Submission regarding the National Tobacco Strategy 2012

The proposed draft strategy is a comprehensive approach to tobacco control in Australia, however, it is “more of the same” and I believe that we need to eliminate the palatability and addictiveness of cigarettes and other tobacco products to effectively reduce smoking rates below 10% by 2018.

Attached for your information is the PowerPoint presentation to the Oceania Tobacco Control Conference in Brisbane last year, from my research group at the Menzies Research Centre, which outlines all these issues. My co-authors were Dr. Julia Walters, Professor Richard Wood-Baker, Professor Mark Nelson and Associate Professor Leigh Blizzard.

I strongly support the following priority areas

- strengthen social marketing campaigns to discourage uptake of smoking; motivate smokers to quit; prevent relapse; and reshape social norms about smoking;
- continue to reduce the affordability of tobacco products;
- bolster and build on existing programs and partnerships to reduce smoking rates among Aboriginal and Torres Strait Islander people;
- strengthen efforts to reduce smoking among people in disadvantaged populations with high smoking prevalence;
- eliminate remaining advertising, promotion and sponsorship of tobacco products;
- reduce exceptions to smoke free workplaces, public places and other settings; and
- provide greater access to a range of evidence based cessation services and supports to help smokers to quit.

I am concerned that the proposed priority “consider further regulation of the contents, product disclosure and supply of tobacco products and non-therapeutic nicotine delivery systems” is not robust enough.

There should be a firm commitment to regulatory controls on tobacco product ingredients, emissions and product disclosure in line with agreed Guidelines for implementation of Articles 9 and 10 of the FCTC, as outlined early in the draft strategy document. It is not sufficient to “explore the options”, this needs to be galvanized into action. Brazil has achieved this.

Additives and flavourings, including menthol, in cigarettes and tobacco should be eliminated. Toxic substances such as Polonium 210 or DDT acquired in the growing process should be prohibited in Australian tobacco products. Filter ventilation should be prohibited in all cigarettes.

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Nicotine should be phased out of cigarettes over a short period of years, for example from 2015 - 2020 in accordance with research that ensures that “over compensation” by smokers is minimised.

I have recommended in previous conference presentations and correspondence with the Commonwealth government that the mechanism for achieving this would be the through ACCC. The ACCC already has experience in dealing with the tobacco industry and indeed has already acted on tobacco product engineering by mandating reduced ignition propensity cigarettes. There is no need to set up a new body to mandate tobacco product content or cigarette engineering.

Reducing tobacco palatability and addictiveness of cigarettes will lead to fewer smokers, enabling outlawing of tobacco sales.

It has been contended that Australian smoking rates will not fall to below 10% per annum by 2020 using even the best of current anti-smoking activities and programs. (1)

A number of Australian and New Zealand researchers have suggested mechanisms for controlling the content of tobacco products. Some of these models incorporate harm minimisation strategies. The ‘sinking lid’, ‘regulated market’, ‘de facto prohibition’ and ‘four policy’ approach are all comprehensive models for reducing tobacco demand and supply. Alternative mechanisms for supply-sided ‘endgame’ proposals have been explored by other writers. (2-6)

Removal of flavourings and vented cigarette filters would reduce the palatability of cigarettes and their attraction to children and new smokers. The phasing out of nicotine would reduce and eventually eliminate addictiveness of tobacco products.

The WHO has produced technical reports on tobacco product content and emissions regulation which provide comprehensive advice on a scientific approach. These reports set out a detailed approach to reducing toxicity and carcinogenicity. (10)

The US Food and Drug Administration (FDA) states “...a cigarette or any of its component parts (including the tobacco, filter, or paper) shall not contain, as a constituent (including a smoke constituent) or additive, an artificial or natural flavor (other than tobacco or menthol) or an herb or spice, including strawberry, grape, orange, clove, cinnamon, pineapple, vanilla, coconut, licorice, cocoa, chocolate, cherry, or coffee, that is a characterizing flavor of the tobacco product or tobacco smoke.” (11)

I do not recommend that alternative smokeless tobacco products, such as snus, be made available for recreational use.

This proposal is not dependent on reducing levels of toxicity of any tobacco product. An advantage of not using reduced toxicity as an argument for regulation is that there is no
danger of misleading the public that tobacco smoking is without harm. Eliminating the foulest of the toxic substances in tobacco will not render it safe.

The framing of the public and political arguments for additional controls on tobacco additives should be that it will reduce palatability and addictiveness, reduce uptake and assist quitting, rather than relying on arguments about toxicity. The tobacco industry will be inclined to tie the regulatory authorities up in legal knots and delay action, if the rationale is based on toxicity.

I recommend that the ACCC powers and resources be enhanced, and funded from multi-million dollar licensing fees on any tobacco company which wishes to sell or manufacture its products in Australia. The ACCC already has fuel and water and other branches. A tobacco branch should be established and the Trade Practices Act amended, if deemed necessary, to ensure that the ACCC can adequately regulate the constituents of tobacco products in addition to labelling and marketing.

Nicotine could be reduced in cigarettes over a short time period without the effects of over compensation, which has been a concern in the past with this model. Benowitz found that “.. the degree of nicotine dependence of smokers can be lowered without increasing their exposure to tobacco smoke toxins. Gradual reduction of nicotine content of cigarettes seems to be feasible and should be further evaluated as a national tobacco regulatory strategy.” (14)

The elimination of nicotine and additives that enhance palatability would render cigarettes unattractive and less likely to be used, as demonstrated by herbal cigarettes, without nicotine, are not smoked in quantity anywhere in the world.

Therefore I recommend that the priority action currently listed as “consider further regulation of the contents, product disclosure and supply of tobacco products and non-therapeutic nicotine delivery systems” should be changed to read “Further regulate the contents, product disclosure, cigarettes engineering, and supply of tobacco products and non-therapeutic nicotine delivery devices”.

Thank you for considering my submission.

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References


7. ACCC Response to Senate Motion 1031 (24 September 2001) Tobacco , Page 2 ACCC Publishing Unit accessed 10/02/12. For more information please visit Australian Competition and Consumer Commission website

8. WHO Framework Convention on Tobacco Control accessed 10/02/12. For more information please visit World Health Organisation website

9. FCTC accessed 10/02/12. For more information please visit World Health Organisation website

10. WHO Study Group on Tobacco Product Regulation (TobReg) accessed 10/02/12. For more information please visit World Health Organisation website

11. US FDA Guidance to Industry and FDA Staff: General Questions and Answers on the Ban of Cigarettes that Contain Certain Characterizing Flavors (Edition 2) accessed 10/02/12. For more information please visit US Food and Drug Administration website

