

Tobacco Industry arguments and strategies against policy measures: results from international expert interviews

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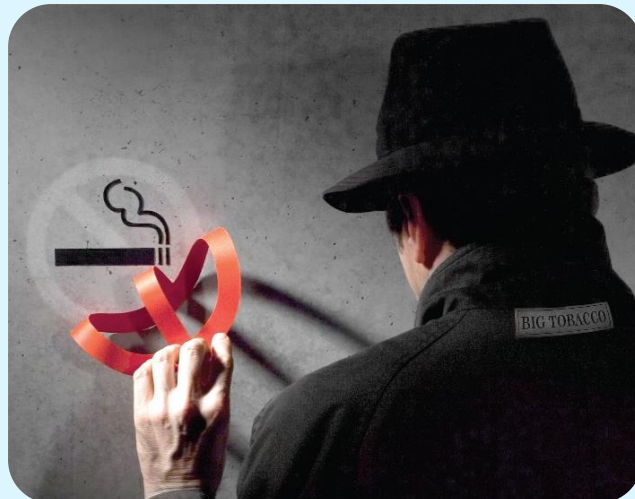
Background

As part of the National Prevention Agreement, the tobacco control measures of tobacco tax increases, plain (or standardised) packaging and a point-of-sale display ban of tobacco products are all being implemented in The Netherlands in 2020. It is anticipated that the tobacco industry will attempt to weaken or delay these measures. IVO Research Institute conducted interviews with experts from countries where these policies have been (partially) implemented. This factsheet presents the arguments and strategies employed by the tobacco industry against these three policy measures, as reported by experts internationally.

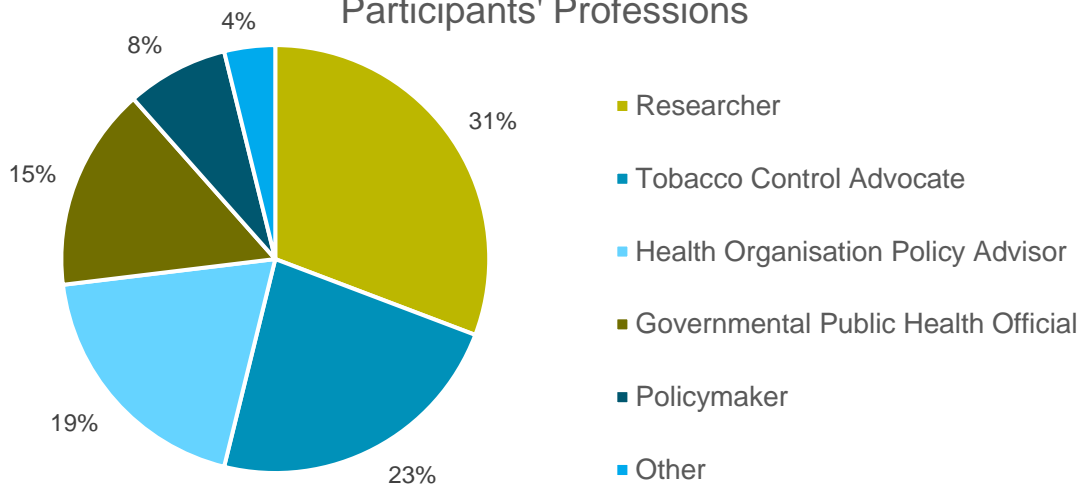
International Interviews

22 interviews, consisting of 26 participants took place during February–May 2020. Countries represented in the interviews were: Australia, Belgium, Canada, England, Finland, France, the Netherlands, New Zealand, Norway, Scotland, Slovenia and The United States. Additionally, 2 interviews were conducted in relation to the role of the EU.

Years' of experience in tobacco control ranged from 3–47 with an average of 21.6 years.



Participants' Professions



Tobacco Tax Increases

Arguments from the Tobacco Industry

Most prominent arguments according to the participants:

Increased smuggling / illicit trade – this is the main argument directed at the Ministries of Finance

Those on low income most affected – this argument is aimed at the general public as well as politicians and often uses very emotive language

Increase in cross-border purchases – Used with politicians and to rouse support from small businesses, this argument holds particular weight where borders are shared with countries with lower tobacco tax

Other arguments used:

- Policy hurts (small) businesses through loss of revenue and jobs
- Policy reduces government revenue (as a result of increased illicit trade and cross-border purchases)
- The measure is a simple 'grab for cash' by governments

“The simplicity of the reasoning that raising the price makes it more attractive to smuggling is apparently deep within the finance ministry and not so easy to correct.” – Tobacco Control Advocate

“Their arguments have an impact because they have strong networks especially with local politicians... they are everywhere in the country. And they have a particularly strong relationship with local media, and with other networks.”

- Tobacco Control Advocate

Strategies of the Tobacco Industry

Direct Influence on Policy

- Lobbying for smaller increments (often annually) in tobacco tax or delayed implementation
- Maintenance of a close relationship with the Ministry of Finance as reliable source of information on tobacco smuggling

Constituency Recruitment and Fabrication

- Formation of coalitions with more reputable organisations
- Use of think tanks and biased opinion polls to create the illusion of widespread opposition to the policy

Information Management

- Production of own research to support their counter-narrative to public health evidence
- Use of social media to target politicians/researchers with arguments and personal attacks
- Dissemination of argumentation through various channels

Policy Undermining

- Use of price shifting to keep the price of the cheapest brands low

Plain Packaging

Arguments from the Tobacco Industry

Most prominent arguments according to the participants:

No (quality) evidence of effectiveness of the policy or the policy will not work – argument supported by industry-funded research

Policy will result in an increase in illicit trade as plain packages will be easier to counterfeit – used with both economic and health policymakers

Policy infringes upon intellectual property and trade rights – used to threaten compensation payable to the industry

Other arguments used:

- Loss of revenue and jobs for small retailers
- Policy is counterproductive – companies will only be able to compete on price, making products cheaper and more accessible to youth

“They tie themselves up in complete knots by saying that plain packing won’t work, there’s no evidence that it will work and then in the next sentence they will argue that it will work so well that it will drive retailers to the wall because people won’t smoke”

– Researcher

Strategies of the Tobacco Industry

Litigation

- Various court cases and lawsuits

Pressure campaigns

- Organisation of demonstrations and public petitions against plain packaging
- Use of social media to pressure journalists with pro-tobacco control stance
- Conducting anti-policy social media campaigns purporting to be ‘grassroots’ or smokers’ groups

Information Management

- Use of unofficial/industry data from other countries to support narrative (often in relation to evidence of policy effectiveness and illicit trade argument)
- The false portrayal of Members of Parliament as against the policy

Policy Undermining

- Oversupply of branded-packaged products to prolong transitional periods and delay the sale of plain packaging

“...that’s a legitimate argument to say we’ve got these [branded packs] produced to put on the market but if they’ve printed 10,000 times more than they usually do, it’s a strategy to implement as late as they possibly can.”

– Health Organisation
Policy Advisor

Point-of-Sale Display Ban

Arguments from the Tobacco Industry

Most prominent arguments according to the participants:

The measures are costly and complicated for retailers to implement

Display bans will result in long queues and frustrated customers as it takes the retailer longer to locate the tobacco product

Other arguments used:

- It is a legal product and so consumer-product contact should be maintained
- Not a necessary measure in addition to plain packaging (and vice versa)
- An increased risk of theft to the retailer when their back is turned to locate the tobacco products from the cabinet

“They all complain about the double whammy that you're putting on retailers, so you're changing the packages of all the cigarettes, which is confusing enough, but you're also forcing them to do new shelving and everything”

– Governmental Public Health Official

“[retailers] were worried about increases in transaction time, shoplifting etc. Because when their backs were turned trying to find the product, they wouldn't be watching the shop”

– Researcher

Strategies of the Tobacco Industry

Direct Influence on Policy

- Directly lobbying government for a delay to implementation
- Incentivising Members of Parliament to speak out against the policy measure

Constituency Recruitment and Fabrication

- Mobilisation, financing and organisation of retailer organisations as front groups and astroturfing (creating the pretence of a grassroots movement)

Policy Undermining

- Encouragement of verbal promotion of tobacco products
- Taking advantage of displaying any novel products not covered by the policy

Conclusions

- Arguments from the tobacco industry and its allies are generally not taken seriously by government, however interviewees often reported that the Ministries of Finance are more susceptible to tobacco industry messaging, particularly in relation to tobacco tax policy
- Retailer associations are frequently utilised to present industry arguments
- The tobacco industry still finds ways in which to undermine tobacco control policy

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