

## FACTS ABOUT TOBACCO FLAVOURINGS

Since mid-2010, associations claiming to represent tobacco growers around the world have distributed misleading information about the flavourings that are added to tobacco products and about draft guidelines that would “restrict or prohibit” these flavourings. The draft guidelines will be discussed at the Conference of the Parties (COP) to the global tobacco treaty, the Framework Convention on Tobacco Control (FCTC) in November in Uruguay.

The Framework Convention Alliance (FCA) endorses the draft guidelines for implementation of Articles 9 and 10 (Regulation of the contents of tobacco products and tobacco product disclosures) and recommends that the fourth session of the COP adopt the proposed guidelines without change.

### Draft FCTC Guidelines Urge Action on Flavours

Draft guidelines for implementation of Articles 9 and 10 of the FCTC, which deal with product regulation, have been prepared by a Working Group of Parties for consideration by the COP ([http://apps.who.int/gb/fctc/PDF/cop4/FCTC\\_COP4\\_6-en.pdf](http://apps.who.int/gb/fctc/PDF/cop4/FCTC_COP4_6-en.pdf)). The draft guidelines recommend that Parties should either prohibit or restrict ingredients that may be used to increase palatability (attractiveness), such as sugars and sweeteners, flavouring substances, and spices and herbs, in cigarettes and cigarette-like tobacco products.

Flavourings are an increasingly important part of tobacco industry marketing, particularly to young people. Flavourings enhance attractiveness, encourage youth initiation, and discourage cessation. (FCA has prepared a compilation of photographs of packages of flavoured cigarettes from many countries, which can be viewed online at:

[http://www.fctc.org/index.php?option=com\\_content&view=article&id=89&Itemid=92](http://www.fctc.org/index.php?option=com_content&view=article&id=89&Itemid=92).)

A recommendation in section 3.1.2.2(i) of the draft guidelines to “either prohibit or restrict” flavouring substances has received considerable opposition from the tobacco industry. Philip Morris International, British American Tobacco and other tobacco companies have been orchestrating an international misinformation campaign in opposition to the draft guidelines. Contrary to tobacco industry claims, the draft guidelines do not recommend a ban on burley tobacco or any other type of tobacco. Also, cigarettes containing burley continue to be sold in jurisdictions where strong restrictions on flavourings are in place. In Canada, U.S.-style cigarettes that include burley tobacco continue to be sold but without flavours; examples include Camel, Winston, Gauloises and Marlboro.<sup>1</sup>

Despite tobacco industry lobbying, the recommendation to “either prohibit or restrict” flavourings is entirely reasonable, necessary and worthy of support. Although the tobacco industry may wish to have the unregulated freedom to use chocolate, fruit, sugar, candy, ice cream and other flavourings to improve product attractiveness, what the tobacco industry wants is incompatible with public health.

The following is an excerpt from a U.S. Food and Drug Administration (FDA) fact sheet,<sup>2</sup> which describes how smoking of flavoured cigarettes is far more popular among younger people than among older people:

- “In 2004, 22.8% of 17-year-old smokers reported using flavoured cigarettes over the past month, as compared to 6.7% of smokers over the age of 25.
- A poll conducted in March 2008 found that one in five youngsters between the ages of 12 and 17 had seen flavoured tobacco products or ads, while only one in 10 adults reported having seen them.<sup>3</sup>

<sup>1</sup> In Canada, Marlboro is sold in packages with Marlboro logos, colours and slogans, but without the word mark “Marlboro” for trademark reasons.

<sup>2</sup> U.S. Food and Drug Administration, “Flavored Tobacco Product Fact Sheet” updated April 19, 2010, accessed June 14, 2010.

<http://www.fda.gov/TobaccoProducts/ProtectingKidsfromTobacco/FlavoredTobacco/ucm183198.htm>

<sup>3</sup> National telephone survey of teens aged 12 to 17 and adults conducted by International Communications Research (ICR), March 2008.

- According to one study of youth smokers between the ages of 13 and 18, 52% of smokers who had heard of flavoured cigarettes reported interest in trying them, and nearly 60% thought that flavoured cigarettes would taste better than regular cigarettes.”

The draft guidelines also recommend that Parties should either prohibit or restrict ingredients that may create the impression of a health benefit (e.g. vitamins), ingredients associated with energy and vitality (e.g. caffeine), and ingredients with colouring properties (e.g. pink cigarette paper) in cigarettes and cigarette-like tobacco products (section 3.1.2.2(ii), (iii) and (iv)).

The draft guidelines note that the existing guidelines for implementation of FCTC Article 13 (Tobacco advertising, promotion and sponsorship) recommend that Parties apply restrictions to as many as possible of the features that make tobacco products more attractive to consumers, such as coloured cigarette papers and attractive smells (section 3.1.2.1).

### **Increasing tobacco industry use of flavours**

In many countries, the tobacco industry is increasingly flavouring cigarettes and some other tobacco products. In some cases, flavoured cigarettes are being marketed by smaller companies separate from the large transnationals. Some of the major international companies have also sold flavoured cigarettes.

Recognising that flavours increase attractiveness, countries are increasingly responding by adopting legislation to restrict flavours in cigarettes and some other tobacco products:

**Australia:** Some states have banned fruit and confectionary (e.g.) flavours in cigarettes.

**Thailand:** Through administrative provisions, fruity and confectionary flavoured cigarettes are not permitted on the market.

**United States:** National legislation prohibits “characterising” flavours in cigarettes, roll-your-own tobacco, and some little cigars; characterising flavours could include flavours where the product tastes like fruit, candy, spice (e.g. cloves), alcoholic beverages, etc.

**Canada:** national legislation prohibits flavours and additives in cigarettes, little cigars and blunt wraps (a rolling paper but made of tobacco.)

**France:** a decree restricts flavours in cigarettes, including related to vanilla.

**European Union:** On 27 May 2010, the European Commission stated that controls on “attractive substances in tobacco products” are among the possible changes being analysed for revisions to the European Union’s Tobacco Products Directive. Further, in a 6 July 2010 draft opinion prepared for the European Commission, the Scientific Committee on Emerging and Newly Identified Health Risks concluded that “Attractiveness can similarly be improved in a number of ways, such as by adding flavours.”

(**Note:** All of these jurisdictions have allowed menthol cigarettes to continue to be sold.)

### **Summary points**

- It is wrong for the tobacco industry to use flavours to improve taste and make it easier to smoke.
- How can it be acceptable for cigarettes to have ice cream, candy and fruit flavours such as chocolate, vanilla, mint, strawberry, cherry, peach and grape?
- A recommendation in an FCTC guideline to curb flavours in cigarettes would not ban either U.S.-style cigarettes, or the use of burley tobacco.
- The tobacco industry is engaging in a misinformation campaign and is lobbying hard against the guideline.
- The U.S. Food and Drug Administration, in implementing national restrictions in the US, has cited evidence as to how attractive flavours in cigarettes are appealing to youth (<http://www.fda.gov/TobaccoProducts/ProtectingKidsfromTobacco/FlavoredTobacco/ucm183198.htm>).

### **Framework Convention Alliance**

The FCA is a civil society alliance of NGOs, institutions, experts and others, whose mission is to help develop and implement the FCTC as the basis for effective global tobacco control. It represents more than 350 members in 100 countries. For more information, see [www.fctc.org](http://www.fctc.org).