

# Enforce bans on tobacco advertising, promotion and sponsorship

The *WHO Framework Convention on Tobacco Control* states:

## Article 13

... a comprehensive ban on advertising, promotion and sponsorship would reduce the consumption of tobacco products.

Each Party shall ... undertake a comprehensive ban of all tobacco advertising, promotion and sponsorship.

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# The tobacco industry spends billions to market its deadly products

The tobacco industry spends tens of billions of US dollars worldwide each year on marketing through advertising, promotion and sponsorship.

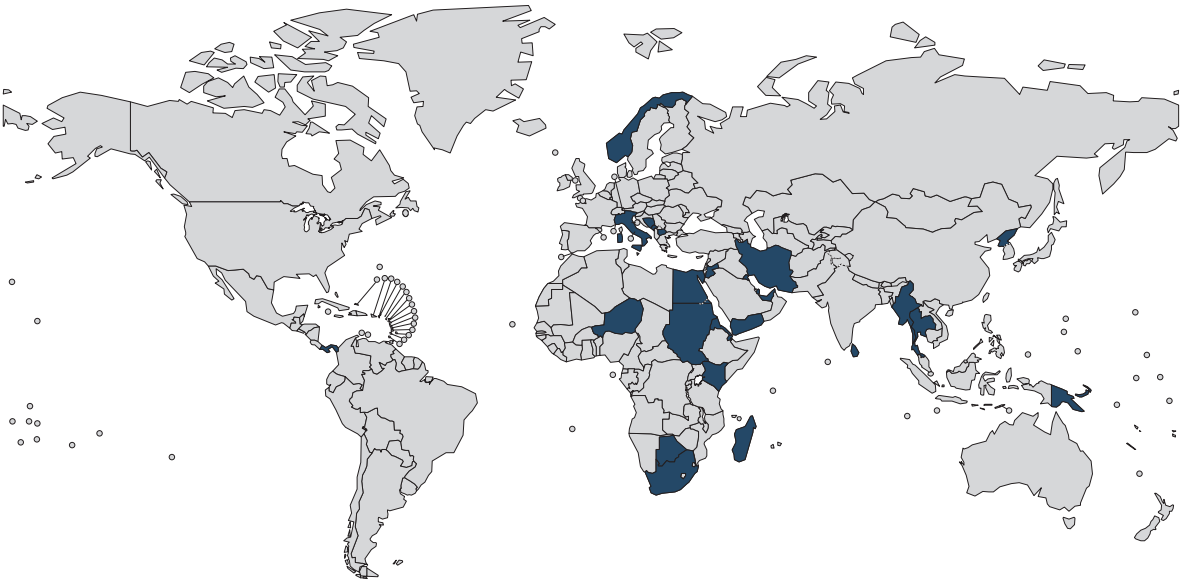
Advertising, promotion and sponsorship normalize tobacco, making it seem like any other consumer product. This increases its social acceptability and hampers efforts to educate people about the hazards of tobacco use.

Marketing falsely associates tobacco with desirable qualities such as energy, glamour and sex appeal. It also strengthens the tobacco industry’s influence over media, sporting and entertainment businesses.

In countries where partial bans prohibit direct advertising and promotion of tobacco products in traditional media, tobacco companies frequently employ indirect marketing tactics to circumvent the restrictions. Tactics include:

- sport and music event sponsorship
- pack designs and displays
- branded merchandise
- product placement
- alleged corporate-social responsibility activities
- new media technology campaigns

## ENFORCE BANS ON TOBACCO ADVERTISING, PROMOTION AND SPONSORSHIP – HIGHEST ACHIEVING COUNTRIES, 2008



Source: WHO Report on the Global Tobacco Epidemic, 2009. Implementing smoke-free environments. Geneva, World Health Organization, 2009.

## Advertising, promotion and sponsorship bans work

Comprehensive bans on direct and indirect advertising, promotion and sponsorship protect people – particularly youth – from industry marketing tactics and can substantially reduce tobacco consumption.

Comprehensive bans significantly reduce the industry’s ability to market to young people who have not started using tobacco and to adult tobacco users who want to quit.

**Comprehensive bans can be achieved by following the international best practice standards outlined in the Guidelines for implementation of Article 13 of the WHO Framework Convention on Tobacco Control (WHO FCTC).**

A comprehensive ban on all advertising and promotion reduces tobacco consumption by about 7%, independent of other interventions. Some countries have seen consumption drop by as much as 16%.

## Bans must be comprehensive

**To be effective, bans must be comprehensive and apply to all types of advertising, promotion and sponsorship – both direct and indirect.**

Bans on direct advertising should cover all types of media – including print, broadcast, billboards and other outdoor advertising (such as on transit vehicles and stations), and the internet.

Legislation should include bans on in-coming and out-going cross-border advertising, such as tobacco advertising on international television and Internet sites, and sponsorship of international sporting and cultural events.

Bans should also cover promotional strategies such as price discounts and free product giveaways.

## Ban point of sale advertising and promotion

Point of sale promotion – including price discounts and product giveaways – can account for more than 75% of tobacco company marketing expenditure.

Point of sale advertising and in-store displays of tobacco products should be banned. Bans on product display lead to reductions in youth smoking and also reduce impulse purchases among adults wanting to quit.

Keeping tobacco behind the counter and out of public view can be effective. Even the extra effort required to ask a retailer for tobacco products is often enough to deter purchasers.

Certain countries are beginning to require generic packaging of tobacco products. Requiring plain or generic packaging – without colour, pictures or distinctive typefaces, other than health warnings – can neutralize the value of individual brands.

<b>M</b> onitor	Monitor tobacco use and prevention policies
<b>P</b> rotect	Protect people from tobacco smoke
<b>O</b> ffer	Offer help to quit tobacco use
<b>W</b> arn	Warn about the dangers of tobacco
<b>E</b> nforce	<b>Enforce bans on tobacco advertising, promotion and sponsorship</b>
<b>R</b> aise	Raise taxes on tobacco

The WHO Framework Convention on Tobacco Control (WHO FCTC) is the pre-eminent global tobacco control instrument, which contains legally binding obligations for its Parties and provides a comprehensive direction for tobacco control policy at all levels. WHO introduced the MPOWER package of measures to assist in the country-level implementation of effective measures to reduce the demand for tobacco, contained in the WHO FCTC.

Additional resources on this topic are available at [www.who.int/tobacco/mpower/publications](http://www.who.int/tobacco/mpower/publications)



# Ban all forms of indirect advertising and promotion

All forms of indirect tobacco advertising promotion and sponsorship should be banned, including:

- Sponsorship of music, cultural and sporting events
- Use of non-tobacco products to promote tobacco brands or companies
- Endorsement by celebrities



Measures should also be put in place to severely restrict tobacco imagery in entertainment media such as films and television.

Tobacco companies invest in sophisticated branding to promote their products. In many low- and middle-income countries, more than a third of young people own an object with a cigarette brand logo. Prohibiting the use of tobacco branding on clothing and other items can counter this powerful technique.

It is also important to prohibit free giveaways of tobacco and related products.

Tobacco companies frequently engage in activities that they categorize as ‘corporate social responsibility’ (CSR), including sponsorship of research, charities and community projects. CSR is intended to improve the image of tobacco companies as socially acceptable economic contributors and persuade governments not to implement policies that may reduce tobacco sales. Bans on this form of promotional activity are another important part of comprehensive tobacco control.

# Partial bans do not work

**Partial bans have little or no effect because the industry simply diverts resources to other types of advertising, promotion and sponsorship.**

For example, if only broadcast advertising is banned, other types of marketing (such as newspaper and magazine, billboard, point of sale and Internet) will proliferate.

If direct advertising is banned, sponsorship of events popular among young people – such as racing, sports and music festivals – may expand. Often, partial bans fail to include all indirect or alternative forms of promotion.

# Implementing effective bans

Policy-makers should announce bans on advertising, promotion and sponsorship well in advance of implementation. This provides sufficient time for media and other businesses to find new advertisers and sponsors.

**Comprehensive bans on advertising, promotion and sponsorship must be periodically updated to take account of innovations in industry tactics and media technology.**



Legislation should not include exhaustive lists of prohibited activities, so as to cover future developments in marketing technology and tactics. Examples of prohibited advertising, promotion and sponsorship are useful in legislation, provided that it is clear that they are examples only.

# Monitoring and enforcement are key

Tobacco industry advertising, promotion and sponsorship activities should be monitored to ensure compliance with bans.

Monitoring should cover traditional media and marketing channels, as well as novel and emerging marketing strategies.

It is also important to include new technologies and social trends, such as text messaging, chat groups and underground nightclubs advertised through word-of-mouth, in monitoring and enforcement programmes.



# Strong legislation is required

The industry often argues that outright bans on advertising, promotion and sponsorship are not necessary and that voluntary codes and self-regulation are sufficient. However, voluntary agreements or codes do not work because they are unenforceable. In addition, voluntary codes do not cover tobacco retailers and consequently fail to prevent point of sale advertising or displays, some of the most common and insidious forms of marketing.

**Governments should act to ban tobacco advertising, promotion and sponsorship through well-drafted and well-enforced laws.**

The industry is increasingly aggressive at circumventing prohibitions on marketing activities that are designed to reduce tobacco use.

Financial penalties should be substantial. The tobacco industry is often willing to pay fines that are small in comparison to the additional business gained by marketing.



# Countering industry opposition

The tobacco industry strongly opposes bans on advertising, promotion and sponsorship because they are highly effective in reducing tobacco use.

The industry also claims that bans restrict its right to free speech, including the right to promote a legal product.

These claims can be countered:

- Assert the right and duties of governments to protect the health and rights of citizens.
- Highlight the fact that many governments ban or restrict advertising of other legal products, such as firearms and medications, as part of consumer protection laws.
- Emphasize the health and economic damage caused by tobacco.
- Call attention to the evidence that links tobacco advertising, promotion and sponsorship to increased overall consumption and uptake among youth.

**People’s right to live free from harm and addiction overrides the financial interests of the tobacco industry.**

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