



This document relates to item 4.4.3 of the provisional agenda

FCA briefing paper

Control and prevention of waterpipe tobacco products

Key Recommendations

- Waterpipe tobacco products raise a number of unique regulatory issues, cutting across several FCTC articles, and Parties need guidance on how to deal with them.
- Parties should request that an expert report on policy options be prepared for COP7.

Introduction

As explained in FCTC/COP/6/11, waterpipes are known under a wide variety of names (including shisha, narguile, hookah and hubble-bubble) and are devices in which charcoal is used to heat or burn tobacco. The resulting smoke passes through a water bowl or bottle before being inhaled by smokers. Frequently, waterpipes have a number of hoses and mouthpieces, allowing several people to share one pipe.

Waterpipe has become increasingly popular, both in its traditional region, the Middle East, and (in recent years) around the world. As mentioned in the Secretariat's report, there are likely a number of reasons for this increase, including, amongst other factors:

1. The creation of multiple flavoured varieties (fruits, herbs, flowers, honey etc.);
2. The misperception that waterpipe is healthier than cigarettes;
3. The "social" nature of waterpipe use – many cafés feature waterpipes.

Policy challenges

Waterpipe products are, like other tobacco products, subject to the various demand- and supply-reduction measures of the FCTC. However, multiple issues arise when applying FCTC articles to waterpipe. Examples from five articles follow.

Article 6 (tax and price measures)

In many countries, waterpipe products are very cheap, due to low taxation rates. But what is an appropriate taxation rate for waterpipe tobacco? Should tobacco sufficient for one extended waterpipe "session" in a café be taxed at the same rate as a pack of 20 cigarettes? As an equivalent weight of roll-your-own tobacco? By some other formula?

Article 8 (protection from exposure to tobacco smoke)

Because waterpipes are substantially less portable than cigarettes or many other tobacco products, a substantial portion of waterpipe use occurs in establishments such as cafés, bars and restaurants. Indeed, for some cafés they are a significant part of the establishment's marketing strategy. This can create significant Article 8 implementation problems.

Article 11 (packaging and labelling) and *Article 12* (Education, communication, training and public awareness)

Particularly in the case of smokers who use waterpipe in cafés, placing warning labels on the packaging of waterpipe tobacco may not have any effect – frequently smokers never even see the packaging, but only the waterpipe itself.

Turkey requires warning labels on waterpipe bottles – but these too may not always be visible to smokers (e.g. if the bottle is below table level).

A further complication is that it seems plausible to many smokers that waterpipe should be substantially less hazardous than cigarettes: the smoke passes through water before entering their lungs, and many assume (incorrectly) that the water has a filtering effect. Given this effect, it is particularly important that waterpipe users receive accurate risk information – but how should this best be achieved in practice?

Article 13 (Tobacco advertising, promotion and sponsorship)

Some forms of promotion are particular to waterpipe and raise enforcement problems. For example, some restaurants offer “free” waterpipe with meals, as a way to attract customers, while other establishments organise “ladies’ nights” where female customers can use waterpipe for free.

In some countries, home delivery of waterpipe is increasingly common and widely promoted.

Next steps

The Secretariat report provides a useful overview of the range of waterpipe products and the state of scientific knowledge about them; we note that the World Health Organization and others are increasing their research efforts with respect to waterpipe.

However, Parties in the EMRO region in particular are facing difficulties implementing the FCTC in their countries because of waterpipe-specific policy issues, some of which are outlined above.

FCA understands that at COP6, EMRO Parties will be proposing intersessional work on the policy aspects of waterpipe use. This could, for example, involve asking WHO to prepare a further report on waterpipe, this time focusing on policy options. We encourage Parties from other regions – where waterpipe use is also on the increase, albeit from a lower base – to support this proposal.