

**CONSULTATION ON THE INTRODUCTION OF REGULATIONS FOR
STANDARDISED PACKAGING OF TOBACCO PRODUCTS**

To: **Health Committee**

Meeting Date: **10th July 2014**

From: **Dr Liz Robin Director of Public Health**

Electoral division(s): **All**

Forward Plan ref: **Key decision: No**

Purpose: **To present to the Committee a draft Cambridgeshire County Council response to the current national consultation on the introduction of regulations for standardised packaging of tobacco products**

Recommendation: **The Committee is asked to approve the attached response to the consultation on behalf of Cambridgeshire County Council.**

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1. BACKGROUND

- 1.1 On 26 June 2014, the Department of Health published a Consultation on the introduction of regulations for standardised packaging of tobacco products (including draft regulations). The Government has yet to make a final decision on whether to introduce standardised packaging of tobacco products. Responses to this consultation will inform decision-making by the Department of Health and Devolved Administrations on whether to introduce standardised packaging. The deadline for response to this consultation is 7th August 2014 and four specific questions have been identified for consultees to address. They have invited responses from interested people, businesses and organisations.
- 1.2 Smoking is the leading cause of preventable illness and premature death in the UK, with half of long-term smokers dying from tobacco related illnesses, and many more suffering from long term ill health as a result of their smoking. Two thirds of smokers start before the age of 18 (66%), and two-fifths (40%) before the age of 16. Smoking is highly addictive, and the first symptoms of nicotine dependence can appear before the onset of daily smoking, and within days or weeks of first starting occasionally smoking. People who start smoking at an early age are more likely than others to smoke for a long period of time and more likely to die from a smoking related disease.
- 1.3 In Cambridgeshire in 2012 2.8% of Year 8 (13 year olds), and 15.6% of Year 10 (15 year olds), reported having had a cigarette in the past week. In Cambridgeshire there are approximately 112,210 smokers (17.9% of the population). Smoking kills about 772 people in Cambridgeshire each year; an average of nearly 15 deaths every week.
- 1.4 Advertising increases the likelihood of youth experimenting with tobacco, encourages smoking initiation amongst young and predicts established smoking later on in young adulthood. Although most forms of tobacco advertising, promotion, and sponsorship in the UK are now prohibited, the tobacco packet (cigarette or rolling tobacco) remains the most ubiquitous form of tobacco advertising. Smokers display the product branding every time they take out their pack to smoke.
- 1.5 Standardised packs are less attractive to both children and adults than branded packs; they reduce the appeal of the pack, of the cigarettes contained within the pack, and of smoking in general, and they allow graphic and text health warnings which are more salient, credible and memorable than branded packaging. The colours and descriptors on branded packaging confuse smokers into falsely perceiving some products as lighter and healthier, while products in standardised packages are more likely to be perceived as harmful. Sir Cyril Chantler independently reviewed the evidence into standardised packaging (including looking at the evidence, meeting with members of the tobacco industry, and experts in tobacco control), and concluded that standardised packaging of tobacco is likely to contribute to a modest but important reduction in smoking, including reducing the rate of children taking up smoking, and that if

standardised packaging were introduced, it would have a positive impact on public health.

2 THE CONSULTATION AND PROPOSED REGULATION

- 2.1 Standardised packaging aims to reduce the tobacco package's visual identity and appeal as an advertisement for the product. Standardised packaging would remove the attractive promotional aspects of existing tobacco packaging, and require that the appearance of all tobacco packs, inside and outside, be uniform.
- 2.2 Standardised packaging would include the packaging shape (proposed cuboid), type face (proposed grey Helvetica, maximum font size prescribed), colour (proposed drab brown colour), size, fabric, and method of opening the packet. The brand name, product identifier (e.g. 20 cigarettes), a single barcode, and the fiscal markings will remain along with the covert markings that show the pack is not counterfeit. The cigarettes within the packet would also be standardised in size and colour. It is proposed that cigarettes would be white with a cork effect or white tip and may have text indicating the brand name (in a specified typeface and location). (Examples of current tobacco packaging branding and proposed standardised packaging of tobacco products are shown in **Appendix 1**).
- 2.3 The specific questions included in the consultation, and suggested responses from Cambridgeshire are attached in **Appendix 2** to this report. Our suggested response is that the current evidence is sufficient to support the premise that an introduction in standardised packaging for tobacco products would have a positive benefit for public health, particularly children and young people.

3 ALIGNMENT WITH CORPORATE PRIORITIES

- 3.1 Developing the local economy for the benefit of all

No significant implications

- 3.2 Helping people live healthy and independent lives.

The focus of the proposed regulation for the standardisation of packaging for tobacco is a public health measure that will affect the number of people who smoke in Cambridgeshire. Tobacco is currently the greatest cause of early death and preventable illness in Cambridgeshire and any reduction in people smoking will benefit both the individual and those around them.

- 3.3 Supporting and protecting vulnerable people

Smoking is an addiction that is largely taken up in childhood and adolescence. Smoking is highly addictive and many of the children and young people who smoke will go on to smoke all their lives. Children and young people should be protected from the marketing practices of the tobacco industry. The proposed regulation would make cigarettes and smoking less attractive and less

appealing, thus reducing the number of children and young people who experiment and initiate smoking and potentially protect them from a lifelong addiction to a poisonous substance, and the decision to smoke should be reserved for when they are adults.

4 SIGNIFICANT IMPLICATIONS

4.1 Resource Implications

There are no immediate resource implications from responding to this consultation. However the proposed regulations suggest that the enforcement powers would lie with Trading Standards officers.

4.2.1 Statutory, Risk and Legal Implications

No significant implications.

4.3 Equality and Diversity Implications

Some disadvantaged groups are particularly vulnerable to smoking initiation.

4.4 Engagement and Consultation Implications

By responding to this consultation we would be engaging as a local authority with a national public health issue.

4.5 Localism and Local Member Involvement

No significant implications

4.6 Public Health Implications

The proposed regulations are intended to improve public health nationally by improving tobacco control, and making smoking and tobacco use less appealing, particularly to children and young people.

Source Documents	Location
DoH (Department of Health), (2014). Consultation on the introduction of regulations for standardised packaging of tobacco products.	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/323922/Cons_doc.pdf
Chantler, C. (2014). Standardised packaging of tobacco; Report of the independent review undertaken by Sir Cyril Chantler.	http://www.kcl.ac.uk/health/10035-TSO-2901853-Chantler-Review-ACCESSIBLE.PDF
Moodie, C, Steada, M, Baulda, L, McNeill, A, Angus, K, Hinds, Kwan, I, Thomas, J, Hastings, G, & O'Mara-Eves, A. (2011). Plain Tobacco Packaging: A Systematic Review. Public Health research Consortium. [commonly referred to as The Stirling Review].	http://phrc.lshtm.ac.uk/papers/P_HRC_006_Final_Report.pdf
Moodie, C, Angus, K, Stead, M, & Bauld, L, (2013). Plain Tobacco Packaging Research: An Update. Stirling, Scotland: Centre for Tobacco Control Research, Institute for Social Marketing, University of Stirling.	http://www.stir.ac.uk/media/schools/management/documents/Plain%20Packaging%20Studies%20Update.pdf

APPENDICES

Appendix 1:

Examples of current tobacco packaging branding and proposed standardised packaging of tobacco products.

Examples of currently available cigarette packs below (for comparison);



Appendix 2:

Consultation questions and proposed responses for consultation on the introduction of regulations for standardised packaging of tobacco products		
Question		Proposed response
1	Do you have any observations about the report of the Chantler Review that you wish to bring to our attention?	<p>The Chantler Review, commissioned by the Government, undertaken by Sir Cyril Chantler, and published on 3rd April 2014, was an independent review of the evidence into standardised packaging of tobacco tasked specifically with advising on whether or not the introduction of standardised packaging is likely to have an effect on public health, and what any effect might be, particularly in relation to the health of children. Overall Sir Chantler concluded that standardised packaging of tobacco is likely to contribute to a modest but important reduction in smoking, including reducing the rate of children taking up smoking. During his review Sir Chantler considered three key questions and the following conclusions.</p> <p>First, is standardised packaging likely to lead to a reduction in the consumption of tobacco? Evidence from the Stirling Review was considered and an independent assessment of the Stirling Review was conducted, concluding that it was robust and reliable. It was accepted that the findings of the Stirling Review were that standardised packaging has been shown to reduce pack and product appeal. Sir Chantler considers it likely that standardised packaging will result in smokers and potential smokers feeling more negative about smoking, susceptible children and young adult smokers becoming less likely to associate particular brands with the peers they want to emulate, and health warnings becoming more credible when not next to attractive packaging. This reduction in appeal is likely, in due course, to translate into changed behaviour and so to a reduction in tobacco use. Overall Sir Chantler expects standardised packaging, over time, to contribute to a reduction in the prevalence of smoking.</p>

	<p>Second, does branded packaging promote tobacco consumption, especially by encouraging children to take up smoking? Very strong evidence shows that children who are exposed to advertising or promotion of tobacco products are more likely to subsequently take up smoking. Branded cigarettes are ‘badge’ products, frequently on display, which therefore act as a “silent salesman.” The tobacco industry argues that all of its marketing activity, including packaging, aims solely to persuade existing adult smokers to switch brand and never targets children or new smokers. However, Sir Chantler has heard no coherent argument as to how this separation happens in practice. In his view children and non-smokers cannot be ‘quarantined’ from seeing tobacco packaging and once they are exposed to it, they are susceptible to its appeal whether it is intended to target them or not. In the light of these and other considerations he believes that branded packaging contributes to increased tobacco consumption.</p> <p>Third, is it likely that standardised packaging will lead to an increase in tobacco consumption by lowering the price of tobacco as the market is commoditised or by increasing the consumption of cheap illicit products?</p> <p>In his report, Sir Chantler is not convinced of these arguments. He considers that the risk of prices falling is small, but if it were to happen and undermine the objectives of standardised packaging then this could be mitigated through taxation. He notes that in Australia prices have continued to rise, above and beyond tax increases since the introduction of standardised packaging. He has not found any convincing evidence to suggest that standardised packaging would increase the illicit market. The main driver to an increase in the illicit market seems to be price. It seems to Sir Cyril that the solution to illicit use is to have an effective enforcement regime, and the enforcement agencies in the UK have already demonstrated that an effective enforcement regime and appropriate sanctions can keep illicit products to low levels.</p>
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		<p>We would like to draw attention to the large body of robust evidence on which a large part of these conclusions were based, particularly The Stirling Review, and its update. We support the findings of these two reports and the conclusions of the Chantler Review. Cambridgeshire County Council is committed to reducing the harm caused by smoking, and particularly committed to reducing the uptake of smoking by children and young people. Having reviewed these reports and the evidence and conclusions contained within them we would welcome, and support, the Government's introduction of standardised packaging.</p>
2	<p>Do you have any information, in particular any new or additional information since the 2012 consultation, relating to the wider aspects of standardised packaging, that you wish to bring to our attention?</p>	<p>Other than the documents referred to above (The update of the Stirling systematic review (by Moodie et al (2013), and the Chantler review) we do not have any new or additional information that we would like to be taken into consideration.</p> <p>We would urge the Secretary of State to use the provisions in section 94 of the Children and Families Act 2014 that enable the regulation of the retail packaging of tobacco products. While we hope that this opportunity will be taken to standardise all tobacco packaging, externally and internally, making it less attractive and less appealing, we would also hope that Ministers would use this opportunity to also specify requirements for the products themselves, ensuring the appearance of individual cigarettes were also standardised.</p>
3	<p>Do you have any comments on the draft regulations, including anything you want to draw to our attention on the practicalities of implementing the regulations, as drafted?</p>	<p>Having reviewed the draft regulations for the introduction of standardised packaging of tobacco we feel that the draft regulations are clear, comprehensive, and appropriate and Cambridgeshire County Council would welcome and support their introduction.</p>
4	<p>Are you aware of any further evidence or information which would improve the assumptions or estimates we have made in the consultation-stage impact assessment?</p>	<p>We have nothing to add.</p>