ability to use misleading and deceptive packaging to create false beliefs of different health risk associated with each product
- reduce youth smoking and decrease youth uptake
- remove positive association with cigarette brands/image

WHAT IS PLAIN PACKAGING?

It requires all tobacco products to be sold in packaging without use of colour, decorative or design features that could add appeal to the product; or trademarks, logos, inserts/onserts or promotional information of any kind.

Prescribed Pack

Exact dimensions, shape, colour, material and style of package opening would be prescribed by type of product and include colour, gloss level, ink colour and font style that can be used. This would apply to outside and inside of any packaging and cover wrapping papers, foils and any other lining material.

Prescribed Product

Prohibition against promotional elements should apply both to exterior and interior of package, including the product itself. This would prohibit use of unique or coloured filters or printing or embossing of logos on the tobacco product itself. Shape and size of the actual tobacco product should also be specified.



Recent studies show that majority of the Australian population would support plain tobacco packaging.

Regulation of pack design and descriptors in Australia is limited. *Tobacco Advertising Prohibition Act 1992* and various State and Territory laws on tobacco advertising do not extend to the pack itself.

By using colours, novelty packaging, logos and other imagery, manufacturers are able to engineer the pack to appeal to their intended market segment and convey certain brand characteristics and quality.

“... it’s because not everything is illegal. And they employ advertising agencies to help them sell their products within the legal framework that they’ve been given.” Todd Sampson: The Gruen Transfer- ABC

THE PACK AND BRAND IMAGE

The pack communicates much about brand character and quality, and stylishness and sophistication of the smoker. Tobacco packs are often described as “badge products” that “remain with the user once opened and are repeatedly displayed in social situations,” becoming “a direct form of mobile advertising for the brand”. Packs aim to target certain market segments, attract new smokers and encourage brand switching.

The primary job of the package is to create the desire to purchase and try. To do this, it must look new and different enough to attract the attention of the consumer.

Miller, A Arthur D Little Inc report to Liggett and Myers

THE PACK AND ITS TARGET AUDIENCE

Tobacco companies also use new and innovative pack designs to target particular market segments and promote brand characteristics. Cigarettes are often packaged in slim long packs, with pastel colours or extensive white space used to appear sophisticated or feminine.



Original Longbeach pack; -2009 Longbeach ‘Slims’
“Some women admit that they buy Virginia Slims, Benson & Hedges etc when they go out at night to complement a desire to look more feminine and stylish. ...more fashionable feminine packaging can enhance the relevance of some of our brands.” Philip Morris (1992)

JULY 2010

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Action on Smoking and Health

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HEALTH WARNINGS: PACK IMPACT

Brand imagery alongside health warnings on packs sends a mixed message about the product and can undermine impact of warnings, particularly on young people. Some brands incorporate colours of health warnings into pack design so they “blend in” and become less striking.

THE PACK AND PERCEPTIONS OF QUALITY AND STRENGTH

Studies on effects of pack design, including by the tobacco industry, have found packaging materials and imagery influence consumer perceptions of quality and sensory attributes of different brands.

Light colours and pastel shades are universally used to suggest that a particular brand is less harmful than its “stronger” counterpart. Green shades, often used for menthol variants, convey concepts of freshness and mint flavour.



PLAIN PACKAGING NECESSARY FOR AUSTRALIA TO MEET OBLIGATIONS

Plain packaging laws are needed to implement the *National Tobacco Strategy* proposal to eliminate remaining tobacco promotion; and would help the Australian government to reach its policy goal of reducing smoking rates to 9% or less by 2020.

Plain packaging regulations are necessary to implement Australian obligations to Art. 13 (tobacco advertising, promotion and sponsorship) of the Framework Convention on Tobacco Control, to implement a 'comprehensive ban of all tobacco advertising, promotion and sponsorship'. They would also maximise the effectiveness of Australia's implementation of its obligations under Article 11 (packaging and labelling of tobacco products).

Australia: Healthiest Country by 2020

The National Preventative Strategy - Roadmap for Action recommends amending both the Tobacco Advertising Prohibition Act 1992 and the Trade Practices CPIS (Tobacco) Regulations 2004 to specify exact requirements for plain packaging.

INDUSTRY THREATS AND CLAIMS

There appear to be no international or domestic barriers to plain packaging laws in Australia.

Philip Morris website www.plain-packaging.com/ promotes their objections to plain packaging. They say:

It will violate trademark and constitutional rights...

International agreements and trademark laws protect registration of trademarks and the right to stop 3rd parties using them – but don't provide a right to **use** the protected property. The tobacco industry's own documents show they know international trade agreements don't protect as they claim. Plain packaging is justifiable and proportionate on public health grounds, so is consistent with international trade agreements. Additionally, Plain packaging laws will not amount to an “acquisition” of property under s.51(xxxi) of the Constitution, and so the Government will not need to compensate tobacco companies.

It will increase illicit trade...

There is no hard evidence available either way. But if prevalence falls, illicit trade is unlikely to rise. Global experts recommend controlling the tobacco supply chain as the main strategy to reduce smuggling.

It will cause confusion, inconvenience, security risks...

Packs will still carry clearly printed names of manufacturer and product variant, easily readable by retail staff and normally stored in labelled rows as before.

“No evidence” it will reduce smoking...

No country has yet introduced plain packaging, but it's under review in Canada and UK. While it 's not yet possible to measure direct impact, industry documents reveal they regard the packet as a “silent salesman”. Research so far shows many potential benefits – e.g. it's likely to reduce youth smoking and uptake.

If this was not a threat to tobacco sales, would the industry be working so hard to oppose it?

More at www.ashaust.org.au/lv3/action_plainpack.htm

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