

# The Newcastle upon Tyne Hospitals



NHS Foundation Trust

Newcastle Hospitals Community Health  
**NHS STOP SMOKING SERVICE**

New Croft Centre  
Market Street  
Newcastle upon Tyne  
NE1 6ND

Tel: [REDACTED]

Fax: [REDACTED]

E-mail: [REDACTED]@newcastle-pct.nhs.uk

## Newcastle And North Tyneside Stop Smoking Service

### SUBMISSION SUPPORTING PLAIN, STANDARDISED PACKAGING OF TOBACCO PRODUCTS

To: [REDACTED]@hgsi.gov.uk

We would like to express our strong support for measures to introduce plain, standardised packaging for all tobacco products in the UK as part of the current Government consultation.

We fully support introducing here in the UK the same type of plain packaging that is being implemented in Australia in December 2012 - tobacco products with no branding, a uniform colour and standard font and text for writing on the pack. We believe these would bring public health benefits over and above those from current initiatives in the UK.

Around 340,000 children in the UK try their first cigarette every year. Smoking starts not as an adult choice but in childhood through experimentation, at an age when children have little grasp of the health risks from middle age nor the speed with which addiction takes hold. The average age for smokers starting in the North East is just 15, with 43% of smokers starting between the ages of 10 and 14. In a survey of 3389 Newcastle secondary school pupils in 2011, the average age of starting to smoke was just 12 years old. 15% of 15 year old pupils reported that they were already regular smokers. (NHS North of Tyne and Newcastle City Council (2011). The Health Related Behaviour of Secondary School Pupils in Newcastle (2011)).

Smoking still remains the largest cause of premature death, disease and health inequalities in the Newcastle, killing 410 adults over the age of 35 years each year and costing at least ££23.86 m each year to the NHS and economy through treating smoking related conditions, second hand smoke and the loss to businesses through smoking related sickness and absenteeism. (Brunel University (2012). Economics of Tobacco Control. Brunel University. And London School of Economics, "An Economic Analysis of the Cost of Employee Smoking borne by Employers" [www.freshne.com/News-and-Events/Press/Article/money-going-up-in-smoke-smoking-costs-north-east-businesses-70m-a-year-110609](http://www.freshne.com/News-and-Events/Press/Article/money-going-up-in-smoke-smoking-costs-north-east-businesses-70m-a-year-110609))

**Newcastle Hospitals Community Health**

Based on this level of harm to individuals, communities and the city of Newcastle, we believe standardised packaging of tobacco products to be a proportionate response that would:

- Discourage young people from starting to smoke – tobacco firms invest huge sums of money into advertising and marketing their products to recruit new customers, who are nearly always children. Branded tobacco products are viewed as more appealing among young people than standardised packs, which are viewed as less attractive, containing more poisons and of poorer taste.
- Encourage people to stop smoking – standardised packs communicate the harms of smoking far more effectively than branded products, with the health messages more obvious. Packs in the white or silver colours of former “low tar” brands give the false impression to smokers that they can minimise the risks of their smoking, delaying or replacing quitting intentions.
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- Reduce people’s exposure to smoke from tobacco products.

We believe that it is wrong that a product that contains over 4000 chemicals, including at least 80 known to cause cancer, is currently marketed through innovative, colourful packaging in a similar way to breakfast cereals, energy drinks or confectionary.

There is high public support to protect children from tobacco marketing and do more to discourage children from taking up smoking. We call for Government action to adopt this measure and help to make smoking history for more children of Newcastle..

**[REDACTED]** on behalf of the Stop Smoking Service  
Stop Smoking service Manager

**Newcastle And North Tyneside Stop Smoking Service**

**Newcastle Hospitals Community Health**

# **SUBMISSION SUPPORTING PLAIN, STANDARDISED PACKAGING OF TOBACCO PRODUCTS**

To: [REDACTED]@gsi.gov.uk

The North East Tobacco Control Partnership wishes to express its strong support for measures to introduce plain, standardised packaging for all tobacco products in the UK as part of the current Government consultation.

## **About the North East Tobacco Control Partnership (NETCP)**

The NETCP exists to 'Make smoking history for the North East' and maintains and nurtures an on-going broad partnership of organisations and individuals committed to promoting comprehensive tobacco control measures which reduce smoking prevalence and health inequalities. The NETCP has been in place since 2010 and was preceded from 2004 by the Smoke Free North East Regional Steering Group/Tobacco Regional Advisory Group.

The NETCP draws together a range of organisations all with a central role to play in tobacco control and who through a partnership approach work very closely with FRESH- the regional tobacco control programme/office and work to a shared common agenda to: be a champion for tobacco control issues in the North East; ensure the North East has a clear articulate voice on tobacco control in the development of relevant legislation and policies; provide effective leadership and expertise on tobacco control to Health and Wellbeing Boards, organisations and other bodies; monitor and promote the international, national, regional and local evidence base for tobacco control; promote effective tobacco control measures in local authority and health planning and commissioning; provide advice, guidance, challenge and support to the FRESH team.

The current member organisations of the NETCP are:

- Association of North East Councils
- FRESH- Smoke Free North East
- Voluntary Organisation Network for the North East
- Trade Union Congress
- North East Trading Standards Association
- North East Environmental Health Officers Forum
- North East Directors of Children's Services' Forum
- FUSE (the Centre for Translational Research in Public Health)
- Barnardos
- NHS North East
- NHS North of Tyne
- NHS South of Tyne and Wear
- NHS County Durham and Darlington
- NHS Tees
- County Durham and Darlington NHS Foundation Trust
- Her Majesty's Revenues and Customs (HMRC) (unable to endorse submission as central government agency)

The NETCP is currently chaired by Councillor Nick Forbes, leader of Newcastle City Council.

## **Members of the NECTP endorse the full submission made by FRESH to the consultation.**

Tobacco packaging is one of the tobacco industry's leading promotional tools. Research suggests plain packaging would reduce the attractiveness to young people, increase the impact of health warnings and reduce false and misleading messages that one type of cigarette is less harmful than another.

Tobacco use starts not as an adult choice but in childhood through experimentation, at an age when children have little grasp of the health risks from middle age nor the speed with which addiction takes hold. Around 340,000 children in the UK try their first cigarette every year. Statistics from Fresh show the average age current North East smokers say they started was just 15, with 43% starting smoking between the ages of 10 and 14.

Based on this level of harm to individuals, communities and the North East region, we believe plain, standardised packaging of tobacco products would overall have a positive effect on smoking related attitudes, beliefs, intentions and behaviours, particularly among children and young people.

Our summarised reasons are:

**1/ Branding recruits children and young people to a lifetime of addiction.** Tobacco companies invest huge sums of money in advertising and marketing their products in order to recruit new customers, who are nearly always children and young people. Brand imagery is much more attractive and important to younger age groups and they respond more effectively to it than older groups<sup>1</sup>. That is why plain packaging would therefore reduce brand appeal and reduce children's likelihood of taking up smoking. As a teenage smoker from Chester le Street sees it: *"Glossy packs publicise the brands and make smoking seem more elegant. I know people who don't even smoke but they love the Lambert and Butler special edition packs. It can make smoking seem really attractive."*

### **2/ Branding gives the misleading impression some cigarettes are safer than others**

Labelling cigarettes as 'low-tar' light or mild has been banned for several years. Many smokers used to choose so-called low-tar, mild, light, or ultra-light cigarettes because they thought these cigarettes would expose them to less tar and would be less harmful to their health, even though light cigarettes were no safer than regular cigarettes.

But packs still have colours such as white and silver that are associated with 'lighter' or 'lower-tar' products which give the impression they are less harmful than regular brands. The continuing use of these colours as indicators of 'less harmful' brands by the tobacco industry can be viewed as being in contravention of the law. Research by ASH found adults and young people were more likely to rate these brands as lower tar and lower health risk<sup>2</sup>, while a survey in the North East<sup>3</sup> found over a fifth of smokers considered these brands less harmful.

### **3/ Plain packaging would increase the effectiveness of health warnings and reduce misconceptions about the risks of smoking**

Although there is good evidence to show that large bold written health warnings are effective in motivating smokers to quit and that picture warnings are even more effective than written warnings, tobacco branding lessens the impact of the warning messages and striking visuals can detract from it.<sup>4</sup>

Surveys of young people have found plain packaging far less attractive than branded packs. Similarly, research among adult smokers in Australia found that cigarette packs that displayed progressively fewer branding design elements were perceived increasingly unfavourably by smokers.

### **4/ Public opinion supports it:**

There is high public support to protect children from tobacco marketing and do more to discourage children from taking up smoking. The Smoke Free England Survey on behalf of Action on Smoking and Health 2012 found 66% of adults in the North East shown an example of a plain standardised pack supported introducing these in the UK. A different survey by Cancer Research UK in the North East found that 85% of adults are opposed to any type of tobacco promotion

Ref: [REDACTED]

**This matter is being dealt with by: Jill Bauld**

Tel: [REDACTED]

To [REDACTED]@gsi.gov.uk

**SUBMISSION SUPPORTING PLAIN, STANDARDISED PACKAGING OF TOBACCO PRODUCTS**

**Youth Service**

I / we would like to express my/ our strong support for measures to introduce plain, standardised packaging for all tobacco products in the UK as part of the current Government consultation.

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There is high public support to protect children from tobacco marketing and do more to discourage children from taking up smoking. We call for Government action to adopt this measure and help to make smoking history for more children of Newcastle..

Yours sincerely

A black rectangular redaction box covering the signature of Jill Bauld.

Jill Bauld  
Youth Service Manager



11 June 2012

## SUBMISSION SUPPORTING PLAIN, STANDARDISED PACKAGING OF TOBACCO PRODUCTS

To [tobaccopacks@dh.gsi.gov.uk](mailto:tobaccopacks@dh.gsi.gov.uk)

Newcastle CVS is the main infrastructure support organisation for Newcastle upon Tyne. It provides support and development to local groups, provides them with networking and involvement opportunities, and gives representation and influence for the voluntary and community sector as a whole. It has had these roles since 1929 and has established numerous community projects during that time. Newcastle has a thriving sector with over 800 charities and an estimated 2,500 voluntary and community groups.

Newcastle CVS has an ongoing interest in the health and wellbeing of Newcastle residents and I am a member of the Newcastle Wellbeing for Life Board and the Newcastle Joint Strategic Needs Assessment (JSNA) Project Board. We can see the negative impact that smoking has on our city, and the increase in smoking, particularly amongst young women, often from the more deprived wards in Newcastle

I am writing on behalf of Newcastle CVS to express our strong support for measures to introduce plain, standardised packaging for all tobacco products in the UK as part of the current Government consultation.

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There is high public support to protect children from tobacco marketing and do more to discourage children from taking up smoking. We call for Government action to adopt this measure and help to make smoking history for more children of Newcastle.

Yours sincerely

  
Chief Executive





INVESTOR IN PEOPLE

Tobacco Packs Consultation  
Department of Health  
7<sup>th</sup> Floor  
Wellington House  
133-155 Waterloo Road  
London SE1 1UG

9 August 2012

**Retaining the status quo on tobacco packaging is the best option for effective long term tobacco control in the UK**

Dear Sirs

My company specialises in energising independent retailers in the news and convenience market in the UK.

These local businesses rely heavily on tobacco to generate footfall and for cash flow and profit purposes. They generally comply with tobacco legislation and make very low profits out of handling tobacco products responsibly.

Most retailers share your desire to improve public health and they comply with regulation on the sale of tobacco. This is time consuming but there is widespread consumer desire to buy tobacco products and most local retailers want to meet this demand rather than send shoppers elsewhere.

Small shopkeepers have lots of rules and regulations to follow as they sell a very wide range of products and services. They need less red tape, not more.

Introducing standardised packaging would put the responsible legal supply chain at risk. The worse you make tobacco look in store, the more attractive you will make illegal supply alternatives.

The UK's many measures to discourage young people from taking up smoking, to encourage people to give up smoking and to reduce people's exposure to smoke from tobacco products **are underpinned** by the responsible retailing of tobacco by independent shopkeepers.

Newtrade Publishing Ltd

[www.newtrade.co.uk](http://www.newtrade.co.uk)

address

11 Angel Gate  
City Road  
London EC1V 2SD

Company Registration Number: 454555

e-mail

telephone

facsimile

The more that you denormalise sales through the legitimate retail channel, the more attractive you make the illegal trade. There is also a serious risk that more entry-level retailers will be encouraged to break the rules in order to survive against intense competition.

Independent shopkeepers already have difficult jobs to do. They have put their own and their families capital at risk and are open to widespread competition. Their efforts support the successful tobacco control policies that you have introduced. Weakening this channel will weaken future tobacco control.

Please keep the status quo. If you would like any more detailed information, please get in touch.

Yours sincerely

[REDACTED]  
[REDACTED]

Managing Director

About my interest in this consultation:

Tobacco companies are important customers of my company and account for around 12.5 per cent of our turnover. This is lower than the percentage of turnover accounted for by tobacco sales in independent shops.

Tobacco companies spend money in our trade media to encourage retailers to stock their brands, to trade responsibly and to comply with tobacco regulations.

My company is owned by the retail membership of the National Federation of Retail Newsagents (NFRN) through a Benefits Fund. We operate commercially and editorially separately to the NFRN – but we share a mission to promote the interests of independent retailers.

Retail Express, our trade newspaper, is delivered to more than 49,000 retailers in the UK every fortnight. Retail Newsagent, our trade magazine, is bought by 13,000 retailers every week. We run events that bring suppliers and retailers together, including the Independent Achievers Academy. We have a web site, [betterretailing.com](http://betterretailing.com), which is targeted at independent retailers.

From this activity we are in constant contact with independent retailers. Broadly the market segments into three: with expert retailers, emerging retailers and entry-level retailers. We work with suppliers to help retailers rise through the levels, encouraging and advising them to follow best practise so that they can compete with the supermarket multiples. We encourage them to retail responsibly and to comply with all regulations.

## **British Heart Foundation Project – NHS Hartlepool/Hartlepool Borough Council**

### **SUBMISSION SUPPORTING PLAIN, STANDARDISED PACKAGING OF TOBACCO PRODUCTS**

To [tobaccopacks@dh.gsi.gov.uk](mailto:tobaccopacks@dh.gsi.gov.uk)

We are a small team involved in a BHF funded project with an aim of raising awareness of coronary heart disease prevention amongst children and young people between the ages of 7 and 14. As the issue of tobacco use is such a major part of this project we would like to express our strong support for measures to introduce plain, standardised packaging for all tobacco products in the UK as part of the current Government consultation. We believe this will reduce the attractiveness of tobacco use.

We fully support introducing here in the UK the same type of plain packaging that is being implemented in Australia in December 2012 - tobacco products with no branding, a uniform colour and standard font and text for writing on the pack. We believe these would bring public health benefits over and above those from current initiatives in the UK.

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Smoking still remains the largest cause of premature death, disease and health inequalities in the North East, killing 11 people a day and costing at least £210m a year to the NHS and economy through treating smoking related conditions, second hand smoke and the loss to businesses through smoking related sickness and absenteeism.

Based on this level of harm to individuals, communities and the North East region, we believe plain, standardised packaging of tobacco products to be a proportionate response that would:

- Discourage young people from starting to smoke – tobacco firms invest huge sums of money into advertising and marketing their products to recruit new customers, who are nearly always children. Branded tobacco products are viewed as more appealing among young people than plain, standardised packs, which are viewed as less attractive, containing more poisons and of poorer taste.
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We believe that it is wrong that a product that contains over 4000 chemicals, including at least 80 known to cause cancer, is currently marketed through innovative, colourful packaging in a similar way to breakfast cereals, energy drinks or confectionary.

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**British Heart Foundation Project, NHS Hartlepool/Hartlepool Borough Council**



NHS North of Tyne

Bevan House  
1 Esh Plaza  
Sir Bobby Robson Way  
Great Park  
Newcastle upon Tyne  
NE13 9BA

3 July 2012

E-mail: [REDACTED]

## SUBMISSION SUPPORTING PLAIN, STANDARDISED PACKAGING OF TOBACCO PRODUCTS

To: [REDACTED].gov.uk

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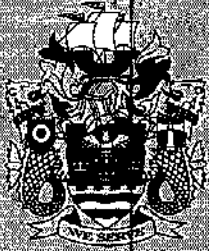
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Yours sincerely

[Redacted signature]

[Redacted name]

Chief Executive, NHS North of Tyne



**North Tyneside Council**

**Strategic Director of Public Health**  
North Tyneside Council  
Quadrant East, 3<sup>rd</sup> Floor (Right)  
The Silverlink North  
Cobalt Business Park  
North Tyneside  
NE27 0BY

Tel: [REDACTED]

Fax: [REDACTED]

Our Ref: ME/

Tobacco Packs Consultation  
Department of Health  
7<sup>th</sup> Floor Wellington House  
133-155 Waterloo Road  
London  
SE1 8UG

2 July 2012

**SUBMISSION SUPPORTING PLAIN, STANDARDISED PACKAGING OF TOBACCO PRODUCTS**

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Smoking still remains the largest cause of premature death, disease and health inequalities in the North East, killing 11 people a day and costing at least £210m a year to the NHS and economy through treating smoking related conditions, second hand smoke and the loss to businesses through smoking related sickness and absenteeism. North Tyneside Council (NTC) is particularly

concerned about this in our local area as smoking results in approximately 432 deaths from smoking related

diseases each year (Reference: Department of Health (2011) Community Health Profiles; North Tyneside) all of which are premature and avoidable.

In North Tyneside, there are 2630 hospital appointments each year as a result of smoking related diseases (Reference: Directly standardised rate of smoking-related hospital admissions from Local



Tobacco Profiles [www.lho.org.uk/LHO\\_Topics/Analytic\\_Tools/TobaccoControlProfiles/profile.aspx](http://www.lho.org.uk/LHO_Topics/Analytic_Tools/TobaccoControlProfiles/profile.aspx)). The overall cost of smoking-related hospital admissions in North Tyneside alone is calculated to be £4.83 million per year Smoking is also estimated to cost North Tyneside £1.66 million per year in terms of additional GP consultations. In total, smoking related disease costs the NHS over £210 million per year in the North East; £9.23 million of which is from North Tyneside through hospital admissions and GP consultations (Reference: Brunel "Economics of Tobacco Control" model).

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**Chief Executive  
North Tyneside Council**

  
  
**Mayor  
North Tyneside Council**

  
  
**Director of Public Health  
North Tyneside Council**

## Consultation on standardised packaging of tobacco products – response form

**a. Please provide your name and contact information:**

Name of respondent:

North Tyneside Metroplian Borough Council

Address of respondent:

North Tyneside Metroplian Borough Council  
Quadrant  
The Silverlink North  
Cobalt Business Park  
North Tyneside  
NE27 0BY

Contact email address:

**b. Does your response relate to:**

- United Kingdom
- England only
- Scotland only
- Wales only
- Northern Ireland only

**c. Are you responding:**

- As a member of the public
- As a health or social care professional
- On behalf of a business or as a sole trader (go to question d)
- On behalf of an organisation (go to question e)



**d. If you are responding on behalf of a business, what type is it?**

- Tobacco retailer (supermarket)
- Tobacco retailer (convenience store)
- Tobacco retailer (other type of shop or business)
- Specialist tobacconist
- Duty-free shop
- Wholesale tobacco seller
- Tobacco manufacturer
- Retailer not selling tobacco products
- Pharmaceutical industry
- Other (please provide details below)

If 'Other', please tell us the type of business

**e. If you are responding on behalf of an organisation, what type is it?**

- NHS organisation
- Health charity/NGO (working at national level)
- Local Authority
- Local Authority Trading Standards or Regulatory Services Department
- Local tobacco control alliance
- Retail representative organisation
- Other type of business representative organisation
- University or research organisation
- Other (please provide details below)

If 'Other', please tell us the type of organisation

f. **Do you, or the business or organisation you represent, have any direct or indirect links to, or receive funding from the tobacco industry?**

- No  
 Yes (please describe below)

If 'Yes', please describe

g. **If you do not wish your response to be identified in the summary report of consultation responses, please tick this box**

### **Consultation questions**

1. **Which option do you favour?**

- Do nothing about tobacco packaging (i.e., maintain the status quo for tobacco packaging)  
 Require standardised packaging of tobacco products  
 A different option for tobacco packaging to improve public health

*If you prefer a different option for tobacco packaging, please describe it.*

Smoking is the biggest cause of premature death and disease and is a primary cause of health inequalities across the UK. North Tyneside Council (NTC) is particularly concerned about this in our local area as smoking results in approximately 432 deaths from smoking related diseases each year (Reference: Department of Health (2011) Community Health Profiles; North Tyneside) all of which are premature and avoidable.

In North Tyneside, there are 2630 hospital appointments each year as a result of smoking related diseases (Reference: Directly standardised rate of smoking-related hospital admissions from Local Tobacco Profiles [www.lho.org.uk/LHO\\_Topics/Analytic\\_Tools/TobaccoControlProfiles/profile.aspx](http://www.lho.org.uk/LHO_Topics/Analytic_Tools/TobaccoControlProfiles/profile.aspx)). The overall cost of smoking-related hospital admissions in North Tyneside alone is calculated to be £4.83 million per year Smoking is also estimated to cost North Tyneside £1.66 million per year in terms of additional GP consultations. In total, smoking related disease costs the NHS over £210 million per year in the North East; £9.23 million of which is from North Tyneside through hospital admissions and GP consultations (Reference: Brunel "Economics of Tobacco Control" model).

Smoking is a childhood addiction and the average age among current smokers for starting to smoke in the North East is 15 years of age, but 43% started between the age of 10 and 14 (Reference: Independent Survey by 2CV for Fresh 2010).

Given the impact of tobacco on health and wellbeing and the costs outlined above, North Tyneside Council believes that measures to help prevent youth uptake of tobacco through standardised packaging of tobacco is proportionate and should be adopted as soon as possible.

There is already strong public support for this measure. Adults within the North East were shown an image of a plain standardised pack and 66 % said they support requiring tobacco to be sold in plain, standardised packaging, with the product name in standard lettering. Only 10 per cent of adults opposed plain packaging (Reference: ASH Smoke Free England survey 2012, prepared by YouGov).

**2. If standardised tobacco packaging were to be introduced, would you agree with the approach set out in paragraphs 4.6 and 4.7 of the consultation?**

- Yes
- No
- Do not know or have no view

*Please provide an explanation for the answer you provided and evidence if available.*

North Tyneside Council believes that the proposals set out in paragraphs 4.6 and 4.7 of the consultation document will dramatically reduce the opportunities available to tobacco companies to promote and target their products. There is, however, scope for going beyond the approach set out in the consultation document.

1. Firstly, extensive research has been conducted for the government in Australia to identify a standardised design for tobacco packaging that minimises the appeal and attractiveness of the product while also maximising its perceived harm and the noticeability of the graphic health warnings, (Reference: Parr V, Tan B, Eil P, Miller K (2011) Market research to determine effective plain packaging of tobacco products. GfK Blue Moon, Sydney).

In line with the Australian approach, the specification of standardised packaging in the UK should also include:

The inclusion of larger health warnings at the top of the pack, occupying 75% of the front and 90% of the back of the pack.

The inclusion of graphic warnings on the front as well as on the back of the pack.

The removal of quantitative information on tar, nicotine and carbon dioxide (as this is misleading) and replacement with qualitative information and advice about the risks of smoking.

The inclusion of a Quitline number and web address on all packs.

Full details of the Australian standard are available at [www.comlaw.gov.au/Details/F2011L02766](http://www.comlaw.gov.au/Details/F2011L02766).

2. The names of brand variants should also be controlled as these can be extremely misleading. Brand descriptors with positive connotations such as 'smooth', 'slim' and 'gold' should not be permitted. The length of the variant name should also be restricted in order to prevent the variant name from being used as a new means of promotion.

There is good evidence that brand descriptors, as well as colours, continue to mislead smokers about the risks of smoking (Reference: Multi S et al (2011) Beyond light and mild: cigarette brand descriptors and perceptions of risk in the International Tobacco Control (ITC) Four Country Survey. *Addiction* doi: 10.1111/j.1360-0443.2011.03402.x).

3. Standardisation needs to encompass the actual cigarette sticks themselves as well as the packs they come in. Research published after the completion of the Public Health Research Consortium review shows that characteristics of the cigarette stick affect smokers' perceptions. Consequently, changes in the design of the cigarette can differentiate products in a manner that can be used for promotional purposes. Examples include 'slim' and 'superslim' cigarettes and cigarettes with attractive and colourful filters, (Borland R, Savvas S (2012) Effects of stick design features on perceptions of characteristics of cigarettes. *Tobacco Control* doi:10.1136/tobaccocontrol-2011-050199).

4. Paragraph 4.7 of the consultation document states that 'we do not believe that standardised packaging requirements would be necessary during the course of business solely within the tobacco trade'. This is not logical as, if standardised packaging is the requirement for the market, it is not necessary or helpful to allow current branding to remain for business to business communications.

In the UK some of these changes may need action at EU level. The EU Tobacco Products Directive is currently being reviewed so now is the time for the UK government to press for revisions to the directive. This would, for example, allow the UK to mandate larger health warnings, to put picture warnings on the front of packs and to remove quantitative tar, nicotine and carbon monoxide yields on packs and replace them with qualitative information and advice. Plain, standardised packaging could be introduced initially in line with current EU directive(s) and could then be improved over time as the Tobacco Products Directive is revised.

The approved design for standardised packs in Australia is supported by North Tyneside Council who believe that this should be adopted in the UK. (This design can be viewed at [www.freshne.com](http://www.freshne.com)).

**3. Do you believe that standardised tobacco packaging would contribute to improving public health over and above existing tobacco control measures, by one or more of the following:**

- Discouraging young people from taking up smoking;

- Encouraging people to give up smoking;
  - Discouraging people who have quit or are trying to quit smoking from relapsing; and/or
  - Reducing people's exposure to smoke from tobacco products?
- Yes
- No
- Do not know or have no view

*Please provide an explanation for the answer you provided and evidence if available.*

North Tyneside Council believes that standardised tobacco packaging will contribute to all four of these outcomes.

The branding and design of tobacco packaging is used to make the product more attractive and to target specific audiences, including young people. Branding also distracts attention from the health message on the pack and misleads smokers about the harmfulness of different products. On all these issues the evidence in the Public Health Research Consortium systematic review is conclusive. The report is well-researched and the methodology employed is of a high standard.

The size of the impact of standardised tobacco packaging on the outcomes identified is unknown as no administration has yet introduced this policy (Australia will be the first to do so in December 2012). However, public health is greatly damaged by tobacco and so every possible means of reducing this harm should be considered. Although Britain has an excellent record in tobacco control, smoking still accounts for the majority of preventable deaths nationally, and locally in North Tyneside.

Standardisation of tobacco packaging is an obvious next step within a comprehensive tobacco control strategy as it removes a major communication channel used by the tobacco industry to promote and target its products now that advertising, promotion and sponsorship are banned. This loophole needs to be addressed.

There is growing evidence that standardised tobacco packaging is likely to have most impact on discouraging young people from taking up smoking. Smoking is a childhood addiction and the average age among current smokers for starting to smoke in the North East is 15 years of age, but 43% started between the age of 10 and 14 (Reference: Independent Survey by 2CV for Fresh 2010).

One of the key findings of the Public Health Research Consortium report was that non-smokers and younger people responded more negatively to plain, standardised packs than smokers and older people (pages 75-76). Most smokers start young: two thirds of current smokers started smoking before they were 18 years old and 83% started before they were 20 (General Lifestyle Survey 2010). As young people are particularly brand-conscious, removing all brand identifiers from tobacco packaging has great potential to reduce smoking uptake.

(Dunstan, S. The 2010 General Lifestyle Survey. Office for National Statistics, March 2012).

In North Tyneside we are particularly concerned about the health of our young people and wish to ensure that our future generations are as healthy as possible. During some

recently commissioned tobacco education theatre workshops at some of our local schools, Gibber (local theatre company) gathered some anecdotal evidence from young people attending the sessions. This revealed some shocking evidence in relation to the impact of bright colourful packaging on our young people. When asked, "What do you think would be the best way to put young people off smoking", some of the responses from young people were:

"Plain packaging with pictures of smoking related diseases and ugly wrinkled skin on them"  
"Dull packaging, horrible pictures on the front like the ones sold in Australia that you showed us in the show"

"No colourful packaging, just facts on boxes"

"Plain packaging like you showed us"

"Don't allow packs to be trendy and attractive"

"The plain packaging used in Australia because it is off putting"

During some work conducted by Gibber in the North East with young people (on behalf of FRESH Smoke Free North East), a young female who was 18 and had smoked since the age of 11 said: " I don't care what my cigarettes look like me, but I like them nice shiny black boxes, they're lush that's why I smoke Lambert and Butler; I don't want a pack that looks minging do I?"

This gives North Tyneside Council a clear rationale to strongly encourage the government to adopt plain, standardised packaging for tobacco without delay. Without this measure, our children will continue to be exposed to the marketing of a product that will kill one in two of its users.

**4. Do you believe that standardised packaging of tobacco products has the potential to:**

**a. Reduce the appeal of tobacco products to consumers?**

Yes

No

Do not know or have no view

*Please provide an explanation for the answer you provided and evidence if available.*

Packaging is the major remaining means by which tobacco companies can make their products more appealing to consumers. Consequently, every effort is made by the industry to exploit this opportunity in order both to retain smokers and to attract new smokers. The Public Health Research Consortium report demonstrates unequivocally that standardised tobacco packaging is less attractive to consumers than branded packaging (page 37). Tobacco products in standardised packs are perceived as being less fashionable, and of poorer taste, than branded products, especially by younger people and non-smokers. This is clearly emphasised in the previous consultation response when looking at the quotes of young people regarding tobacco packaging in North Tyneside. The reaction of the ordinary public in the North East to this issue can be viewed in this short film - [http://www.youtube.com/watch?v=xtBvlhr\\_Kg](http://www.youtube.com/watch?v=xtBvlhr_Kg)

This includes:

- Young women discussing how some brands would tempt young people to buy cigarettes

- A former smoker explaining the lure of brands and peer pressure
- A shopkeeper explaining why standardised packaging would reduce the appeal of the packet to children, and why it could result in customers having more money to spend on higher profit items.
- The North East Trading Standards Association explaining why they do not believe this would lead to an increase in smuggling.

**b. Increase the effectiveness of health warnings on the packaging of tobacco products?**

- Yes
- No
- Do not know or have no view

*Please provide an explanation for the answer you provided and evidence if available.*

Currently, brand logos and colours distinguish tobacco products and draw attention away from the health warnings. The removal of these brand identifiers will give greater prominence to these warnings.

The Public Health Research Consortium report concludes that the standardisation of tobacco packaging 'tends to increase the recall of health warnings, the attention paid to them and their perceived seriousness and believability' (page 51).

**c. Reduce the ability of tobacco packaging to mislead consumers about the harmful effects of smoking?**

- Yes
- No
- Do not know or have no view

*Please provide an explanation for the answer you provided and evidence if available.*

North Tyneside Council believes that the colours, text and branding currently used on tobacco packaging present strongly misleading messages. Before the European Product Directive (European Union Directive (2003) COD 2001/0119) was introduced tobacco companies used terms such as 'light' and 'mild' which implied lesser harm from the associated tobacco products. Although the European Union Directive was introduced in 2003, banning these misleading terms, tobacco packaging continues to utilise the same colours, which have continued to be associated with 'low tar' and 'light' brands. This is dangerous as there is no safe level of exposure to tobacco smoke and it falsely reassures smokers that some brands/variants are less harmful than others. This is confirmed in The Public Health Research Consortium report that demonstrates that when lighter colours are used for tobacco product packaging, the products are perceived (wrongly) as being less harmful than when darker colours are used (page 57).

The removal of all colour differentiation between different brands will eliminate this source of confusion. North Tyneside Council would also like to see the proposals extended to

include the removal of the quantitative information about tar, nicotine and carbon monoxide from tobacco packaging as there is good evidence that this is also misleading:

(Environics Research Group (2003) Toxics information on cigarette packaging: Results of a survey of smokers. Health Canada).

(Gallopel-Morvan K et al (2010) Consumer understanding of cigarette emission labelling. European Journal of Public Health doi: 10.1093/eurpub/ckq087).

This information should be replaced by qualitative information and advice about the risks of smoking, following the Australian model. We also recommend that brand descriptors and variant names such as 'smooth' and 'slim' are also prohibited as these are promotional tools which mislead smokers about the relative harm of different tobacco products.

(See Mutti (2011), cited in response to Question 2, and Bansal-Travers M et al (2011) The impact of cigarette pack design, descriptors and warning labels on risk perceptions. American Journal of Preventive Medicine; 40(6): 674-8.)

**d. Affect the tobacco-related attitudes, beliefs, intentions and behaviours of children and young people?**

Yes

No

Do not know or have no view

*Please provide an explanation for the answer you provided and evidence if available.*

North Tyneside Council believes that plain standardised packaging can contribute to an alteration in the beliefs and attitudes of children and young people towards tobacco products. As has been noted in previous responses, some young people in North Tyneside have expressed views that concur with this. They clearly feel that packaging that is plain and standardised would not have the appeal that bright colours and branding currently does. As most regular smokers start before the age of 18, this would mean many fewer of our residents being subjects to the premature death and disease associated with this product.

The Public Health Research Consortium report notes that, across the evidence, 'younger respondents were more likely than older respondents to perceive that plain packs would discourage the onset of smoking, encourage cessation or reduce consumption' (page 78).

*If you believe that requiring standardised tobacco packaging could also have other public health benefits, please tell us here.*

**5. Do you believe that requiring standardised tobacco packaging would have trade or competition implications?**



- Yes
- No
- Do not know or have no view

*Please provide an explanation for the answer you provided and evidence if available.*

Trade laws allow for measures to protect public health. The evidence base supports the implementation of standardised packaging as proportionate and necessary to improve public health.

The standardisation of tobacco packaging would not remove the choice available to consumers as brand names would still be visible on the packs. Standardised packaging regulations would also apply equally to all tobacco products sold in the UK wherever they are produced, therefore there would be no advantage to any trader over another. Retailers and consumers will still be able to recognise and choose between different brands and there is no evidence to show that the introduction of standardised tobacco packaging would slow down or impede the sales process. In fact one peer-reviewed study found that the retail sale of standardised tobacco products was quicker than the retail sale of branded tobacco products (Carter et al 2011).

(See: Carter OBJ, Mills BW, Phan T, Bremner JR (2011) Measuring the effect of cigarette plain packaging on transaction times and selection errors in a simulation experiment. Tobacco Control doi 10.1136/tobaccocontrol-2011-050087)

**6. Do you believe that requiring standardised tobacco packaging would have legal implications?**

- Yes
- No
- Do not know or have no view

*Please provide an explanation for the answer you provided and evidence if available.*

The tobacco industry has challenged the implementation of plain packaging in Australia in a variety of legal fora and may take similar action against any other jurisdiction deciding to go ahead with plain packaging.

The tobacco industry has a track record of losing or withdrawing its legal challenges on other issues of tobacco regulation, such as tobacco advertising bans, vending machines and display legislation. As with previous regulatory measures introduced by the UK government it is unnecessary for the UK to wait for all legal challenges to be resolved. If every time the tobacco industry threatened or took legal action governments waited until all such challenges were resolved no tobacco regulatory measures would ever be implemented.

Australia is going ahead with plain, standardised packaging in December 2012 before all the legal challenges it faces are likely to be resolved. The evidence is sufficient to support implementation of standardised packaging and the UK should follow the lead of Australia and proceed with legislation as soon as feasible after the consultation is concluded. Delays

cost lives.

The local authority Trading Standards service is responsible for intellectual property law enforcement. The basic purpose of this law is to prevent the use of a trademark by a person who does not own that trademark. If plain standardized packaging measures were to be adopted, the owners of trademarks would still own their trademarks and will remain protected against unauthorized use by a third party. Both international and intellectual property law and EU law allow regulation of trademarks for public health purposes.

**7. Do you believe that requiring standardised tobacco packaging would have costs or benefits for manufacturers, including tobacco and packaging manufacturers?**

- Yes  
 No  
 Do not know or have no view

*Please provide an explanation for the answer you provided and evidence if available.*

Standardised packaging will reduce manufacturers' costs as the need to refresh and revise brands and branded packaging will be removed. Manufacturers will lose the opportunity to present their products attractively and to target their products to different audiences including young people. This is, however, the whole point of the policy.

**8. Do you believe that requiring standardised tobacco packaging would have costs or benefits for retailers?**

- Yes  
 No  
 Do not know or have no view

*Please provide an explanation for the answer you provided and evidence if available.*

The introduction of standardised tobacco packaging should not inhibit the everyday sales practice of retailers. The one peer-reviewed study available on this matter found that the retail sale of standardised tobacco products was quicker than the retail sale of branded tobacco products. (Carter et al 2011, cited under response to Question 5)  
Retailers are likely to see a decline in sales due to the loss of attractiveness of the product, but this will happen gradually allowing retailers to adjust over time.  
A North East retailer has commented that the impact of plain packs could have business benefits if more customers quit and stay quit, freeing up their limited financial resources to buy higher profit items than tobacco such as a local newspaper or gum. This is in the interests of manufacturers supplying non-addictive products.

9. **Do you believe that requiring standardised tobacco packaging would increase the supply of, or demand for, illicit tobacco/non-duty paid tobacco in the United Kingdom?**

- Yes
- No
- Do not know or have no view

*Please provide an explanation for the answer you provided and evidence if available.*

Since 2000, successive UK governments have pursued a highly effective anti-smuggling strategy, including tough measures to force tobacco manufacturers to control their supply chains. This has reduced the size of the illicit trade from 21% in 2000 to 10% by 2009/10 for cigarettes (see table 3 of the impact assessment). This significant drop in the size of the illicit trade has been driven by tough government action to control the supply side.

The tobacco industry argues that standardised tobacco packaging will be easier to counterfeit than branded packaging and that this could potentially increase the size of the smuggled market. However this suggestion is nonsense and ignores the sophistication of current counterfeiting practice. Many branded products available in Britain today have proven to be very easy to counterfeit, therefore any changes to the design of packs is unlikely to create any new opportunities for illicit trade. This trade is responsive to active anti-smuggling measures, not to changes in product design.

In 2008, HMRC and the UK Border Agency launched its updated anti-smuggling strategy, Tackling Tobacco Smuggling Together. This included an agreement by the major tobacco producers to include covert markings on their products in order that counterfeit products can be more easily identified by customs and trading standards officers. This was necessary precisely because tobacco products, in all their branded diversity, have proved to be an easy target for counterfeiters.

North Tyneside has been supporting the ground breaking 'North of England Tackling Illicit Tobacco for Better Health' Programme which since 2009, ([www.illicittobacconorth.org](http://www.illicittobacconorth.org)) has been implementing a range of measures to reduce both the demand and supply of illicit tobacco. The North East has seen a significant decline in the size of the illicit market and also in shifting public attitudes to the issue. There is no evidence that the illicit market is at the 'epidemic' levels purported by the tobacco industry or that plain packaging would increase it. Furthermore, the illegal products which are being seized across the North East, and in North Tyneside, are increasingly 'illicit white' brands that are mass manufactured in factories in the East specifically for the illegal market and make no attempt to pass themselves off as legal product.

On the demand side, the tobacco industry argues that the standardisation of tobacco packaging will encourage smokers either to travel abroad to buy more attractive branded packs or to buy imported illicit tobacco products (both counterfeit and authentic brands) which retain current branding. However, despite the fact that the introduction of graphic warnings in the UK in 2008/9 made tobacco products significantly less attractive to smokers, the illicit trade continued to decline in line with the pre-existing trend (see table 3 in the impact assessment). There was no evidence of any change in smokers' purchasing behaviour.

The effects of branding on smokers' choices are significant but they are not so great as to drive smokers to actively seek new sources for products that they can obtain without difficulty at their local shop.

10. **Those travelling from abroad may bring tobacco bought in another country back into the United Kingdom for their own consumption, subject to UK customs regulations.**

**This is known as “cross-border shopping”. Do you believe that requiring standardised tobacco packaging would have an impact on cross-border shopping?**

- Yes
- No
- Do not know or have no view

*Please provide an explanation for the answer you provided and evidence if available.*

See response to question 9: smokers are unlikely to increase their foreign travel simply because the logos and colours on their tobacco products have disappeared.

There have been significant declines in cross border shopping in recent years for both cigarettes and hand rolled tobacco (see table 3 of the impact assessment). This trend is likely to continue given recent changes in the amount consumers are allowed to bring into the UK for personal consumption. In October 2011 the guide level for importing tobacco from the EU for personal use was reduced from 3,200 to 800 cigarettes and from 3 kg to 1 kg for hand rolling tobacco. This change aims to deter travellers who seek to purchase large quantities of non-UK duty paid tobacco for illicit resale in the UK.

The illicit trade is affected by anti-smuggling action, not by changes to the design of packaging. Since 2000, successive UK governments have pursued a highly effective anti-smuggling strategy, including tough measures to force tobacco manufacturers to control their supply chains. This has reduced the size of the illicit trade from 21% in 2000 to 10% by 2009/10 for cigarettes (see table 3 of the Impact Assessment).

North Tyneside is working closely with the North of England Tackling Illicit Tobacco for Better Health Programme to keep downward pressure on the declining market for illicit tobacco in the North East.

11. **Do you believe that requiring standardised tobacco packaging would have any other unintended consequences?**

- Yes
- No
- Do not know or have no view

*Please provide an explanation for the answer you provided and evidence if available.*

It is possible that the removal of brand distinctions will push the tobacco companies towards greater price competition leading to lower prices. However, any reductions in the price of tobacco can be compensated for with increases in duty, which would increase government revenues.

**12. Do you believe that requiring standardised tobacco packaging should apply to cigarettes only, or to cigarettes and hand-rolling tobacco?**

- Cigarettes only
- Cigarettes and hand-rolling tobacco
- Do not know or have no view

*Please provide an explanation for the answer you provided and evidence if available.*

Standardised packaging should apply to all tobacco products including cigarettes, hand-rolling tobacco, cigars, pipe tobacco and shisha. All tobacco products should be treated in the same way.

In Australia, this approach has been mandated and shown to be practicable. For example, when single cigars are sold, they are handed to the customer in a standardised bag with the appropriate health warnings.

We also believe that standards should be set for the width and length of the actual cigarettes as in the Australian legislation as we are concerned around the proliferation of innovative new designs e.g. 'superslim' cigarettes.

Many shisha products are packaged in such a way that they are made to look like confectionery or fruit-based products, which has the potential to mislead consumers about their harmful effects. Comprehensive legislation that requires all tobacco products to be placed in standardised packaging will remove this confusion.

**13. Do you believe that requiring standardised packaging would contribute to reducing health inequalities and/or help us to fulfil our duties under the Equality Act 2010?**

- Yes
- No
- Do not know or have no view

*Please provide an explanation for the answer you provided and evidence if available.*

Differences in smoking prevalence across socio-economic groups account for fully half of the difference in life expectation between the richest and poorest in society at the current time. Such differences did not exist in the 1970s and have developed in the years since, (See: Jarvis, M. J and Wardle, J. (2005) Social patterning of health behaviours: the case of cigarette smoking. In: Marmot, M. and Wilkinson, R. (eds) Social Determinants of Health. Oxford: Oxford University Press, 2nd edition).

Poor non-smokers have longer life expectancy than affluent smokers (Gruer L, Hart CL, Gordon DS, Watt GCM (2009) Effect of tobacco smoking on survival of men and women by social position: a 28 year cohort study. BMJ 2009; 338 doi: 10.1136/bmj.b480). Plain, standardised packaging is a population level measure to which all smokers will be

equally exposed and therefore, at the very least, will not increase health inequalities.

- 14. Please provide any comments you have on the consultation-stage impact assessment. Also, please see the specific impact assessment questions at Appendix B of the consultation document and provide further information and evidence here to answer these questions if you can.**

Re: costs to manufacturers (questions 1-3)

Long-term costs to manufacturers should decrease as there will be no need to regularly redesign packs to promote specific brands. See: Tiessen J et al (2010) Assessing the Impacts of Revising the Tobacco Products Directive. Rand Europe (page 151)

Re: retailing times (question 5)

The available independent evidence suggests that retailing times will reduce following the introduction of standardised tobacco packaging (Carter et al 2011, cited under response to Question 5)

Re: trading down to lower-priced products (question 11)

Consumers are already trading down, so it may be hard to identify the specific effect of standardisation of tobacco packaging on this trend. If the trend continues, it would be inappropriate to allocate the decline entirely to plain packaging. However, if any additional effect is seen, this will be more evidence of the importance of packaging in determining consumer choices.

Re: consumer surplus (question 11)

The Impact Assessment states that "in any discussion of consumer surplus it is implicitly assumed that consumers have stable preferences over time and can therefore be regarded as rationally addicted" citing Becker's theory of rational addiction from 1988. However, two thirds of smokers take up the habit while still under 18 and a similar high proportion of smokers want to quit and regret having started smoking. See: Dunstan, S. The 2010 General Lifestyle Survey. Office for National Statistics, March 2012.

Decisions over consumption of addictive products are not made rationally, and applying the standard rational choice models is not appropriate. See: Gruber, Jonathan and Mullainathan, Sendhil (2005). "Do Cigarette Taxes Make Smokers Happier?,"

Advances in Economic Analysis and Policy Vol. 5: No. 1, Article 4 (2005). Available at

Johnson, P. Cost Benefit Analysis of the FCTC Protocol on Illicit Trade in Tobacco Products. A report prepared for ASH. London. 2009.

**15. Please include any further comments on tobacco packaging that you wish to bring to our attention. We also welcome any further evidence about tobacco packaging that you believe to be helpful.**

If the UK wants to retain its position as a world leader in the implementation of the WHO Framework Convention on Tobacco Control, protecting the health of current citizens and future generations, we need to proceed with plain packaging sooner rather than later. The UK is the standard bearer for tobacco control in Europe and where we lead others will follow.

There is strong public support for the introduction of plain, standardised packaging as specified in Australia, i.e. with larger health warnings and picture warnings on the front of packs. A recent poll by YouGov for Fresh found that 66% of adults in the North East supported plain packaging while just 10% opposed the measure. Even among smokers for every five who oppose plain packaging, there are six who support it. (total sample size of 10,000 adults sampled online between 27th February and 16th March 2012; results weighted for, and representative of, 18+ population in England)

Plain, standardised packaging is needed in addition to, not instead of, display bans

A report by the Cabinet Office Behavioural Insight Team, Applying Behavioural Insight to Health, noted that 'If we know anything from behavioural science, it is that behaviour is strongly influenced by what we think others are up to.' The removal of tobacco displays exploits this effect. In Ireland, the prohibition of tobacco displays has been followed by a decline in the number of young people who believe that smoking is widespread among their peers. Before the removal of displays, 62% of young people thought that more than one in five children their own age smoked. This fell to 46% after the displays were removed. See: McNeill A et al (2010) Evaluation of the removal of point of sale tobacco promotional displays in Ireland. Tobacco Control doi:10.1136/tc.2010.038141

If the legislation allowing tobacco displays were repealed, the displays would reinforce the message that smoking is commonplace, even if the packs were plain and standardised.

In Australia, the only country so far to legislate for plain packaging of tobacco products, the measure is being introduced in addition to, not instead of, the removal of point-of-sale displays. It is seen as a natural progression from, not an alternative to, the removal of displays. See: Australian Government (2010) Taking Preventative Action, A Response to Australia: The Healthiest Country by 2020, The Report of

the National Preventative Health Taskforce.

The removal of displays is also a recommendation of the guidelines to Article 13 of the WHO Framework Convention on Tobacco Control, to which the UK is a Party. Parties are also urged to consider adopting plain packaging. For details of the guidelines, see: [http://www.who.int/fctc/guidelines/article\\_13.pdf](http://www.who.int/fctc/guidelines/article_13.pdf).

#### Retail registration

Given the legitimate concerns of small retailers about the illicit trade in tobacco, NTC recommends that the UK government should introduce low cost licensing of retailers. This measure is already in place in Scotland where, since October 2011, it has been an offence to sell tobacco without being registered to do so. All legitimate tobacco retailers are required to be registered with the Scottish Government, and any unregistered seller now faces a maximum penalty of £20,000 and/or up to six months in prison.

This measure, which helps to inhibit illicit tobacco sales at a local level, is of low cost to retailers and will largely be enforced by council trading standards officers. Similar legislation for England would protect the rights of legitimate tobacco retailers, many of which are small businesses, and make it much easier to force sellers of illicit tobacco out of business. The implementation of such legislation by local councils should be funded by the government in the same way as the implementation of smokefree legislation.

#### Tobacco industry monitoring

In the US and Canada the tobacco industry is required to report promotional expenditure. Australia is planning to do the same. If such reporting had been in place in the UK, the Department of Health would have been better placed to develop its impact assessments for display legislation and the current consultation on plain, standardised packaging.

The UK should require mandatory reporting of tobacco sales data and all promotional expenditure including payments to public relations companies and any other third parties, such as trade bodies, in line with WHO FCTC Article 5.3 guidelines. This would ensure that government can monitor innovation in marketing activity by the tobacco industry, as well as any lobbying activity, more effectively.

See: US Bureau of Consumer Protection: Cigarette sales and marketing expenditure reports (<http://business.ftc.gov/legal-resources/516/34>)

Health Canada: Tobacco Industry Reporting: Tobacco Reporting Regulations ([www.hc-sc.gc.ca/hc-ps/pubs/tobac-tabac/tir-rft/report-eng.php](http://www.hc-sc.gc.ca/hc-ps/pubs/tobac-tabac/tir-rft/report-eng.php))

Thank you for participating in this consultation.

The Department of Health and Devolved Administrations will only contact you should we seek further information about your response.

## How to get involved in the consultation



The consultation will run for 12 weeks, from 16 April 2012 to 10 July 2012.

Responses are invited from any interested person, business or organisation.

Respondents are encouraged to provide their views online, but responses can be made in any of the following ways:

- *On the Department of Health website at:*

**<http://consultations.dh.gov.uk>**

- *Completed response forms:*

Responses can be sent by email to:

**[tobacopacks@dh.gsi.gov.uk](mailto:tobacopacks@dh.gsi.gov.uk)**

Responses can be sent by post to:

**Tobacco Packs Consultation**

**Department of Health**

**7th Floor**

**Wellington House**

**133-155 Waterloo Road**

**London**

**SE1 8UG**

**INSERT ORGANISATION NAME**

## **SUBMISSION SUPPORTING PLAIN, STANDARDISED PACKAGING OF TOBACCO PRODUCTS**

To [tobaccopacks@dh.gsi.gov.uk](mailto:tobaccopacks@dh.gsi.gov.uk)

I would like to express my strong support for measures to introduce plain, standardised packaging for all tobacco products in the UK as part of the current Government consultation.

We fully support introducing here in the UK the same type of plain packaging that is being implemented in Australia in December 2012 - tobacco products with no branding, a uniform colour and standard font and text for writing on the pack. We believe these would bring public health benefits over and above those from current initiatives in the UK.

Around 340,000 children in the UK try their first cigarette every year. Smoking starts not as an adult choice but in childhood through experimentation, at an age when children have little grasp of the health risks from middle age nor the speed with which addiction takes hold. The average age for smokers starting in the North East is just 15, with 43% of smokers starting between the ages of 10 and 14.

Smoking still remains the largest cause of premature death, disease and health inequalities in the North East, killing 11 people a day and costing at least £210m a year to the NHS and economy through treating smoking related conditions, second hand smoke and the loss to businesses through smoking related sickness and absenteeism.

Based on this level of harm to individuals, communities and the North East region, we believe plain, standardised packaging of tobacco products to be a proportionate response that would:

- Discourage young people from starting to smoke – tobacco firms invest huge sums of money into advertising and marketing their products to recruit new customers, who are nearly always children. Branded tobacco products are viewed as more appealing among young people than plain, standardised packs, which are viewed as less attractive, containing more poisons and of poorer taste.
- Encourage people to stop smoking – plain, standardised packs communicate the harms of smoking far more effectively than branded products, with the health messages more obvious. Packs in the white or silver colours of former "low tar" brands give the false impression to smokers that they can minimise the risks of their smoking, delaying or replacing quitting intentions.
- Discourage people who have quit or are trying to quit smoking from relapsing – the temptation of brands increase the pressure on former smokers not to stay quit.
- Reduce people's exposure to smoke from tobacco products.

We believe that it is wrong that a product that contains over 4000 chemicals, including at least 80 known to cause cancer, is currently marketed through innovative, colourful packaging in a similar way to breakfast cereals, energy drinks or confectionary.

There is high public support to protect children from tobacco marketing and do more to discourage children from taking up smoking. We call for Government action to adopt this measure and help to make smoking history for more children in the North East.

**Northumberland Stop Smoking Service** [REDACTED]

2/13



## **Consultation on standardised packaging and tobacco Products**

We are submitting this letter as a formal response to the Department of Health's "Consultation on the Standard Packaging of Tobacco Products" which was launched on 16<sup>th</sup> April 2012. We have duly completed the response form and also wish to summarise our views in this letter. Palmer & Harvey support option 1 (maintain status quo for tobacco packaging) of the Department of Health's "Consultation on the standard packaging of tobacco products" for the reasons out lined in this letter.

### **Palmer and Harvey**

Palmer and Harvey is the UK's largest delivered wholesaler and the 6<sup>th</sup> biggest private company in the UK (owned by current and former employees, with an annual turnover of £4.3 billion and 3800 staff). Through an integrated national distribution network across 13 sites throughout the UK, we serve over 90,000 outlets in the grocery multiples, convenience forecourt and newsagent sectors. Product ranges that Palmer and Harvey deliver include Tobacco, Confectionery, Crisps, Soft Drinks, Alcohol, Grocery, Chilled, Fresh, Frozen and Ice cream.

### **1. Lack of evidence**

To make such a change to regulation, we believe that there must be clear, robust and compelling evidence that a move to standardised packaging will change the behaviour of smokers. We have yet to see such any reliable and robust evidence that standardised packaging will:

- i. Make people give up smoking
- ii. Ensure people will not re-commence smoking
- iii. Reduce incidents of smoking by the young

Indeed, as recently as 2008 on a previous consultation on standardised packaging, the Department of Health concluded that there was no evidence that plain packaging would reduce the number of young people smoking. Also, in a statement by Gillian Merron, then the Minister of State for Public Health on 25<sup>th</sup> June 2009 she stated that "no studies have been undertaken to show that plain packaging would cut smoking among young or enable those people who want to quit to do so."

We believe that if there really is reliable and credible evidence that has been made available since 2008/09, the Department of Health must publish it at the earliest opportunity. We then recommend that it allows a further period of consultation for respondents to consider the additional information provided.

## **2. Growth in illicit market and cross border trading**

HMRC already believes that the illicit market and smuggling cost the Exchequer more than £3 billion in revenue. It estimates that 16% of cigarettes and 50% of all hand rolling tobacco is smuggled.

Standardised packs are easier to fake than branded ones, even if complex health warnings, tax stamps and anti counterfeiting markings are adopted. We understand these products have a street value of £2.50 to £3.00. As a result, we believe the supply of illicit product will increase. We also believe that, even with reduced allowances on tobacco products, cross border trading will also increase. The UK has the second highest tobacco prices in Europe. Indeed, in July 2011, the TMA demonstrated that the retail price of 20 premium cigarettes was £6.95, whereas the same product was a low as £2.40 in Hungary. A strong demand for branded packs by UK consumers, coupled with the significant price differential is likely to tempt consumers and organised groups to increase cross border shopping – either by visiting the country or online.

The illicit market thrives in the most deprived communities, as the smokers are more price sensitive and especially the young. A report in ASH Scotland in 2011 found that only 29% of young people that smoke, purchased tobacco from shops. A growth in the illicit market may therefore undermine the key objective of reducing incidence of smoking amongst the young.

## **3. Operational Burden and Cost on Retailers**

The UK has already introduced significant amount of new legislation which has driven cost into retailers. The implementation of the display ban alone in large stores cost the retailers £16 million alone in refitting according to the British Retail Consortium. It is estimated that it will cost at least £1,000 per store for small retailers to when the ban comes into effect on small stores by 2015.

We have great concern that the introduction of standardised packaging would have a disproportionate impact on small store operators, particularly independents. Tobacco products can account for anything from 19.5% to 30% of such store sales. A move to standardised packaging by definition will make brands harder to recognise in the retail environment. The result of this will require the retailer to bear more costs as:

- i. It is more resource hungry to check stock levels on shelf and in the store room. (particularly where the retailer does not have an electronic stock management.
- ii. More resource will be required to handle the inevitable lengthening in queuing time that will come about as staff seek to find the product he consumer has asked for, particularly at peak times. Speed of service is one of the key driver as to why consumers use local convenience stores. Every consumer that leaves the queue will mean that, on average, the retailer will lose £5.63 shopping basket – across all categories.

#### **4. Reduced margin impact**

We believe that a move to standardised packaging will result in a move away from premium brands as price becomes the only differentiator. Not only does this reduce the cash margin, but typically the percentage margin on premium products is 3% more than economy products. The combined effect will mean that the cash margin could potentially halve. This, coupled with the rising costs of loss of sales to the illicit market, could have the unintended consequence of small retailers having to shut.

#### **5. Loss of duty revenue**

We have already stated that the loss to the exchequer is over £3 billion. A reduction in the average selling price, together with an increase in the illicit market, smuggling and cross border trading will inevitably lead to a further significant reduction in the revenue received by the Treasury. We recommend that before standardise packaging is introduced, detailed analysis needs to be carried out with the consumer as to what effects of the illicit market and cross border trading would be.

#### **6. Other Tobacco Control Measures**

A number of measures have already been introduced to reduce the incidence of tobacco consumption. The display ban in large stores has only just commenced, whilst the ban in small stores will not start until 2015. This will not allow tobacco packaging to therefore be seen in any store in the UK. This will not be reviewed for its effectiveness until 2020. The display ban, coupled with the duty increase of 5% above RPI are measures that must surely be properly analysed and reviewed before further measures (and cost and burden) are layered in top.

#### **7. Australia and the EU**

We understand that Australia is due to commence standardised packaging on tobacco products from December 2012, although this is under legal challenge from 3 major tobacco manufacturers. We believe that it would be sensible to await:

- i. The outcome of the legal challenge
- ii. The implementation, if it occurs, to understand whether the introduction of standardised packaging is effective or not.

The EU is also reviewing its tobacco control measures at the same time. Again, we would recommend that a single approach is developed across Europe, using the learnings from Australia.

## **8. Unintended consequences**

We have already detailed some of the unintended consequences that we believe are likely to occur with regards to retailers, the illicit trade, duty reduction etc. It must, however, be considered that there will be impact to the suppliers of the manufacturers, packaging companies and logistics providers.

Indeed in our own industry, wholesaling, which accounts for 47% of all the tobacco supplied in the UK, a reduction in the sales and profit that will ensue from a reduced average selling price, the illicit market and store closures will increase the cost to serve these retailers. Additionally, tobacco is a positive cash generator and allows wholesalers to provide credit to retailers, in effect acting like a bank. A reduction in the cash flow from reduced sales would potentially impact the credit that can be offered at a time small retailers need it the most.

## **9. Better regulation**

We believe that there are alternative measures that can drive the actual behaviour the Department of Health is trying to change, including:

- i. Better enforcement on the illicit trade and cross border trading.
- ii. Negative licences for retailers who sell products to those who are underage.
- iii. Penalties imposed on adults buying products for under 18 year olds.
- iv. Penalties on children buying tobacco.

## **10. Intellectual property**

We also have a major concern that this approach will remove intellectual property rights, as well as infringing on trade mark rights and ultimately freedom of trade. We are also concerned that the introduction of standardised tobacco packaging will be the thin end of the wedge, and that a similar approach will be taken on other products i.e. alcohol and confectionery. Policy development does not take place in a vacuum, regulation in one area is, more than likely to inform policy making in others.

P



**SUBMISSION SUPPORTING PLAIN, STANDARDISED PACKAGING OF TOBACCO PRODUCTS**

To [tobaccopacks@dh.gsi.gov.uk](mailto:tobaccopacks@dh.gsi.gov.uk)

I would like to express my strong support for measures to introduce plain, standardised packaging for all tobacco products in the UK as part of the current Government consultation.

I fully support introducing here in the UK the same type of plain packaging that is being implemented in Australia in December 2012 - tobacco products with no branding, a uniform colour and standard font and text for writing on the pack. We believe these would bring public health benefits over and above those from current initiatives in the UK. Smoking is the major preventable cause of death and ill health in our society, and is the leading cause of health inequalities, being responsible for half the difference in life expectancy between the highest and lowest social classes.

Tobacco is a deadly product, with around half of regular smokers dying as a direct result of their tobacco use. Smoking among young people remaining a huge issue, and as a mother of 3 young boys I want them to grow up in a world where smoking is not seen to be 'cool' or fashionable. Them starting smoking worries me, as two thirds of today's smokers start before the age of 18.

Around 14 per cent of girls and 10 per cent of boys aged 15 years old smoke at least one cigarette every week. This remains for many a lifetime addiction, with often tragic consequences in adulthood. Around 340,000 children in the UK try their first cigarette every year. Smoking starts not as an adult choice but in childhood through experimentation, at an age when children have little grasp of the health risks from middle age nor the speed with which addiction takes hold. The average age for smokers starting in the North East is just 15, with 43% of smokers starting between the ages of 10 and 14.

Young people are susceptible to a variety of different forms of tobacco advertising which can influence whether they take up smoking. It is therefore essential to ensure that the tobacco industry cannot advertise its products, and legislation to cut off access to young people has been introduced. Yet one clear anomaly remains – tobacco packaging. The introduction of plain packaging would end this source of advertising for the tobacco industry.

Smoking still remains the largest cause of premature death, disease and health inequalities in the North East, killing 11 people a day and costing at least £210m a year to the NHS and economy through treating smoking related conditions, second hand smoke and the loss to businesses through smoking related sickness and absenteeism.

Based on this level of harm to individuals, communities and the North East region, we believe plain, standardised packaging of tobacco products to be a proportionate response that would:

Discourage young people from starting to smoke – tobacco firms invest huge sums of money into advertising and marketing their products to recruit new customers, who are nearly always children. Branded tobacco products are viewed as more appealing among young people than plain, standardised packs, which are viewed as less attractive, containing more poisons and of poorer taste.

Encourage people to stop smoking – plain, standardised packs communicate the harms of smoking far more effectively than branded products, with the health messages more obvious. Packs in the white or silver colours of former “low tar” brands give the false impression to smokers that they can minimise the risks of their smoking, delaying or replacing quitting intentions. Discourage people who have quit or are trying to quit smoking from relapsing – the temptation of brands increase the pressure on former smokers not to stay quit.  
Reduce people’s exposure to smoke from tobacco products.

We believe that it is wrong that a product that contains over 4000 chemicals, including at least 80 known to cause cancer, is currently marketed through innovative, colourful packaging in a similar way to breakfast cereals, energy drinks or confectionary.

There is high public support to protect children from tobacco marketing and do more to discourage children from taking up smoking. We call for Government action to adopt this measure and help to make smoking history for more children in the North East.

Yours sincerely

██████████





Tobacco Packs Consultation  
Department of Health  
7th Floor Wellington House  
133-155 Waterloo Road  
London  
SE1 8UG

9.7.2012

### **Consultation on tobacco packaging**

The Petrol Retailers Association, part of the Retail Motor Industry Federation (RMI), is submitting this letter in response to the Department of Health's public consultation on the standardisation of tobacco packaging.

#### **Introduction:**

The RMI has around 8,000 members across the UK, of which approximately 2,500 are forecourt operators with convenience retail stores. RMI PRA is committed to helping members run their businesses legally and more profitably, and to adapt to new challenges in the market. Forecourt retailing is one of the UK's most regulated industries and also one of the most under pressure in terms of margins. Last year another 400 forecourts closed (Energy Institute) across the UK which was one of the primary reasons that the recent panic buying spree caused so many fuel run-outs.

#### **Tobacco Packaging:**

Tobacco is a legal product and is a vital part of the independent forecourt shop sales contributing between 20 to 50% share of overall revenue. RMI PRA and the small retailers we represent, are concerned that the Government might force changes which will be neither helpful in achieving its objectives on youth smoking and cessation nor helpful to the forecourt shop sector at a time when both margins and volumes are under intense pressure.

We are also concerned that the Government has not fully considered the impact such a policy would have on small retailers. Despite this policy being passed in Australia, it has not yet been implemented anywhere else in the world so there is no hard evidence to suggest that it will prevent young people from smoking or cut smoking rates. This is a matter which the previous Government considered when they rejected plain packaging after a similar consultation in 2009. Furthermore the Australian Minister for Health at the time of the legislation being passed there

described using plain packaging to discourage people from starting as an "experiment"<sup>1</sup>.

The forecourt sector is already hard hit by the illicit trade in terms of both fuel and tobacco so we are concerned that plain packaging will encourage the counterfeit sector and will lead to a further growth of the illicit market. This undermines the responsible retailers business and the fact that our retailers take all steps possible to ensure that tobacco is only sold to adults, something which those involved in the illicit trade do not. Not only is this policy bad for small convenience shops, it is bad for the Exchequer as tax revenues will be further compromised at a time when the economy can ill afford any further costs or losses of revenue.

In addition to the concerns around illicit trade, there are a number of other significant difficulties that this measure would cause retailers. The processing of stock in store will be significantly slower as staff struggle to recognise and differentiate brands. This will affect everything from checking the stock in after delivery, stocking and replenishing the display unit, cleaning and maintaining the gantry, to serving the customer. Slower processing and transactions times lead to inconvenience for the retailer and reduced customer service satisfaction which will in turn have a negative impact on cost and retailer margin.

The RMI support openness and transparency and are therefore happy to disclose that some tobacco manufacturers are amongst the wide range of retail and supplier members that we have. Nevertheless the views within this response are widely shared by our members and as such the RMI would hope that the Government give this submission equal treatment to all other legal, legitimate and law abiding participants.

The RMI and its members recognise that smoking is addictive and harmful to health and do not believe it should be promoted and everything should be done to stop youth smoking. However the RMI does not believe that plain packaging would be an effective, proportionate or practical way for the Government to reduce smoking levels or in particular to address youth smoking. These concerns are echoed by the Institute of Education's report on *Young People's Access to Tobacco* in which they conclude that "increased regulation may serve to heighten the kudos of smoking"<sup>2</sup>. The Government should instead be supporting better education programmes and working with responsible retailers to ensure children cannot gain access to tobacco products, rather than focusing on measures like plain packaging that could likely have the reverse effect.

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<sup>1</sup> Transcript, Minister for Health Nicola Roxon interview, by Neil Mitchell, ABC Radio - Morning (3AW Sydney), April 8, 2011. <<http://www.health.gov.au/internet/ministers/publishing.nsf/Content/tr-yr11-nr-nrsp080411a.htm>>

<sup>2</sup> Institute for Education, 2011. *Young People's Access to Tobacco*. [pdf] London: Institute for Education. Available at: <<http://eppi.ioe.ac.uk/cms/LinkClick.aspx?fileticket=1Plljvuy3Y%3D&tabid=3301>>

The RMI calls on the Government to drop this proposal and instead focus on proven measures to achieve its health objectives. We will be happy to work with your department to see how responsible businesses can play their part.

Contact

[REDACTED]

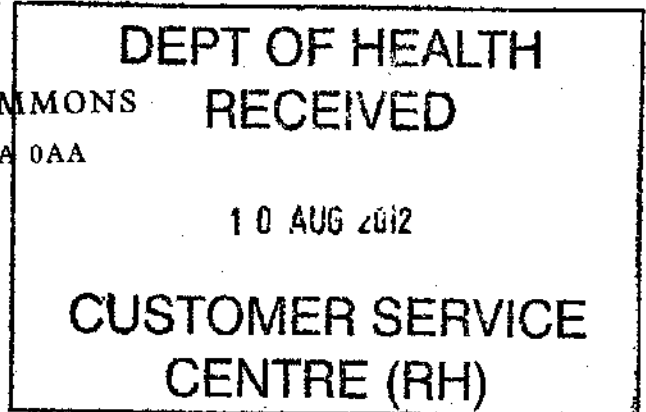
Chairman, Petrol Retailers' Association,  
201 Great Portland Street, London, W1W 1AB

Tel: [REDACTED]

Email: [REDACTED]



HOUSE OF COMMONS  
LONDON SW1A 0AA



The Rt Hon Andrew Lansley MP  
Secretary of State  
Department of Health  
Richmond House  
79 Whitehall  
London SW1A 2NS

08 August 2012

**Re: Standardised tobacco packaging consultation**

I am writing to give my views on the Department of Health's Consultation on Standardised Packaging for Tobacco Products. I oppose the introduction of standardised tobacco packaging, and set out the reasons why below.

Despite being a non-smoker I maintain an interest and have strong views on issues around tobacco and smoking. I firmly believe that individuals have freedoms which must be preserved, and that the state should not nanny people. I am often quite uncomfortable that people who are partaking in a perfectly legal activity - and one which they pay a great deal of money to enjoy - are being very deliberately and systematically 'de-normalised' by the state. It has been suggested that it is thoroughly hypocritical of any Government to take £12 billion a year in tax on a products while persecuting those who use it.

I am concerned about the proposals for standardised tobacco packaging for a number of reasons but primarily because I believe that adults over the age of 18 years who choose to smoke deserve to be treated like adults, and deserve the right to choose which brand they want to smoke. After all, they are deemed sufficiently competent to elect their representatives.

I am also extremely concerned that this proposal is nothing more than gesture politics - a hollow gimmick which is not based on sound evidence and science but on the basis that it might afford juicy sound-bites about nonsense like 'protecting children from tobacco marketing'. Please don't be fooled by the anti-tobacco zealots; the public sees right through this. They recognise that tobacco advertising, sponsorship and promotion is already illegal and that children cannot buy cigarettes anyway - the law says that cigarettes can only be bought by those over 18 years of age. They also recognise that the reasons why certain children experiment with smoking have absolutely nothing to do with the colour of the pack.

***YOUR INTERESTS, NOT SELF INTEREST***



Not only would this be completely ineffective as a strategy to reduce youth smoking be a betrayal of our pre-election promises on better, more effective regulation and an end to unnecessary bureaucracy - but perversely it could increase youth smoking.

My constituency of Shipley is in Yorkshire where - like many other areas around the country, particularly in the most deprived communities - illegal products are estimated to account for 14% of cigarettes and 58% of hand-rolling tobacco. This is unacceptable. The purpose of our strategy of high taxation on tobacco is to inflate the retail price, make smoking less affordable and reduce consumption - however the widespread availability of cheap, unregulated tobacco completely undermines this whole approach, and leads to a loss of £3.1 billion each year to the Treasury.

The Government's focus should be on driving down the prevalence of illegal tobacco, not creating conditions which would allow this criminal enterprise to prosper. How much easier and cheaper would it become to counterfeit brands of cigarettes if they are all near identical? Apparently the anti-tobacco lobbyists readily acknowledge that without brands, the cigarette market would be commoditised - indeed this consequence is referenced in the Department of Health's 2008 Consultation on the Future of Tobacco Control. How much easier would it be for criminals to sell their illegal tobacco if it is half the retail price and smokers are being driven to look for the cheapest option? If people are repressed into a choice between box A, box B or box C - all the same - does it matter to them that the cheapest option is not legitimate? The networks involved in the distribution and sale of illegal tobacco are not troubled by the regulations which the legitimate industry is burdened with. They do not care what goes in to their products or whether those under the age of 18 buy it. I firmly believe standardised tobacco packaging would lead to an increase, not a decrease in youth smoking.

Some people argue that bright and colourful packaging encourages children to smoke. Whilst I believe that is a nonsense - it should also be made clear that the prototypes of "plain packaging" are brighter and more colourful than most current brandings.

Purging a legitimate industry of its intellectual property does not send out the right messages to the global economy that Britain is a country where business is nurtured and a company's investment is protected. I appreciate you might be under pressure from the anti-tobacco fanatics to show 'leadership' but this is not the sort of leadership that will bring us out of this terrible recession. Indeed, a far more prudent approach would be to assess the impact of the retail display, which I also strongly opposed on the basis that it would be ineffective and impinged on adults' personal freedoms. This legislation will be fully introduced in 2015 and I understand it will not be reviewed until 2020, I suggest that is the bare minimum time limit before the plain packaging proposals should be given any serious consideration. There are thousands of businesses which have not forgiven this Government for our U-turn on the tobacco display ban, we cannot add to the hefty regulatory burden on their shoulders before that has even come in to effect in an attempt to please those who will never be satisfied by even the most radical gestures.



It alarms me that a decision on this policy has possibly already been made by -your department, and 'evidence' is frantically being generated to justify the direction your Department is taking. Statements at the launch of the consultation about putting the tobacco industry out of business suggest that your mind is made up on this. I cannot think how else we have arrived in a situation where a policy that was considered in 2008 and dismissed on the basis that it would not work is now being reconsidered on the basis of a plethora of studies which have been generated in the interim.

Surely the causes of youth smoking have not changed in four years - you do not need to be an expert in this field to know that parental smoking, peer pressure and socio-economic factors are what drive some youths to smoke.

I must also question the logic behind the publicity campaigns funded by your Department via PCTs and third sector organisations aimed specifically at drumming up public support for plain packaging, after reading reports of billboards in Bristol funded by SmokeFree South West, an organisation funded by 14 local PCTs which in turn are of course funded by the Department of Health. It is not within the remit of Government departments to undertake advertising campaigns to increase support for unpopular policies. This is Government lobbying Government at its worst - it is an unjustifiable and unacceptable waste of tax payers' money.

This initiative would also lead to chaos in supermarkets and other retailers. Anyone who has worked at a cigarette kiosk - as I have - knows that customers often identify the packs of cigarettes they want by the branding of the pack - uniform packaging will lead to enormous queues and more frustration.

I hope you will consider the points I have raised here. More importantly, I hope you will give proper and due consideration to the submissions from those involved in the manufacturing, retail, distribution and packaging industries who would be impacted by plain packaging and have a strong and legitimate case to be heard.

Yours ever



[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 06 August 2012 17:43  
**To:** Tobaccopacks  
**Subject:** Director of Cancer Research at the University of Leicester - views on plain packaging

Dear Sir / Madam,

I am the Director of Cancer Research at the University of Leicester and I would like to express my support for introducing the plain packaging of tobacco products into the UK.

I support this because the evidence clearly shows that putting cigarettes in plain, standardised packs makes the pack less attractive and health warnings more prominent to children.

There is no reasonable doubt that advertising and promotion increase the likelihood that adolescents smoke. Packaging is an important part of this – it is designed to be attractive and communicate the “personality” of a brand. Packs can act as “badge products” and an extension of a person’s identity. Therefore, plain packaging needs to be part of a comprehensive approach to reducing smoking amongst young people.

Internal documents from the tobacco industry show how they value packaging as an important promotional tool, and how it has grown in importance for them as other forms of advertising have been restricted. Plain packaging is needed to close the loop hole of packaging. The tobacco industry says plain packs will increase smuggling – but the existing packs are already so easy to forge they use covert markings to discriminate them from illicit packs.

The crux of the issue should be public health. Smoking remains the largest preventable cause of cancer. Overall, 100,000 deaths are caused by tobacco each year in the UK. Eight in 10 smokers start by the age of 19 – the beginning of an addiction that kills one in two of its long term users. Protecting children from tobacco marketing is crucial. This is also a measure that has strong public support, as well as the support of key health organisations and charities across the UK, such as Cancer Research UK, and globally such as the World Health Organisation (WHO).

At Leicester we have a particular interest in lung cancer and a strong research programme in this disease. We are acutely aware of the dangers of smoking and every day we see and treat a large number of patients whose symptoms would have been preventable if they had not smoked at a young age.

I welcome this consultation on the issue and sincerely hope for a positive outcome that sees plain packaging being introduced to the UK as soon as possible.

Yours faithfully,

[REDACTED]

[REDACTED]

Professor of Cancer Biochemistry  
Royal Society-Wolfson Merit Award Holder  
Department of Biochemistry

Henry Wellcome Building  
University of Leicester  
Leicester  
LE1 9HN

Tel: [REDACTED]

Fax: [REDACTED]

E-mail: [REDACTED]

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Reply to [REDACTED]

Professor of Respiratory Cell & Molecular Biology  
Postgraduate Tutor for the Department of Medicine  
UCL Respiratory – Centre for Inflammation and Tissue Repair

Rayne Institute  
5, University Street  
London WC1E 6JF

Tel: [REDACTED]

Fax: [REDACTED]

E-mail: [REDACTED]

10th August 2012

Dear Sir / Madam,

I am currently Professor of Respiratory Cell and Molecular Biology at UCL and I would like to express my support for introducing the plain packaging of tobacco products into the UK.

I support this because there is now very good evidence that placing cigarettes in plain, standardised packs makes the pack less attractive and health warnings more prominent to children.

There is no reasonable doubt that advertising and promotion increase the likelihood that adolescents smoke. Packaging is an important part of this – it is designed to be attractive and communicate the “personality” of a brand. Packs can act as “badge products” and an extension of a person’s identity. Therefore, plain packaging needs to be part of a comprehensive approach to reducing smoking amongst young people.

Smoking remains the largest preventable cause of cancer and COPD. Overall, 100,000 deaths are caused by tobacco each year in the UK. Eight in 10 smokers start by the age of 19 – the beginning of an addiction that kills one in two of its long term users. Protecting children from tobacco marketing is crucial. This measure has strong public support, as well as the support of key health organisations and charities across the UK, such as Cancer Research UK, and globally such as the World Health Organisation (WHO).

I welcome this consultation on the issue and sincerely hope for a positive outcome that sees plain packaging being introduced to the UK as soon as possible.

Yours faithfully,

[REDACTED]

[REDACTED]

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 10 August 2012 10:55  
**To:** Tobaccopacks  
**Subject:** Consultation on plain packaging - view from a lung cancer specialist

Dear Sir or Madam

I am Professor of Medical Oncology in the University of Sheffield and a consultant cancer physician. I see hundreds of lung cancer patients every year, most of whom die from this awful disease. All of them and their families suffer the distress caused by this largely avoidable cancer. The abolition of tobacco advertising made a major impact on smoking rates in the UK and has led to a reduction in lung cancer rates in men, but just a slowing in the rise in lung cancer in women. Further action is urgently needed to reduce smoking and lung cancer rates further. I am therefore writing to express my support for introducing the plain packaging of tobacco products into the UK.

I support this because the evidence clearly shows that putting cigarettes in plain, standardised packs makes the pack less attractive and health warnings more prominent to children. The earlier children start smoking, the more damaging it is. It is more important to protect the lives of our children than to protect the vested interests of the tobacco companies. Advertising and promotion increase the likelihood that adolescents will smoke. Packaging is an important part of this. Therefore, plain packaging needs to be part of a comprehensive approach to reducing smoking amongst young people.

The crux of the issue should be public health. Smoking remains the largest preventable cause of cancer. Overall, 100,000 deaths are caused by tobacco each year in the UK. Eight in 10 smokers start by the age of 19 – the beginning of an addiction that kills one in two of its long term users. Protecting children from tobacco marketing is crucial. This is also a measure that has strong public support, as well as the support of key health organisations and charities across the UK, such as Cancer Research UK, and globally such as the World Health Organisation (WHO).

I welcome this consultation on the issue and sincerely hope for a positive outcome that sees plain packaging being introduced to the UK as soon as possible.

Yours faithfully,

[REDACTED]

[REDACTED]

Professor of Medical Oncology  
University of Sheffield  
Weston Park Hospital  
Whitham Road  
Sheffield S10 2SJ

Phone: [REDACTED]  
Fax: [REDACTED]  
E-mail: [REDACTED]

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[REDACTED]

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**From:** [REDACTED]  
**Sent:** 07 August 2012 10:01  
**To:** Tobaccopacks  
**Subject:** plain packaging for cigarettes: an important measure for public health

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Dear Sir / Madam,

I am the Director of the CRUK Cambridge Research Institute, Professor of Oncology in the University of Cambridge, Director of the Cambridge Cancer Centre, and President of the British Association for Cancer Research.

I have a particular research and clinical interest in the prevention of lung cancer, which kills more people each year in the UK than breast, colorectal and prostate cancers combined. I would like to express my strong support for introducing the plain packaging of tobacco products into the UK.

I support this because stopping young people acquiring the habit of smoking is clearly the most effective way to prevent future deaths from lung cancer, as well as to reduce the very substantial premature mortality and morbidity from cardiovascular diseases also associated with smoking. The evidence clearly shows that putting cigarettes in plain, standardised packs makes the pack less attractive and health warnings more prominent to children.



There is no reasonable doubt that advertising and promotion increase the likelihood that adolescents smoke. Packaging is an important part of this – it is designed to be attractive and communicate the “personality” of a brand. Packs can act as “badge products” and an extension of a person’s identity. Therefore, plain packaging needs to be part of a comprehensive approach to reducing smoking amongst young people.

Internal documents from the tobacco industry show how they value packaging as an important promotional tool, and how it has grown in importance for them as other forms of advertising have been restricted. Plain packaging is needed to close the loop hole of packaging. The tobacco industry says plain packs will increase smuggling – but the existing packs are already so easy to forge they use covert markings to discriminate them from illicit packs.

The crux of the issue should be public health. Smoking remains the largest preventable cause of cancer and a significant contributor to other common diseases. Overall, 100,000 deaths are caused by tobacco each year in the UK. Eight in 10 smokers start by the age of 19 – the beginning of an addiction that kills one in two of its long term users. Protecting children from tobacco marketing is crucial. This is also a measure that has strong public support, as well as the support of key health organisations and charities across the UK, such as Cancer Research UK, and globally such as the World Health Organisation (WHO).

I welcome this consultation on the issue and sincerely hope for a positive outcome that sees plain packaging being introduced to the UK as soon as possible.

Yours faithfully,

  
  
Director, CRUK Cambridge Research Institute  
Professor of Oncology, University of Cambridge  
Director, Cambridge Cancer Centre  
President, British Association for Cancer Research

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[REDACTED]

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**From:** [REDACTED]  
**Sent:** 06 August 2012 17:36  
**To:** Tobaccopacks  
**Subject:** Plain packaging for cigarettes

I am a Professor of Respiratory Medicine at University College Hospital and The Royal Brompton Hospital and I would like to add my support for the introduction of plain packaging of tobacco products within the UK.

I support this as I have made the treatment of lung cancer my specialist interest and have lead CRUK funded clinical trials into attempts to improve the outcome of this disease for more than 35 years. Lung cancer is a dreadful disease with more than 90% of its victims dying of the illness. More than 85% of cases occur in current or ex-smokers. Whilst smoking in men has dropped in the UK, it is steadily rising in women, and especially young women between the ages of 15 and 25. These will be the lung cancer or other smoking disease victims in the coming generations.

This is a serious public health issue and smoking remains the biggest preventable cause of death and morbidity in the UK today. We need to do everything we can to make smoking as unfashionable and as unattractive as possible, in order to save huge health costs and tens of thousands of lives every year. Any action to minimise smoking has huge public support, and this initiative to market tobacco products in plain packages is the next important step along this path.

I really hope this legislation is passed.

yours  
[REDACTED]

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Tobacco Packs Consultation  
Department of Health  
7<sup>th</sup> Floor  
Wellington House  
133 – 155 Waterloo Road  
London SE1 8UG

9 August 2012

Dear Sir

### **Consultation on Standardised Packaging of Tobacco Products**

We are the UK's largest specialist reprographics and origination business primarily focused on the supply of colour separations and digitalised printing plates for the European Tobacco Manufacturing sector. This is our formal response to the Department of Health's 'Consultation on the Standardised Packaging of Tobacco Products'. We support Option 1 – Maintain the status quo for tobacco packaging. Whatever the perceived benefits for an introduction of standardised packaging may be? We are certain that these will be outweighed by a massive increase in the availability and distribution of counterfeit (fake) cigarettes. Our unique knowledge of the production processes used to manufacture specialist packaging for the tobacco sector means we can say this with 100% certainty, as detailed below.

Promopack Digital Studios has a unique 35 year experience of supplying digitalised printing plates to flexographic printers, who in turn manufacture printed flexible packaging for the cigarette producers. We receive finished artworks from the cigarette manufacturers design agencies. Through a process known as 'origination' or 'reprographic colour separation' we convert the original designs into a format which enables the printers to manufacture printed packaging which replicates the original design and artwork. This is a highly complex process, it is a science and is objective. Thus, our arguments are not suppositions, they are based on fact.

Counterfeit products are not limited to cigarettes and tobacco, the fashion industry, for example, also suffers from counterfeiting. However, the difference between these two product sectors is straightforward – for an item of fashion the purchaser can inspect the counterfeit product, for a counterfeit pack of 20 cigarettes the purchaser can only inspect the outer packaging, not the product. Thus, in the case of cigarettes, the counterfeiters concentrate their efforts on replicating the brand packaging, not the product itself. The introduction of standardised packaging for tobacco products will simplify, and standardise, all aspects of the reprographics and printing processes to such an extent that, whereas at present the counterfeiters find it very difficult to accurately replicate the outer packaging, standardised packaging will make this simple and easy.

The Smokefree Action Coalition claim that "...Plain packs may not have tobacco brand logos and colours but they will have health warnings and other marking required on current packs, so they will be no easier to counterfeit..." This assumption is 100% INCORRECT. It is the extra colours and intricate designs that make current tobacco packaging so difficult to replicate by counterfeiters. Currently there are approximately 220 cigarette SKUs retailed in the UK, each individual design is different, with the majority being very complex 10

colour separations. If standardised packaging is introduced, this will (effectively) be reduced to just 2 standard designs – one for packets of 10, and one for packets of 20. We assume the current pictorial health warnings will remain, these are printed using a 4 colour separation, the remaining statutory information can be printed with one additional colour.

The existing range of 220 x 8 to 10-colour, complex and difficult to originate and print, individual designs produced for the UK cigarette market, will be replaced by just 2 x 5-colour easy to print designs, if standardised packaging is introduced.

The actual printing process itself will also be greatly simplified if standardised packaging is introduced. In order to achieve the quality requirements for the current range of 10 colour designs, large and extremely sophisticated 'Central Impression' flexographic printing presses, backed up by a highly skilled workforce, are used to print the packaging. The acquisition of these huge CI presses together with a suitably skilled workforce, is another obstacle the counterfeiters currently face. If standardised packaging is introduced, the 2 designs will be easily printable on a standard 6-colour press. These machines are less than half the size, when compared to a 10-colour equivalent and much simpler to operate.

We are of course aware of the many other arguments and issues surrounding this consultation. However, in view of our specialist knowledge in the origination techniques and manufacture of packaging for tobacco products, we have restricted our comments to this area only. By doing so we are confident the contents of this submission are wholly subjective and verifiable. The introduction of standardised packaging would make the origination, and manufacture of counterfeit cigarette packaging so much easier – if a current branded 10 colour design were to rate a score of 10 – on degree of difficulty to produce a counterfeit, a standardised 5 colour equivalent would rate a score of 3 or 4!

In conclusion, our overall objective with this submission, is to explain objectively to the Department of Health how the introduction of standardised packaging will make the production of packaging for the counterfeit cigarette manufacturers so much simpler in all areas.

Should you require any further detailed explanation of the origination and manufacturing techniques referred to in this submission, please do not hesitate to contact me.

Yours faithfully

  
Managing Director



## Redcar and Cleveland

Department of Public Health  
Redheugh House  
Teesdale South  
Thornaby Place  
Stockton-on-Tees

TS17 6SG

Website: [www.tees.nhs.uk](http://www.tees.nhs.uk)

### SUBMISSION SUPPORTING PLAIN, STANDARDISED PACKAGING OF TOBACCO PRODUCTS

To: [REDACTED]@psi.gov.uk

I would like to express my strong support for measures to introduce plain, standardised packaging for all tobacco products in the UK as part of the current Government consultation.

We fully support introducing here in the UK the same type of plain packaging that is being implemented in Australia in December 2012 - tobacco products with no branding, a uniform colour and standard font and text for writing on the pack. We believe these would bring public health benefits over and above those from current initiatives in the UK.

Around 340,000 children in the UK try their first cigarette every year. Smoking starts not as an adult choice but in childhood through experimentation, at an age when children have little grasp of the health risks from middle age nor the speed with which addiction takes hold. The average age for smokers starting in the North East is just 15, with 43% of smokers starting between the ages of 10 and 14.

Smoking still remains the largest cause of premature death, disease and health inequalities in the North East, killing 11 people a day and costing at least £210m a year to the NHS and economy through treating smoking related conditions, second hand smoke and the loss to businesses through smoking related sickness and absenteeism.

Redcar & Cleveland has approximately 26,000 smokers in total with equates to approximately 227 deaths per year attributed to smoking.

Based on this level of harm to individuals, communities and the North East region, I believe plain, standardised packaging of tobacco products to be a proportionate response that would:

- Discourage young people from starting to smoke – tobacco firms invest huge sums of money into advertising and marketing their products to recruit new customers, who are nearly always children. Branded tobacco products are viewed as more appealing among young people than plain, standardised packs, which are viewed as less attractive, containing more poisons and of poorer taste.
- Encourage people to stop smoking – plain, standardised packs communicate the harms of smoking far more effectively than branded products, with the health messages more obvious. Packs in the white or silver colours of former "low tar" brands give the false impression to smokers that they can minimise the risks of their smoking, delaying or replacing quitting intentions.



- Discourage people who have quit or are trying to quit smoking from relapsing – the temptation of brands increase the pressure on former smokers not to stay quit.
- Reduce people's exposure to smoke from tobacco products.

I believe that it is wrong that a product that contains over 4000 chemicals, including at least 80 known to cause cancer, is currently marketed through innovative, colourful packaging in a similar way to breakfast cereals, energy drinks or confectionary.

There is high public support to protect children in Redcar & Cleveland from tobacco marketing and do more to discourage children from taking up smoking. We call for Government action to adopt this measure and help to make smoking history for more children in the North East.

Kind regards

[Redacted signature]

[Redacted name]

Asst. Director for Health Improvement  
NHS Redcar and Cleveland and Redcar and Cleveland Borough Council



**Rural Shops Alliance**

**Egdon Hall, Lynch Lane,**

**Weymouth DT4 9DN**

**THE RURAL SHOPS ALLIANCE RESPONSE TO THE CONSULTATION**

**ON STANDARDISED PACKAGING OF TOBACCO PRODUCTS**

The Rural Shops Alliance is a trade association representing about 7,500 rural retailers in England. A majority of our members are general or convenience stores, for whom tobacco sales are an important part of their overall business.

**1. EXECUTIVE SUMMARY**

Our response to this consultation is in two distinct parts. In the first, we provide a summary of the original, and we hope definitive, research we have commissioned on the impact of standardised packaging on store transaction times. This work provides conclusive evidence that standardised packaging would have a significant and measurable negative impact on store operations, increasing staff costs and worsening customer service. This does mean that there is a very real cost to the retail industry and the economy generally of introducing the measure.

The second part of our submission strongly suggests that standardised packaging would not be effective in reducing the incidence of smoking and could actually be counter-productive, because:

- NHS survey data suggests that the impact of pack design on the incidence of smoking is too small to be measured.
- Underage smokers constitute a very particular group for whom standardised packs could paradoxically add to the appeal of smoking.
- Dark tobacco displays in stores massively reduces any potential impact of standardised packaging in-store. The impact of this measure needs to be fully implemented before the need for yet more measures can be evaluated.

- Standardised packaging would provide a boost for the illicit trade in non-duty paid tobacco.
- A far more effective way of reducing under-age tobacco use would be to make proxy purchasing illegal, bringing tobacco into line with alcohol legislation.

**Given these factors, we firmly believe that the logical course would be to await the results of “going dark” in this country and from the proposed Australian implementation of standardised packaging. The downside for the retail industry of standardised packs has now been proven, whilst the benefits are still speculative.**

## **2. DECLARATION OF LINKS WITH TOBACCO COMPANIES**

The Rural Shops Alliance is entirely open about the relationship between ourselves and tobacco companies. We have a number of commercial partners who support our work in various ways, including paying an annual subscription to the RSA. They are all major suppliers to the rural shop sector. At the time of writing, they include British American Tobacco and Imperial Tobacco. Tobacco represents about 20% of the sales in our sector, whilst tobacco companies make up 15% of these partners and so is slightly under-represented.

None of these companies has any influence whatsoever on RSA policies or activities. At all times we act in ways that we believe in the best interests of the retail sector we represent.

## **3. PRINCIPLES OF BETTER REGULATION**

The Secretary of State for Business Innovation & Skills has in the past emphasised the Government’s commitment to Better Regulation.

Clearly reducing the incidence of smoking is a highly desirable health objective and an important part of health policy. In pursuing this objective, the Government has put in place major controls on how tobacco is sold in stores, which are not yet fully implemented.

Standardised packaging would have a significant negative impact on the retail industry. There is therefore a strong onus on the Government to demonstrate that yet more legislation in the same broad aspect of tobacco control is the best way forward, rather than pursuing other ways of reducing tobacco consumption.

We would strongly recommend that this is an area where the Government should follow the principles of Better Regulation and ensure that any further measures are in accord with them.

## **4. RESEARCH ON CUSTOMER SERVICE TIMES AND THE IMPACT ON STORE OPERATION**

### **4.1 Introduction**

The RSA has commissioned a major research project to advance knowledge of how standardised packaging of tobacco would affect customer transaction times at the point of sale in stores. This work is intended to address the shortcomings of the methodology of the work of Associate Professor Owen Carter of Curtin University, Australia. In his simulated trials with students, he found that standardised cigarette packaging actually reduced transaction times. This work, as the Professor acknowledges, was limited in scope. Given the importance of this topic to the standardised packaging debate, it is important that this aspect is researched with as robust a model as possible.

### **4.2 Basis of the research**

The research has been carried out by Visuality Group Limited, one of the UK's leading consultancies specialising in research into shopper behaviour and brand visibility.

The RSA has been funded by British American Tobacco (BAT) to carry out this work and BAT recommended Visuality as having appropriate skills to undertake the project. Both RSA and Visuality agreed to undertake this project on the basis that all work would be conducted independently of BAT and that BAT would have no influence over how the project was conducted or how the research findings would be reported. The research methodology was agreed between Visuality and the RSA with the sole objective of creating a robust study. From the outset, there has been an absolute understanding that the RSA will publish the full findings of the study, irrespective of the final conclusions, even if these supported Professor Carter's findings or were otherwise detrimental to BAT's interests.

### **4.3 The Approach**

To improve on Professor Carter's approach, it was decided that our research needed to adopt a methodology that came a lot closer to the real store situation in the UK. Hence it was decided that we needed to conduct the research:

- in a real life retail store environment in the UK
- to use genuine store staff, not students or other volunteers
- to have a real mix of tobacco and non-tobacco transactions
- to have the full complexity of the real environment – credit card payments, age verification checks etc.
- to research with both "dark" and open displays – to reflect the probable interplay of closed, dark displays and standardised packaging
- to provide a robust sample size
- to research over a number of locations to prevent any local bias

#### **4.4 Methodology**

The research was conducted in four convenience stores, two in city centres, and two in smaller locations. Two stores were above 280m<sup>2</sup> and had dark tobacco displays; two were smaller and had open display of tobacco products. The research was carried out in-store over a period of two weeks. Discrete cameras were installed in these stores, focused on the cash taking point(s) and the tobacco gantry behind it/them. These cameras recorded all customer transactions.

The first week of filming was for control purposes, recording a baseline of normal store operation. During the second week, all cigarette packs in the tobacco gantry were over sleeved with standardised pack designs, olive green with white lettering. These sleeves were professionally produced and were in all respects authentic. They were designed to reflect proposed UK legislation, taking direction to standardisation from the consultation documentation. Where no direction existed (font size and colour) direction was taken from current Australian legislation. Hence for this week the gantries were as close as we could make them to simulate the likely situation after the introduction of standardised packaging.

The result was several hundred hours of filmed transactions. These are now being analysed to determine the time taken by staff to complete the various stages of the transaction, from the customer requesting to buy cigarettes through to the correct pack being retrieved and placed on the counter in front of the customer. At that point the timing analysis ceases – hence any additional time taken to explain to the customer why the pack looked different from normal and the removal of the oversleeve for the customer to take away a normal pack were not part of the analysis.

In addition, customers were interviewed in all four stores to ascertain their reaction to the trial and its effects on the overall store shopping experience.

To complete the picture, brief interviews have been conducted with store management and staff involved to understand their experience of the test.

#### **4.5 Sample size**

Approximately 15,000 customer transactions were recorded over the total of 8 weeks of filming, of which some 18% (in excess of 2,500) were tobacco transactions. 28 members of staff were recorded over the 4 stores, ranging from full timers to part time staff only working for a few shifts per week. This is representative of the normal pattern in convenience stores.

About 600 store customers were interviewed.

This is a very robust sample size and should provide highly reliable results.

#### **4.6 Initial results**

At time of writing, the painstaking work of analysing the many hours of filmed transactions has not been completed. Hence these headline figures could change slightly when the final data are available.

However, based on initial findings, it would appear that:

- **The elapsed time from a customer asking for cigarettes through to the assistant picking the right pack(s) and putting them on the counter before the customer increased from 11 seconds in the control week to 28 seconds in the experimental week – over double.**
- **The error rate – the percentage of times the assistant picked the wrong product – increased from 6% in the control week to 25% in the experimental week.**

#### **4.7 Initial conclusions**

These initial headline figures clearly show:

- **Professor Carter's simulation differed in too many respects from the real world situation to be valid. The results from it are flawed and must be discounted.**
- **It is clear even at this stage that there would be a very significant staff cost penalty to the retail industry should standardised packaging be introduced.**

#### **4.8 Next steps**

This is a very sophisticated piece of research with complex conclusions. When the final results are available we will provide a full report to the Dept. of Health and other interested parties so that they can be fully taken into account in the debate over standardised packaging. This report will include our best estimate of the total cost of introducing standardised tobacco packaging to the retail industry.

## **5. PREDICTED IMPACT OF STANDARDISED PACKAGING ON SMOKING**

### **5.1 The influence of pack design on smoking**

**The NHS's own survey of influences on young people taking up smoking does not even bother to measure exposure to tobacco displays or packs. ("Smoking, drinking and drug use amongst young people in England in 2010"). As a factor, it is so minor that it is below the NHS radar. This fact makes it very difficult indeed to measure.**

The current general design of cigarette packs is not attractive and certainly not what marketing experts would want. It is dominated by mandatory health warnings. Viewed as a piece, current packs are not glamorous and not attractive. If you wanted to put forward an awkward amalgam of different design cues, they would provide the perfect example. And that, of course, is the point – they are already intended to be unattractive, with a dominant health message. Tobacco companies may have tried to get round this as much as possible but the fact remains – the clearest image on a pack of cigarettes is the health message.

Specific research is limited in this area but one potentially interesting source of findings can be found in the report, "The Packaging of tobacco products", carried out by Stirling University and funded by Cancer Research UK. Based on eight focus groups of young people in Glasgow, they found that "Generally, there was little awareness of different styles of tobacco packaging apart from the key brand, which for participants in this study, was Mayfair...Participants did not view this pack as particularly attractive or a good design, but it was sometimes described as cool and good quality because of its popularity". The report goes on, "To some extent the pack appeared peripheral compared with the cigarette in youth smoking, particularly at the experimental stage. The general perception was that young people would either "jump in", i.e. pool their money...or buy single cigarettes from somebody in school known to have a pack...Some said they never really saw the pack being used it was just the cigarettes that were passed around. Others said they saw both the cigarette and the pack" (sections 4.3.2 & 4.3.3). Although clearly speculative, "the majority of participants thought plain packaging would have little impact on established smokers". Overall, the work demonstrates that young people are very aware of brand values and differences but the report cannot find a connection between this and a desire to smoke.

### **5.2 Social factors**

**The picture that emerges from this report is of young smokers as a very particular social group, perceived negatively by many of their peers. The danger, of course, is that plain packaging could reinforce the "fortress mentality" of this group, making smoking a stronger part of their group identity. Wider research with a bigger sample is needed to investigate this risk.**

“Attitudes towards smoking and smokers were very much negative across genders and socio-economic grouping. Smoking was seen as something to be ashamed of and associated with.....people from poorer backgrounds”. (ibid, section 4.3.8.1)

Other research has shown that smoking tobacco at a young age correlates with other behaviours such as illegal drug and alcohol use.

Many young people go through a rebellious phase, at a stage when their attitude to risk is very different from older people. Young people think themselves invincible. They are also keen to act in ways that they think will assert their independence and upset their parents and teachers. There can be few if any young people who do not know the dangers of tobacco smoking through PHSE lessons. But for some 16 years olds, the urgent need to seem “cool” with your mates at tonight’s party, even to be seen to take a risk, far outweighs the far distant possibility of suffering from lung cancer at age 60.

And hence the answer is that nobody knows what the impact of standardised packaging. Reflecting society’s disapproval of smoking, it could encourage rather than dissuade this very precise age and social demographic when it comes to smoking tobacco. That in itself is a very good reason for proceeding with caution. Where there is no evidence, too often government action provides examples of the law of unintended consequences. It is as possible that khaki packs will encourage some young people to smoke as it is to discourage others. The packs could encourage the very behaviour they are intended to prevent.

### **5.3 Illegal drugs**

**The NHS survey shows that the incidence of young people smoking tobacco and using illegal drugs is broadly the same. There is in fact considerable overlap, with the same individuals often indulging in both behaviours.**

Illegal drugs come with no packaging and often no branding and yet their market penetration amongst young people is the same as tobacco. This reinforces the view that packaging has little to do with creating demand for these products may be correct. If people want to buy a product of this type, packaging is actually irrelevant.

### **5.4 Going dark**

**Once fully implemented in 2015, “dark” displays mean that a customer in a shop will not normally see a pack of cigarettes. Not one. This suggests the net impact of having plain packets on retail displays will be very close to zero.**

The Health Act has mandated that tobacco displays must “go dark” with larger shops having already done so and small shops following by April 2015. This is a very major change and one that has caused the retail industry a lot of disruption. It is not evidence-based government to bring in major legislation to solve a problem and even before it is fully



implemented, yet alone monitored, or to suggest that it is not working and that more extreme measures are necessary.

### **5.5 Non duty-paid tobacco**

**The measure could result in smuggled cigarettes will be packaged more attractively than legitimate product.**

The parallel illegal market in tobacco is an important factor. It is particularly important in low income areas and for young people, often short of money and faced with ever-better age enforcement in shops. Under these circumstances, the van in the local pub car park can become the supplier of choice, with no age checks or dark displays. If the smuggled product is in more attractive packaging than the legitimate product, then there is another reason to buy them rather than legitimate product. There are various studies to show that people prefer the current pack designs to khaki plain; a singularly obvious conclusion. So faced with a choice between smuggled coloured packs and dull khaki, the criminal supplier is handed a product advantage. This means that introducing plain packaging could benefit the non-duty paid sector.

### **5.6 Avoiding the big issue**

**Enforcement of the ban on selling to under-18s is not perfect but it is getting better. The NHS Survey previously cited shows that young people often obtain their cigarettes from over 18's, ranging from total strangers to older siblings or parents. Currently this is not illegal. If there was one measure that would have an impact on under-age smoking, making proxy purchasing illegal would be it.**

Enforcement would be difficult, but it would send the clearest possible message to adults and would also give them a good reason or excuse to refuse requests from younger people to purchase on their behalf.

If the Department of Health is serious about reducing smoking incidence in the population, then all of the evidence pinpoints that this is the way to do it. It is the elephant in the room, the one policy change that would make a huge difference. Responsible retailers would welcome legislation in this area and it would work.

Plain packaging can provide the illusion of activity without actually making any significant difference.

## **6. OVERALL CONCLUSION**

**Plain packaging would cause significant problems and extra costs to the retail industry. There is no proper evidence that plain packaging would reduce the incidence of smoking and indeed there is a finite possibility that it would actually be counter-productive in some key respects.**

Hence the rational approach must be to await hard evidence from an Australian implementation before taking a course with an unknown balance of costs and benefits.

[REDACTED]

Chief Executive

Rural Shops Alliance

[REDACTED]

[REDACTED]



To : [REDACTED]@si.gov.uk  
07 July 2012

*Dear Sir/Madam,*

### **SICPA response to DoH consultation on standardised tobacco packaging**

1. SICPA welcomes the opportunity to contribute to the Department of Health's consultation on standardised tobacco packaging, drawing on the company's deep expertise in product authentication and supply chain traceability and providing secure solutions to governments world-wide to support excise tax collection.

#### **The illicit trade problem**

2. SICPA's expertise is particularly relevant to arguments which have been advanced relating to the propensity of standardised packaging to increase illicit trade in tobacco products. Such illicit trade impacts negatively on government tax revenues, feeds crime and crucially from a health stand-point undermines the use of tax and price measures to reduce consumption, notably by the young and less well-off who are more price sensitive. As we understand it, the line of this argument is twofold. Firstly that standardised packages will be easier to replicate and thus there will be greater opportunities for criminal groups to produce and sell counterfeit product and, secondly, that consumers may have more difficulty in differentiating between genuine and non-genuine product. Those who deploy these arguments to oppose the introduction of standardised packaging also suggest that lack of concrete and indeed potentially contradictory evidence and research means any implementation of new measures should be delayed.

3. There is without doubt a lack of certainty about the precise impact standardised packaging would have on illicit trade. From our experience working with governments in this area we would agree that it is possible, indeed likely, that criminal groups may find some way to exploit the change to their advantage. But, as has been pointed out in the debate over the last months, standardised packages are not plain packages. The warning images are not simple and indeed four colour printing is more complex than the two colour methods used in the production of some current branded packs. But most importantly the harm related to illicit trade would be significantly reduced by the introduction of a **properly secure overt and covert marking system** combined with supply chain traceability for cigarettes and hand-rolling tobacco ("HRT"). To be robust such a system would bring together material based security (such as secure inks) with digital security which incorporates a comprehensive database. We believe that the UK's current system of marking cigarette packages, which is based on an overt non secure black and white mark which is easy to reproduce with a covert feature which we judge no longer secure (we are happy to provide more detail on this confidential aspect at your convenience), to be no longer adequate for the purpose.



## **The solution**

4. An adequate system of protection could be designed to:

- provide reassurance to customers that the product they are consuming is legitimate and tax has been paid,
- include robust secure covert features for use by enforcement authorities to proactively investigate and prosecute and
- be combined with tracking and traceability functions that would enhance the ability of government to control the supply chain and collect and protect tax due and use price measures to impact on consumption.

Such a system would have substantial positive impact in supporting the UK's Comprehensive Strategy.

5. The SICPATRACE® technology platform provides a range of up-to-date options on which such a system could be based; it provides a menu of features which can be adapted to specific requirements and implementation can be modular. The platform is operating successfully in a number of countries world-wide and has had significant positive impact through reducing criminal activities related to the tobacco market. The platform meets the requirements of the WHO's FCTC and most specifically the proposed provisions (covering tracking and tracing) of article 8 of the draft Protocol to Eliminate Illicit Trade in Tobacco Products which is scheduled to be approved later this year. SICPA systems are fully compatible with international norms and the company meets all the requirements of the FCTC in relation to independence from the Tobacco industry.

## **About SICPA**

6. Development and application of the SICPATRACE® technology and advice to governments is provided through the Government Security Solutions Division of SICPA. SICPA is the world leader in the manufacture of high technology security inks and works in close partnership with central banks and security printers across the globe to ensure the security of currencies and value documents, including tax stamps. SICPATRACE® secures many billions of excise tax and VAT collections and ensures traceability for many billions of products worldwide. Once specific requirements have been agreed with the responsible authority and the appropriate legislation is in the place, the company takes responsibility for implementation. All information and intelligence is owned and controlled by the government. The system is based on unique item marking and this generates sophisticated business intelligence for use by the government which can support the full range of its policy objectives. The most common financing model is that SICPA takes the lead in providing upfront investment and means that government funding is not required; the costs of the system are covered by a per unit cost (albeit very low) paid by the industry (in line with FCTC recommendations).



7. I attach as a short annex specific comments on some of the questions in Annex A of the consultation. The approach in this letter is necessarily high level. We would welcome the opportunity, based on our expertise, to provide further technical detail and/or advice as appropriate at a time convenient to you.

Yours faithfully

[Redacted signature]

Director Corporate Affairs  
SICPA UK

[Redacted contact information]



Comments on specific questions posed in Annex A

*Question 9*

*Do you believe that requiring standardised tobacco packaging would increase the supply of, or demand for, illicit tobacco or non-duty paid tobacco in the United Kingdom?*

We judge that it is possible that this would be the case, but that this phenomenon could be countered effectively through the implementation of a modern properly secure marking and control system.

*Question 12*

*Do you believe that requiring standardised tobacco packaging should apply to cigarettes only, or to cigarettes and hand-rolling tobacco?*

Given the extremely high tax gap for HRT and the attraction of this type of product to price sensitive consumers about which DoH is most concerned (notably younger people), we recommend that the scope of the standardised packaging and secure marking system to support it, should cover both cigarettes and HRT. Indeed to have positive impact on vulnerable groups it is essential that progress is made to control illicit trade in HRT.

**Tobacco Packs Consultation  
Department of Health  
7th Floor Wellington House  
133-155 Waterloo Road  
London SE1 8UG**

## **Smoking in Pregnancy – North of Tees Steering Group**

### **SUBMISSION SUPPORTING PLAIN, STANDARDISED PACKAGING OF TOBACCO PRODUCTS**

To: [REDACTED].gov.uk

As a North of Tees Steering Group working to reduce the number of pregnant women smoking in Stockton and Hartlepool, we would like to express our strong support for measures to introduce plain, standardised packaging for all tobacco products in the UK as part of the current Government consultation.

We fully support introducing here in the UK the same type of plain packaging that is being implemented in Australia in December 2012 - tobacco products with no branding, a uniform colour and standard font and text for writing on the pack. We believe these would bring public health benefits over and above those from current initiatives in the UK.

Around 340,000 children in the UK try their first cigarette every year. Smoking starts not as an adult choice but in childhood through experimentation, at an age when children have little grasp of the health risks from middle age nor the speed with which addiction takes hold. The average age for smokers starting in the North East is just 15, with 43% of smokers starting between the ages of 10 and 14.

Smoking still remains the largest cause of premature death, disease and health inequalities in the North East, killing 11 people a day and costing at least £210m a year to the NHS and economy through treating smoking related conditions, second hand smoke and the loss to businesses through smoking related sickness and absenteeism.

Based on this level of harm to individuals, communities and the North East region, we believe plain, standardised packaging of tobacco products to be a proportionate response that would:

- Discourage young people from starting to smoke – tobacco firms invest huge sums of money into advertising and marketing their products to recruit new customers, who are nearly always children. Branded tobacco products are viewed as more appealing among young people than plain, standardised packs, which are viewed as less attractive, containing more poisons and of poorer taste.
- Encourage people to stop smoking – plain, standardised packs communicate the harms of smoking far more effectively than branded products, with the health messages more obvious. Packs in the white or silver colours of former "low tar" brands give the false impression to smokers that they can minimise the risks of their smoking, delaying or replacing quitting intentions.
- Discourage people who have quit or are trying to quit smoking from relapsing – the temptation of brands increase the pressure on former smokers not to stay quit.
- Reduce people's exposure to smoke from tobacco products.

We believe that it is wrong that a product that contains over 4000 chemicals, including at least 80 known to cause cancer, is currently marketed through innovative, colourful packaging in a similar way to breakfast cereals, energy drinks or confectionary.

There is high public support to protect children from tobacco marketing and do more to discourage children from taking up smoking. We call for Government action to adopt this measure and help to make smoking history for more children in the North East.

**North of Tees Smoking in pregnancy steering group**

**CONSULTATION RESPONSE STATEMENT ON BEHALF OF SOMERSET  
PARTNERSHIP NHS FOUNDATION TRUST**

This response needs to be read in conjunction with the template from Smokefree South West.

Somerset Partnership NHS Foundation Trust supports proposals to introduce standardised (plain) packaging of cigarettes and tobacco.

Smoking costs around £130 million in Somerset every year from the cost to the NHS, the economy through sickness and absenteeism and children's exposure to secondhand smoke. Somerset Partnership NHS Foundation Trust believes that given the impact of tobacco on health and wellbeing, measures to help prevent youth uptake of tobacco through standardised packaging of tobacco is proportionate and should be adopted as soon as possible.

Somerset Partnership NHS Foundation Trust is keen to remind people that across Somerset around 880 people are dying each year due to smoking related diseases; what's more by the age of 15 years 12% of children in England report being regular smokers.

We are satisfied that the evidence that tobacco packaging is used as a marketing tool is strong and believe that ensuring that tobacco is sold only in generically coloured packaging, with plain-font brand names and increased health warnings, will help:

- Stop the use of packs as promotion and advertising
- Increase the effectiveness of health warnings
- Prevent the use of the misleading and deceptive packaging to create false beliefs of different strength and quality
- Reduce youth smoking and decrease youth uptake
- Remove the positive association with cigarette brands/image

Packaging remains one of the last ways that the tobacco industry is able to market their products and attract smokers. From brightly coloured packs that appear to be crayon boxes at first glance, to 'slims' designed to conjure up an image of a more elegant lifestyle, ever more sophisticated packaging design is clearly being used to entice young people into a deadly addiction.

There is already strong public support for this measure. Adults within the South West were shown an image of a plain standardised pack and 63 per cent said they support requiring tobacco to be sold in plain, standardised packaging, with the product name in standard lettering. Only 12 per cent of adults opposed plain packaging.

We are fortunate that across Somerset we have a lower than average percentage of smokers, however there are still too many people dying in this county each year as a direct result of their habit; and we welcome any moves to help protect young people from smoking



and to de-normalise the habit. (Reference: ASH Smoke Free England survey 2012, prepared by YouGov ).

With regard to the detailed questions in the consultation Somerset Partnership NHS Foundation Trust endorses the submission of Smokefree South West.

**Somerset NHS Stop Smoking Service Manager**

**Somerset Partnership NHS Foundation Trust**

**10 July 2012**

**South Tyneside Workplace Health Alliance**

## **SUBMISSION SUPPORTING PLAIN, STANDARDISED PACKAGING OF TOBACCO PRODUCTS**

To [publicaffairs@h.gsi.gov.uk](mailto:publicaffairs@h.gsi.gov.uk)

We would like to express our strong support for measures to introduce plain, standardised packaging for all tobacco products in the UK as part of the current Government consultation.

We fully support introducing here in the UK the same type of plain packaging that is being implemented in Australia in December 2012 - tobacco products with no branding, a uniform colour and standard font and text for writing on the pack. We believe these would bring public health benefits over and above those from current initiatives in the UK.

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Based on this level of harm to individuals, communities and the North East region, we believe plain, standardised packaging of tobacco products to be a proportionate response that would:

- Discourage young people from starting to smoke – tobacco firms invest huge sums of money into advertising and marketing their products to recruit new customers, who are nearly always children. Branded tobacco products are viewed as more appealing among young people than plain, standardised packs, which are viewed as less attractive, containing more poisons and of poorer taste.
- Encourage people to stop smoking – plain, standardised packs communicate the harms of smoking far more effectively than branded products, with the health messages more obvious. Packs in the white or silver colours of former “low tar” brands give the false impression to smokers that they can minimise the risks of their smoking, delaying or replacing quitting intentions.
- Discourage people who have quit or are trying to quit smoking from relapsing – the temptation of brands increase the pressure on former smokers not to stay quit.
- Reduce people’s exposure to smoke from tobacco products.

We believe that it is wrong that a product that contains over 4000 chemicals, including at least 80 known to cause cancer, is currently marketed through innovative, colourful packaging in a similar way to breakfast cereals, energy drinks or confectionary.

There is high public support to protect children from tobacco marketing and do more to discourage children from taking up smoking. We call for Government action to adopt this measure and help to make smoking history for more children in the North East.

**[Redacted Signature]**  
**Chair**  
**South Tyneside Workplace Health Alliance**

Spennymoor Area Action Partnership,  
Durham County Council,  
Assistant Chief Executives Office,  
Green Lane,  
Spennymoor,  
Co Durham  
DL16 6JQ

## **SUBMISSION SUPPORTING PLAIN, STANDARDISED PACKAGING OF TOBACCO PRODUCTS**

To [spennymoor@gsi.gov.uk](mailto:spennymoor@gsi.gov.uk)

Spennymoor Area Action Partnership (AAP) is one of fourteen AAPs in County Durham. All AAPs have a board which are made up of elected members from organisations such as the county council, town and parish councils, and health, police and fire brigade, community and voluntary groups, and the public.

All AAPs work around the four themes of:

- **Engagement:** working with communities to build a dialogue with communities and encourage local people to be involved in planning local services.
- **Empowerment:** giving people the power to work in partnership with organisations and help them combine their efforts to improve local services.
- **Local action:** developing an action plan for the AAP, and resolving issues by using AAP funding and the resources of the county council and partner organisations.
- **Performance:** monitoring and improving public service performance and supporting the AAP and County Durham Partnership to achieve their aims.

As a body representing the local community we would like to express our strong support for measures to introduce plain, standardised packaging for all tobacco products in the UK as part of the current Government consultation.

We fully support introducing here in the UK the same type of plain packaging that is being implemented in Australia in December 2012 - tobacco products with no branding, a uniform colour and standard font and text for writing on the pack. We believe these would bring public health benefits over and above those from current initiatives in the UK.

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Smoking still remains the largest cause of premature death, disease and health inequalities in the North East, killing 11 people a day and costing at least £210m a year to the NHS and economy through treating smoking related conditions, second hand smoke and the loss to businesses through smoking related sickness and absenteeism. Within County Durham the cost is estimated to be £21 million a year and smoking attributable deaths in County Durham are higher than the north east average.

Based on this level of harm to individuals, our communities and the North East region, we believe plain, standardised packaging of tobacco products to be a proportionate response that would:

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viewed as more appealing among young people than plain, standardised packs, which are viewed as less attractive, containing more poisons and of poorer taste.

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- Discourage people who have quit or are trying to quit smoking from relapsing – the temptation of brands increase the pressure on former smokers not to stay quit.
- Reduce people's exposure to smoke from tobacco products.

Having seen these cigarette packaging the AAP believes it is wrong that a product that contains over 4000 chemicals, including at least 80 known to cause cancer, is currently marketed through these innovative, colourful packaging, similar to the way breakfast cereals, energy drinks or confectionary are marketed.

There is within the AAP high public support to protect children from tobacco marketing and do more to discourage children from taking up smoking. We therefore call for Government action to adopt this measure and help to make smoking history for our children.

Yours faithfully

  
Spennymoor AAP Chair

**Stanley Area Action Partnership  
Durham County Council  
Customer Access Point  
Front Street  
Stanley  
DH9 0SU**

## **SUBMISSION SUPPORTING PLAIN, STANDARDISED PACKAGING OF TOBACCO PRODUCTS**

To [REDACTED]@dh.qsi.gov.uk

Stanley Area Action Partnership is one of 14 Area Action Partnership across County Durham that have been set up by Durham County Council to help them deliver high quality services and give local people and organisations a say on how our services are provided.

We would like to express our strong support for measures to introduce plain, standardised packaging for all tobacco products in the UK as part of the current Government consultation.

We fully support introducing here in the UK the same type of plain packaging that is being implemented in Australia in December 2012 - tobacco products with no branding, a uniform colour and standard font and text for writing on the pack. We believe these would bring public health benefits over and above those from current initiatives in the UK.

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There is within the AAP high public support to protect children from tobacco marketing and do more to discourage children from taking up smoking. We therefore call for Government action to adopt this measure and help to make smoking history for our children.

Yours faithfully,

[REDACTED]

[REDACTED]

---

**From:** [REDACTED].co.uk  
**Sent:** 03 July 2012 14:53  
**To:** Tobaccopacks  
**Subject:** Stockport LINK Statement on standardised tobacco packaging

Dear the DoH,

Please find below a statement from the Stockport Local INvolvement Network (LINK) supporting the proposal for standardised tobacco packaging.

Kind regards,

[REDACTED]  
LINK Development Officer  
[REDACTED]

Stockport LINK is a local HealthWatch Pathfinder

-----

The Stockport Local Involvement Network (LINK) join Dr Steve Watkins (Director of Public Health (Stockport)) and Dr Ranjit Gill (Stockport Clinical Commissioning Group) in their support for the proposal for standardised packaging of tobacco products.

Stockport has around 49,000 smokers and two thirds of them started before they were 18. Smoking claims the lives of almost 500 people in Stockport every year.

Smoking tobacco can cause serious and fatal disease, and the only way to avoid the risks is not to smoke.

Published, peer reviewed scientific research is clear that plain packs are less attractive especially to young people, strengthen the impact of health warnings, and make packs less misleading to consumers.

Therefore the Stockport LINK would like to add our support to the "Plain Packs Protect" campaign to make cigarette packets less eye-catching in a bid to prevent children from becoming smokers.

This email was received from the INTERNET and scanned by the Government Secure Intranet anti-virus service supplied by Cable&Wireless in partnership with MessageLabs. (CCTM Certificate Number 2006/04/0007.)

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Tobacco Packs Consultation  
Department of Health  
7<sup>th</sup> Floor  
Wellington House  
133 – 155 Waterloo Road  
London  
SE1 8UG

7 August 2012

Dear Secretary of State,

**Consultation on standardised packaging of tobacco products**

Firstly, I want to make one point clear - I welcome those initiatives that seek to reduce the harmful public health effects of smoking. However, standardised packaging of tobacco products may not tackle the problem you are trying to solve. It might work – and in some respects it will work (every intervention has some positive effects, if selectively measured) – but we need to understand the possible adverse consequences better before we act too precipitously.

I cannot wholeheartedly support these proposals for the following reasons:

- It would be sensible to await the results of trials in other countries – for instance Australia – before embarking on this course of action.
- The action may essentially tackle an out-of-date problem. If you discount those people who simply “want to smoke” – and have a right to do so in certain limited circumstances - the remaining challenge lies in those social and ethnic pockets where smoking remains a social norm: in most British social circles, this is no longer the case.
- The unintended consequences of these proposals might far outweigh the intended but likely unachievable benefits – again, Australian experience can show whether this is the case. In particular, among certain groups, reverse psychology may apply. Young people may be more drawn to tobacco because it is apparently an underground drug. Older, habituated smokers may be relatively unaffected.
- They set a worrying precedent for the use of branding restrictions as a government tool for social policy setting.

- They send an unwelcome signal to one of this country's more recent success stories: though the Prime Minister states "a very simple message today [30 July 2012] is that if you are involved in the creative industries, now is the time to come and invest in Britain." The suggestion is that, when government is reluctant to take firmer action – against alcohol or tobacco, or in other policy areas – the design and creative sectors of the economy must play the fall-guy.
- There seems to be no consultation on alternative proposals that might better achieve the government's health objectives. I would favour more research into peer-group and network effects before taking on this step.
- Branding may be an important tool to foster the adoption and social acceptance of e-cigarettes. It is much easier to introduce an innovation under the aegis of an established brand. The lights brand (for good or ill) enabled more people to make the switch to lower tar variants. Nicotine itself is a relatively benign drug; it is the delivery mechanism which is the issue.
- Last of all, we should not forget that most economic research indicates that the principle value of a brand to its owner is the ability to command a price premium. In this area, unbranded cigarettes may mean cheaper cigarettes – sold not through reputable retail channels, but through informal means unconstrained by regulation, or by legal constraints on the people to whom they sell. The workings of the *illegal* drugs industry offer a worrying parallel here.
- The legislation makes possible the entry into the market of a slew of new, smaller, reputationally fearless players, some of which may seek to target the young through guerilla marketing activities – qv alcopops.

I say this as a former President of the Institute of Practitioners in Advertising, former President of the Direct Jury at Cannes and with over 25 years in the direct marketing and advertising industry.

For the purpose of ease, I have arranged the detail of my arguments in the context of the very first question in the consultation document and in doing so should in effect address the other pertinent questions asked in the consultation:

#### **Which Option Do You Favour = Option A**

The government should do nothing about tobacco packaging yet. My reasons for this are detailed below:

##### **1. Misunderstanding the role of branding**

I believe that standardised packaging arguments may fundamentally overlook the role of branding in the "product-to-purchaser" transaction process.

Branding is an imperative part of any product, not merely to enhance consumer choice, but as a measure of quality and trust. It protects the consumer from inferior, even dangerous imitations and substitutes, by allowing the product to gain or lose a reputation against which a consumer can make a personal choice. Even Soviet Russia soon learned that, without a factory source-mark applied to manufactured items, quality levels fell precipitously. Strip away choice based on reputation and replace it with less differentiating factors, you remove a range of considerations that help keep makers and sellers honest in the 'product-to-purchaser' transaction process. In essence you take consumer choice



down to the only remaining denominator - price. This is ironic, given that debate around alcohol abuse currently focuses on "minimum price" measures.

Standardised packaging may reduce customer appeal to a degree; but for most people the effect may be to drive consumer choice to the level of price only – with the common result that heavier smokers (who are the most price sensitive) smoke more. If price becomes the key differentiator then you remove the opportunity for products to invest in the future whether through quality and/or innovation whilst potentially encouraging increased consumption.

Stripping the branding from the cigarette packets may discourage young people from taking up smoking or encourage existing smokers to quit. Yet it may have the opposite effect. Or unintended consequences – the reintroduction of alternative forms of packaging, analogous to the cigarette-case of the last century.

Two big forces in markets and human behaviour are habituation and contagion – "do what you have done before and do what everyone around you does". This is innate in human nature and these proposals will not change what I suspect is the main driver of smoking initiation - peer pressure.

There is evidence that supports this in the form of a report by the EPPI - Centre Social Science Research Unit, Institute of Education, University of London titled "Young people's access to tobacco. A mixed-method systematic review", December 2011. Their research, which examined the behaviour of 9,000 young smokers, found that friends are the most frequently reported source of tobacco.

## **2. Unintended consequences**

As stated above, if price is the main determinant of choice there is a potential for a race to the bottom to secure market share. In doing so, it will make tobacco cheaper and therefore more accessible to low income groups and teenagers. Through the standardisation of packaging you therefore have the potential to increase consumption, which is exactly the opposite of what you are trying to achieve.

Secondly, the removal of branding through standardised packaging makes it easier for smugglers and counterfeiters to copy those products. Combine this with the lack of differentiation between brands and it will create a market increasingly driven by cost. There is then an increased risk of driving the very people we are trying to protect into the hands of smugglers and counterfeiters who will have the cheapest prices.

Thirdly, the consequent loss of sales to the black market will have a negative impact on the economy. The black market is already estimated to cost the government £3.1 billion per year and we should not be looking to make the situation worse - a point I will come back to later with reference to the impact of these proposals on the UK creative industry.

## **3. A worrying precedent**

Having read a number of articles in the press recently it seems to me that we are at risk of setting a dangerous precedent through standardised packaging when the evidence of any potential benefits is neither conclusive – and when the government has not yet carried out all the necessary research to justify this course of action.

Parliament has also demonstrated that it has begun to examine the worth of brand restrictions as a policy tool when the Health Committee called for evidence on this subject as part of its inquiry on the government's alcohol strategy.

Should standardised packaging go ahead a clear precedent would be set to target branding as a regulatory tool, regardless of the proven efficacy of the approach. This could have a damaging impact on the health of the creative industry in the UK, to no avail elsewhere.

#### **4. Damaging for UK creative industry**

The UK creative industry is one of the fastest growing industries in this country and is a high priority growth sector across UK regions. According to the Department for Culture, Media and Sport, in 2009 it accounted for 2.89% of gross value added, for 10.6% of the UK's exports and employed 1.5 million people. This is a very big and important industry that will be affected by a policy that has not yet been well-tested. It is also an industry which, since it is fragmentary, has received none of the government indulgence traditionally accorded to other strategically important sectors, such as finance.

This certainly does not seem to be in keeping with the Prime Minister's *"very simple message"* that I highlighted at the start of my letter.

#### **5. Alternative considerations**

I have already highlighted that it is my view that the key driver to smoking initiation is peer pressure. If that is the case then I believe that education is a better tool to address this issue than the standardised packaging proposals suggested in the consultation document.

In Germany, where tobacco regulation is less stringent than the UK, smoking rates decreased from 27% to 11% of the population over the last 10 years. My understanding is that they have a strategy in place for tackling tobacco addiction of young people based on developmental psychology, social and biographical factors. Significantly, it focuses on reducing tobacco addiction through education and communication rather than imposition. Raising awareness of the effects of smoking in schools and providing psychological support to those being "weaned" off tobacco as well as working with parents and medical professionals to improve their ability to counsel patients.

In my opinion, a better option to improve public health would be to look at the networks that cause and perpetuate smoking and thereby create the environment for habitual and contagious behaviour. These networks exist in schools, ethnic groups and common socio-economic groupings. This seems to me to be a far more intelligent way of trying to tackle this problem – through keyhole surgery, rather than through indiscriminate interventions.

Finally targeting branding as a regulatory tool is a negative use of our creative industries. Why not use the industry to help educate young people on the health risks of smoking?

#### **Summary**

I believe the government has misunderstood the role of branding and the consequences of taking branding away. It seems to me that there is no clear evidence to support standardised packaging and

that the consultation seems to be a case of what is called "policy based evidence-making" rather than "evidence based policy-making."

Brands have the potential to play a far more positive role in this issue. People trust brands and are far more likely to undertake a behaviour change if led by someone or something they trust.

If the government truly believes that brand and design have such a powerful impact, then perhaps, more time should be spent on investing money in the creative industries, to help create positive platforms for behavioural change.

Finally, I believe the unintended consequences of this policy may be disproportionate to the proposed intervention.

I would urge the government to show caution here: if not by withdrawing this idea entirely, at least by considering one or more alternative options to delivering the government's health objectives

Yours sincerely,

A large black rectangular redaction covering the signature of the sender.A small black rectangular redaction covering the name of the sender.

Past President of the Institute of Practitioners in Advertising

Mobile 

Email 



## County Durham and Darlington

Our Reference  
Your Reference

Public Health Directorate  
Appleton House  
Lanchester Road  
Durham  
DH1 5XZ

Direct line (0191) [REDACTED]  
Main number (0191) [REDACTED]  
Fax (0191) [REDACTED]  
E-mail [REDACTED]@nhs.net

18 July 2012

To [REDACTED]@gsi.gov.uk

### RE SUBMISSION SUPPORTING PLAIN, STANDARDISED PACKAGING OF TOBACCO PRODUCTS

The teenage pregnancy and sexual health partnership of County Durham and Darlington are committed to identifying need within the population and developing services that reflect a risk and resilience approach to health and wellbeing.

We would therefore like to express our strong support for measures to introduce plain, standardised packaging for all tobacco products in the UK as part of the current Government consultation.

We fully support introducing here in the UK the same type of plain packaging that is being implemented in Australia in December 2012 - tobacco products with no branding, a uniform colour and standard font and text for writing on the pack. We believe these would bring public health benefits over and above those from current initiatives in the UK.

Around 340,000 children in the UK try their first cigarette every year. Smoking starts not as an adult choice but in childhood through experimentation, at an age when children have little grasp of the health risks from middle age nor the speed with which addiction takes hold. The average age for smokers starting in the North East is just 15, with 43% of smokers starting between the ages of 10 and 14.

Smoking still remains the largest cause of premature death, disease and health inequalities in the North East, killing 11 people a day and costing at least £210m a year to the NHS and economy through treating smoking related conditions, second hand smoke and the loss to businesses through smoking related sickness and absenteeism. Within County Durham the cost is estimated to be £21 million a year and smoking attributable deaths in County Durham are higher than the north east average.



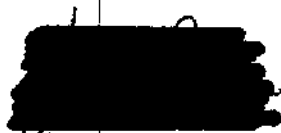
Based on this level of harm to individuals, our communities and the North East region, we believe plain, standardised packaging of tobacco products to be a proportionate response that would:

- Discourage young people from starting to smoke – tobacco firms invest huge sums of money into advertising and marketing their products to recruit new customers, who are nearly always children. Branded tobacco products are viewed as more appealing among young people than plain, standardised packs, which are viewed as less attractive, containing more poisons and of poorer taste.
- Encourage people to stop smoking – plain, standardised packs communicate the harms of smoking far more effectively than branded products, with the health messages more obvious. Packs in the white or silver colours of former “low tar” brands give the false impression to smokers that they can minimise the risks of their smoking, delaying or replacing quitting intentions.
- Discourage people who have quit or are trying to quit smoking from relapsing – the temptation of brands increase the pressure on former smokers not to stay quit.
- Reduce people’s exposure to smoke from tobacco products.

Having seen these cigarette packaging the AAP believes it is wrong that a product that contains over 4000 chemicals, including at least 80 known to cause cancer, is currently marketed through these innovative, colourful packaging, similar to the way breakfast cereals, energy drinks or confectionary are marketed.

There is within the AAP high public support to protect children from tobacco marketing and do more to discourage children from taking up smoking. We therefore call for Government action to adopt this measure and help to make smoking history for our children.

Yours faithfully



**Acting Consultant in Public Health  
Chair of the Teenage Pregnancy Partnership Board, County Durham  
Chair of the Teenage Pregnancy Partnership Board, Darlington**



Public Health Directorate  
Redheugh House  
Thornaby Place  
Stockton-on-Tees  
TS17 6SG

Tel: [REDACTED]

## SUBMISSION SUPPORTING PLAIN, STANDARDISED PACKAGING OF TOBACCO PRODUCTS

To [REDACTED] [gsi.gov.uk](mailto:[REDACTED]@gsi.gov.uk)

I would like to express my strong support for measures to introduce plain, standardised packaging for all tobacco products in the UK as part of the current Government consultation.

We fully support introducing here in the UK the same type of plain packaging that is being implemented in Australia in December 2012 - tobacco products with no branding, a uniform colour and standard font and text for writing on the pack. We believe these would bring public health benefits over and above those from current initiatives in the UK.

Around 340,000 children in the UK try their first cigarette every year. Smoking starts not as an adult choice but in childhood through experimentation, at an age when children have little grasp of the health risks from middle age nor the speed with which addiction takes hold. The average age for smokers starting in the North East is just 15, with 43% of smokers starting between the ages of 10 and 14.

Smoking still remains the largest cause of premature death, disease and health inequalities in the North East, killing 11 people a day and costing at least £210m a year to the NHS and economy through treating smoking related conditions, second hand smoke and the loss to businesses through smoking related sickness and absenteeism.

Redcar & Cleveland has approximately 26,000 smokers in total with equates to approximately 227 deaths per year attributed to smoking.

Based on this level of harm to individuals, communities and the North East region, I believe plain, standardised packaging of tobacco products to be a proportionate response that would:

- Discourage young people from starting to smoke – tobacco firms invest huge sums of money into advertising and marketing their products to recruit new customers, who are nearly always children. Branded tobacco products are viewed as more appealing among young people than plain, standardised packs, which are viewed as less attractive, containing more poisons and of poorer taste.

- Encourage people to stop smoking – plain, standardised packs communicate the harms of smoking far more effectively than branded products, with the health messages more obvious. Packs in the white or silver colours of former “low tar” brands give the false impression to smokers that they can minimise the risks of their smoking, delaying or replacing quitting intentions.
- Discourage people who have quit or are trying to quit smoking from relapsing – the temptation of brands increase the pressure on former smokers not to stay quit.
- Reduce people’s exposure to smoke from tobacco products.

I believe that it is wrong that a product that contains over 4000 chemicals, including at least 80 known to cause cancer, is currently marketed through innovative, colourful packaging in a similar way to breakfast cereals, energy drinks or confectionary.

There is high public support to protect children in Redcar & Cleveland from tobacco marketing and do more to discourage children from taking up smoking. We call for Government action to adopt this measure and help to make smoking history for more children in the North East.

Yours faithfully



  
Children's Business Manager  
NHS Tees Public Health Directorate  
Tel: 



Teesdale  
Area Action Partnership

Teesdale Action Partnership  
Durham County Council  
Teesdale House  
Galgate  
Barnard Castle  
DL12 8EL

[REDACTED]

[REDACTED].gov.uk

10<sup>th</sup> July 2012

## **SUBMISSION SUPPORTING PLAIN, STANDARDISED PACKAGING OF TOBACCO PRODUCTS**

To [REDACTED].uk

Teesdale Action Partnership brings together local people, elected representative and partner organisations to look at, and take action on local issues and priorities.

The issue of plain packaging was discussed by our Board and we would like to express our strong support for measures to introduce plain, standardised packaging for all tobacco products in the UK as part of the current Government consultation.

We fully support introducing here in the UK the same type of plain packaging that is being implemented in Australia in December 2012 - tobacco products with no branding, a uniform colour and standard font and text for writing on the pack. We believe these would bring public health benefits over and above those from current initiatives in the UK.

Around 340,000 children in the UK try their first cigarette every year. Smoking starts not as an adult choice but in childhood through experimentation, at an age when children have little grasp of the health risks from middle age nor the speed with which addiction takes hold. The average age for smokers starting in the North East is just 15, with 43% of smokers starting between the ages of 10 and 14.

Smoking still remains the largest cause of premature death, disease and health inequalities in the North East, killing 11 people a day and costing at least £210m a year to the NHS and economy through treating smoking related conditions, second hand smoke and the loss to businesses through smoking related sickness and absenteeism. Within County Durham the cost is estimated to be £21 million a year and smoking attributable deaths in County Durham are higher than the north east average.

Based on this level of harm to individuals, our communities and the North East region, we believe plain, standardised packaging of tobacco products to be a proportionate response that would:

- Discourage young people from starting to smoke – tobacco firms invest huge sums of money into advertising and marketing their products to recruit new customers, who are nearly always children. Branded tobacco products are




viewed as more appealing among young people than plain, standardised packs, which are viewed as less attractive, containing more poisons and of poorer taste.

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- Discourage people who have quit or are trying to quit smoking from relapsing – the temptation of brands increase the pressure on former smokers not to stay quit.
- Reduce people’s exposure to smoke from tobacco products.

Having seen these cigarette packaging the AAP believes it is wrong that a product that contains over 4000 chemicals, including at least 80 known to cause cancer, is currently marketed through these innovative, colourful packaging, similar to the way breakfast cereals, energy drinks or confectionary are marketed.

There is within the AAP high public support to protect children from tobacco marketing and do more to discourage children from taking up smoking. We therefore call for Government action to adopt this measure and help to make smoking history for our children.

Yours faithfully

  
AAP Coordinator

Teesside University

## **SUBMISSION SUPPORTING PLAIN, STANDARDISED PACKAGING OF TOBACCO PRODUCTS**

To [REDACTED]@gsi.gov.uk

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Smoking still remains the largest cause of premature death, disease and health inequalities in the North East, killing 11 people a day and costing at least £210m a year to the NHS and economy through treating smoking related conditions, second hand smoke and the loss to businesses through smoking related sickness and absenteeism.

Based on this level of harm to individuals, communities and the North East region, we believe plain, standardised packaging of tobacco products to be a proportionate response that would:

- Discourage young people from starting to smoke – tobacco firms invest huge sums of money into advertising and marketing their products to recruit new customers, who are nearly always children. Branded tobacco products are viewed as more appealing among young people than plain, standardised packs, which are viewed as less attractive, containing more poisons and of poorer taste.
- Encourage people to stop smoking – plain, standardised packs communicate the harms of smoking far more effectively than branded products, with the health messages more obvious. Packs in the white or silver colours of former "low tar" brands give the false impression to smokers that they can minimise the risks of their smoking, delaying or replacing quitting intentions.
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We believe that it is wrong that a product that contains over 4000 chemicals, including at least 80 known to cause cancer, is currently marketed through innovative, colourful packaging in a similar way to breakfast cereals, energy drinks or confectionary.

There is high public support to protect children from tobacco marketing and do more to discourage children from taking up smoking. We call for Government action to adopt this measure and help to make smoking history for more children in the North East.

[REDACTED] Deputy Director, Student Services  
Teesside University