SCRUTINY!
What can researchers, advocates & governments do?

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The TCRG have systematically examined the tobacco industry’s response to plain packs in the UK by looking at:

1. Public consultation submissions
2. Lobbying documents
3. Leaked Industry Documents
4. Press Coverage
5. The Internet
Overview

WHAT ARE THE ARGUMENTS?
WHO OPPOSES PLAIN PACKS?
WHAT DO OPPONENTS DO?
WHAT CAN YOU DO ABOUT IT?
WHAT ARE THE ARGUMENTS?

There were 4 main tobacco industry arguments in the UK:

- There is **no evidence** that plain packs will reduce smoking, reduce uptake or improve health

- Plain packaging will **negatively affect the economy**, particularly small retailers who will experience increased transaction times and loss of trade to illegal sources

- Plain packaging legislation is **contrary to international trade law** and poses risks to all sectors manufacturing goods for consumption

- Plain packs will increase **illicit trade** in tobacco products
WHO OPPOSES PLAIN PACKS?

- 121 opposition organisations identified
- 75% of organisations had financial links to tobacco companies (n=82)
- Only 6% had no links to tobacco companies

Number and sector of organisations opposing plain packs in the UK, n=121

- TOBACCO, 10%
- OTHER BUSINESS, 29%
- BUSINESS ASSOCIATIONS, 29%
- CIVIL SOCIETY GROUPS, 20%
- ACADEMIA, 11.6%
- STATE, <1%

Hatchard et al. (2016), BMJ Open, http://bmjopen.bmj.com/content/6/10/e012634
Number and sector of organisations opposing plain packs in the UK, n=121

For more information on many of these UK and international organisations see: http://www.tobaccotactics.org/index.php/Plain_Packaging_in_the_UK:_Tobacco_Industry_Built_Alliances

Hatchard et al. (2016), BMJ Open, http://bmjopen.bmj.com/content/6/10/e012634
And key organisations were identified to share these industry arguments with the media.

http://www.tobaccotactics.org/index.php?title=PMI%E2%80%99s_Anti-PP_Media_Campaign

WHAT DO OPPONENTS DO?

Activities included:

1. Research production;
2. Public communications;
3. Mass recruitment of the public;
4. Direct lobbying.

Hatchard et al. (2016), BMJ Open, http://bmjopen.bmj.com/content/6/10/e012634
WHAT CAN YOU DO?

WHAT CAN YOU DO TO COUNTER ORGANISATIONS WHO OPPOSE PLAIN PACKS IN YOUR COUNTRY?
Investigate tobacco industry links of opposition groups & expose

<table>
<thead>
<tr>
<th>Sources</th>
<th>Websites</th>
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</table>
| 1. Corporate Monitoring databases | www.TobaccoTactics.org  
www.sourcewatch.org  
powerbase.info  
www.tobaccounmasked.lk  
www.observatoriotabaco.ensp.fiocruz.br |
| 2. Organisation/individual’s website: search for tobacco and tobacco company names using website search bar | e.g. 1: US Chamber of Commerce  
https://www.uschamber.com/  
e.g. 2: International Association for the Protection of Intellectual Property  
https://aippi.org/ |
| 3. Tobacco Company website: Search for organisation or individual’s name using the search bar | www.bat.com, www.pmi.com,  
www.imperialbrandsplc.com/,  
www.jti.com |
| 4. Google It! | Search terms:  
1. [org/ind] AND tobacco  
2. [org/ind] AND [tobacco company] |
| 5. Other Ideas | Legacy documents  
Lobby Registers  
LinkedIn  
Companies House  
Any country specific resources |
Promote counter arguments

See also:
CTFK Handout
Tobaccotactics.org – search for “countering industry arguments”
WHO Tobacco Control Playbook
Cancer Council Victoria Plain Facts website

<table>
<thead>
<tr>
<th>Industry argument</th>
<th>Counter arguments</th>
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<tbody>
<tr>
<td>Breaches IP Law</td>
<td>- Courts around the world have all confirmed that tobacco packaging regulations do not breach national or international intellectual property obligations.</td>
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<td></td>
<td>- Intellectual property law gives the trademark owner the right to prevent others from using a trademark. It does not give the owner the right to use the mark.</td>
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<tr>
<td>No Evidence</td>
<td>- Four independent systematic reviews of over 70 peer reviewed research studies conclude that plain packaging will contribute to reduced smoking rates.</td>
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<td>- A post-implementation review in Australia support the measure</td>
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<td>Increase illicit trade</td>
<td>- Industry has claimed branded packs are easy to counterfeit</td>
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<td>- Plain packs include colourful health warnings, tax stamps and covert tracking codes and will not be cheaper to counterfeit</td>
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<tr>
<td></td>
<td>- No counterfeit plain packs have been found in Australia and Tobacco companies have no evidence plain packs will increase illicit</td>
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<tr>
<td></td>
<td>- The tobacco industry has been fined for being complicit in the illicit trade of cigarettes. It cannot be trusted in relation to information on the illicit market.</td>
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<tr>
<td>Harm small businesses</td>
<td>- In Australia, serving or transaction times quickly returned to normal and in some areas decreased.</td>
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<tr>
<td></td>
<td>- In each country that has introduced plain packaging, the tobacco industry funds the retailer organisations to oppose plain packaging. Retailer groups are routinely used as front organisations to oppose tobacco control laws.</td>
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Abridged from: [https://www.tobaccofreekids.org/plainpackaging/tools-resources/policy/tobacco-industry-arguments-and-how-to-counter-them/introduction](https://www.tobaccofreekids.org/plainpackaging/tools-resources/policy/tobacco-industry-arguments-and-how-to-counter-them/introduction)
Use the evidence

Exposé the weakness of industry evidence

This will help you promote the peer-reviewed evidence which underpins plain packs.

TCRG research on the quality of the evidence of tobacco companies against plain packs was used in the Chantler Review and the UK court case.

This shows the importance of examining the industry evidence and highlighting any flaws.

3 KEY QUESTIONS YOU CAN ASK OF EVIDENCE CITED BY INDUSTRY:

1. **SOURCE**: Are plain packs opponents promoting research the tobacco industry have paid for and are they being transparent about that?

2. **TRUTH**: Are opponents reporting their own or government data in a misleading way? Eg. misquoting key statistics on illicit or not reporting their methods in full

3. **CONTENT**: Is the research being cited actually about plain packaging and what are the industry not sharing?
To conclude...

Tobacco companies and linked organisations:

- put forward and combine a range of arguments and associated research to oppose plain packaging which frequently do not stand up to scrutiny.

- engage and help finance a wide and diverse network which helps them oppose plain packs in public & political arenas.

Public health advocacy organisations can:

- Use tobacco industry monitoring techniques to expose the industry connections of SP opponents & the weakness of their arguments & evidence.

- Use the continually expanding international evidence base & resources on industry interference to inform policy makers & governments
Research

Links to TCRG published papers on plain packs


- Rowell A, Evans-Reeves K, Gilmore AB. Tobacco industry manipulation of data on and press coverage of the illicit tobacco trade in the UK, Tobacco Control, 2014;23:e35-e43, http://tobaccocontrol.bmj.com/content/23/e1/e35


Resources

Links with more information about the tobacco industry and plain packaging.

WEBSITES

- Tobacco Tactics: www.tobaccotactics.org
- Action on Smoking and Health: http://ash.org.uk/category/information-and-resources/tobacco-industry-information-and-resources/
- Tobacco Free Kids: https://www.tobaccofreekids.org/microsites/plainpackaging/

POLICY BRIEF

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www.TobaccoTactics.org

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