



## Comprehensive Advertising Bans Reduce Tobacco Use

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While it is essential to continually educate the public about the real impact of tobacco use, these efforts are severely diminished by the billions of dollars the tobacco companies spend advertising and promoting their products. Tobacco companies are among the most sophisticated marketers in the world, and they constantly develop new and innovative campaigns to create a positive image for their products. By infiltrating virtually every facet of the culture, their aim is to make tobacco use not only acceptable but fashionable, glamorous, and sexy. An effective approach to tobacco control must therefore include restrictions on tobacco company marketing efforts.

Comprehensive, well-drafted national laws that eliminate tobacco advertising and promotion reduce tobacco use and therefore prevent disease and death. While comprehensive advertising and promotion bans can significantly reduce cigarette and other tobacco use, partial bans have little or no effect.<sup>1</sup> In addition to reducing overall tobacco use, comprehensive advertising and promotion bans protect children and young people from sophisticated and evolving tobacco marketing in sports, entertainment, music clubs, the internet, and elsewhere.

### **The evidence is strong that advertising bans are an important part of a comprehensive approach to reducing tobacco use.**

- An international review of the effect of advertising bans on tobacco consumption concluded that “a comprehensive set of tobacco advertising bans can reduce tobacco consumption but a limited set of advertising bans will have little or no effect.” The study, based on data from 102 countries, found that per capita consumption in countries with complete bans fell by approximately 8 percent, compared with 1 percent for those without such bans. Consumption also declined more quickly in countries with strong advertising bans.<sup>1</sup>
- A 2000 study examined data on tobacco consumption from 22 member countries of the Organization for Economic Development and Development (OECD) from 1970 to 1992. The research confirmed that tobacco advertising increases consumption, comprehensive advertising bans reduce consumption, and that partial bans have little or no effect. OECD countries with comprehensive advertising and promotion bans experienced a 7.4 percent reduction in smoking and a 5.4 percent reduction in overall tobacco consumption.<sup>1</sup>
- A survey of tobacco control policies in 28 European countries concluded that a comprehensive ban on tobacco advertising and promotion is an important part of an effective set of national tobacco control policies.<sup>2</sup>
- A combination of increased tobacco prices and a comprehensive advertising ban is effective in reducing tobacco use and can be more effective than either policy alone.<sup>3</sup>
- Tobacco companies have been sophisticated and successful in circumventing partial advertising bans or restrictions. Examples of the industry’s strategies include sports, arts and cultural sponsorship; brand stretching; distribution of promotional merchandise and tobacco samples; sponsorship of discos, music clubs, and events; and covert uses of the internet.<sup>4</sup> An effective advertising, promotion, and sponsorship ban must therefore cover all of these activities and anticipate future tobacco industry innovations.
- Tobacco promotion can create the false impression that tobacco use is both commonplace and socially acceptable, even though use and social acceptability may in fact be dropping.<sup>5</sup> This is especially true for young people who are seeking to understand what society expects of them and find acceptance among their peers and adults.<sup>6</sup> Eliminating advertising, promotion and sponsorship can end this distorted perception of social acceptability.

- Sponsorship in particular creates the false impression that tobacco and tobacco use are the norm in society and associates them with positive events and experiences.<sup>78</sup> By eliminating sponsorship, social acceptability declines and the natural desire among young people to fit in will draw them away from tobacco. The declining social acceptability of smoking also makes it easier for smokers to quit and to remain nonsmokers.

### **Defining a Comprehensive Ad Ban**

Comprehensive tobacco advertising legislation must be as close to a total ban on tobacco advertising, promotion, and sponsorship as possible. The elements of effective national legislation include broad definitions of advertising, promotion and sponsorship, subject only to a list of specific exceptions (such as business communications between tobacco wholesalers and retailers). Well-drafted definitions should be broad enough to anticipate future attempts by the tobacco industry to circumvent an advertising ban.

In the Framework Convention on Tobacco Control (FCTC), tobacco **advertising** and **promotion** are defined as:

“[A]ny form of commercial communication, [a] recommendation or action with the aim, effect, or likely effect of promoting a tobacco product or tobacco use either directly or indirectly.”

The FCTC defines tobacco **sponsorship** as:

“[A]ny form of contribution to any event, activity, or individual with the aim, effect, or likely effect of promoting a tobacco product or tobacco use either directly or indirectly.”<sup>9</sup>

Comprehensive legislation should include indicative lists of the advertising, promotion, and sponsorship activities that are banned as well as those entities, including the tobacco industry, that engage in tobacco advertising and should therefore be subject to a legislative ban. While these lists should be as comprehensive and up-to-date as possible, legislation should make clear that they are not exhaustive, but rather serve to illustrate the most common current forms of advertising, promotion and sponsorship<sup>10</sup>.

In addition to traditional television, radio and print advertising, a comprehensive list of tobacco advertising, promotion and sponsorship should include:

- Billboards and other outdoor advertising.
- Transit vehicles, airports, train stations, bus depots, and transit shelters.
- Theaters.
- Tobacco packaging.
- Posters.
- Point of purchase (POP) or point of sale (POS) advertising and promotion, including:
  - Promotional allowances for favorable positioning of tobacco products
  - Retailer award programs
  - Free gifts or discounted merchandise
- Direct mail.
- Internet and mobile phone advertisement and promotion
- Tobacco-branded merchandise, such as shirts, backpacks and hats.
- Paid product placement in films, television and other media.
- Free sampling of tobacco products.
- Distribution of branded merchandise at hospitality, sports, entertainment, music, dance, or school venues or events.
- Redeemable coupons, contests, or other consumer incentives or loyalty schemes.
- Brand stretching (also known as indirect advertising or “trademark diversification”)

The FTC defines the tobacco industry as “manufacturers, wholesale distributors and importers of tobacco products.” However, an effective advertising ban should also include a list of entities covered by the legislation, including but not limited to:

- Advertising agencies
- Publishers
- Broadcasters
- Internet service providers
- Internet content providers
- Mobile phone content providers
- Individuals or organizations that receive tobacco sponsorship

The only *exceptions* to a total ban on tobacco advertising, promotion and sponsorship should be genuine political, social or scientific commentary or debate, or those communications which are essential to commerce in tobacco products, for example:

- Limited communications that enable the retail sale of tobacco products, such as plain black-and-white displays containing information on the availability and price.
- Minimal information on tobacco packages to distinguish products from one another, but without logos, trademarks, colors or other forms of advertising.
- Necessary business communications within the tobacco industry, for example between wholesalers and manufacturers.
- Unpaid depictions of tobacco products or use in media in which the depiction is incidental, as in the case of news footage, or for genuine artistic, historical, or educational purposes.

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<sup>1</sup> Saffer, H. Tobacco Advertising and Promotion. In: Jha P, Chaloupka F, editors. Tobacco Control in Developing Countries. New York: Oxford University Press, Inc.; 2000. p. 215-236. Available from: <http://www1.worldbank.org/tobacco/tcdc.asp>.

<sup>2</sup> Joosens L. Effective Tobacco Control Policies in 28 European Countries [monograph on the Internet]. Brussels: European Network for Smoking Prevention; 2004. Available from: <http://www.ensp.org/files/effectivefinal2.pdf>.

<sup>3</sup> Ross H, Chaloupka FJ. Economic Policies for Tobacco in Developing Countries. Salud pública México. 2006;48. Available from: [http://scielo.unam.mx/scielo.php?script=sci\\_arttext&pid=S0036-36342006000700014&lng=es&nrm=iso](http://scielo.unam.mx/scielo.php?script=sci_arttext&pid=S0036-36342006000700014&lng=es&nrm=iso).

<sup>4</sup> Campaign for Tobacco-Free Kids. The Impact of Tobacco Advertising, Promotion and Sponsorship (fact sheet) [monograph on the Internet]. Washington, DC: Campaign for Tobacco-free Kids; c2007. Available from: [http://www.tobaccofreecenter.org/files/pdfs/ADPR\\_healthimpact.pdf](http://www.tobaccofreecenter.org/files/pdfs/ADPR_healthimpact.pdf).

<sup>5</sup> Slater SJ, Chaloupka F, Wakefield M, Johnston LD, O'Malley P. The Impact of Cigarette Marketing Practices on Youth Smoking Uptake. Archives of Pediatrics & Adolescent Medicine. 2007; 161:440-445.

<sup>6</sup> Ho M, Shi Y, Ma S, Novotny T. Perceptions of tobacco advertising and marketing that might lead to smoking initiation among high school girls. Tobacco Control. 2007;16:359-360.

<sup>7</sup> Pierce J, Gilpin E, Burns DM, Whalen E, Rosbrook B, Shopland D, Johnson M. Does Tobacco Advertising Target Young People to Start Smoking? Journal of the American Medical Association. 1991; 266(22):3154-3158.

<sup>8</sup> Canadian Cancer Society. Controlling the Tobacco Epidemic: Selected Evidence in Support of Banning All Tobacco Advertising and Promotion, and Requiring Larger Picture-Based Health Warnings on Tobacco Packages. Ottawa: Canadian Cancer Society, International Union Against Cancer; 2001.

<sup>9</sup> WHO. Framework Convention on Tobacco Control (FCTC). Geneva: World Health Organization; reprint 2005. Available from: <http://www.who.int/tobacco/framework/download/en/index.html>.

<sup>10</sup> Framework Convention Alliance for Tobacco Control. A Guide to Domestic Implementation of the Framework Convention on Tobacco Control (FCTC). Washington, DC: The Framework Convention Alliance for Tobacco Control; 2006 Jan.