

30th May 2006

Ministry of Health
PO Box 5013
Wellington

Dear Gordan McKenzie

Subject: Submission on Proposed Changes to the ‘Tobacco Display Guidelines’

The Cancer Society of New Zealand thanks the Ministry of Health for the opportunity to comment on the proposed changes to the Tobacco Display Guidelines. Please find attached our submission on the proposal for your attention.

We recognise the important role that cigarette displays play in marketing and normalising smoking within our community, and call on the Ministry to work towards banning them in the near future.

Yours sincerely

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Neil Chave
Chief Executive
Cancer Society of New Zealand

Belinda Hughes
Tobacco Control Advisor
Cancer Society of New Zealand

Submission by the Cancer Society of New Zealand to the Ministry of Health on Proposed Changes to the ‘Tobacco Display Guidelines’

This submission was completed by:

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 Position: **Tobacco Control Policy Advisor**

The Cancer Society of New Zealand is a non-profit organisation which aims to minimise the incidence and impact of cancer on all those living in New Zealand. The Society considers efforts to reduce smoking rates in this country to be one of the key strategic objectives of its cancer prevention programme and strongly supports efforts to reduce exposure to second-hand smoke, increase rates of smoking cessation and decrease uptake of smoking. Over the years the Society has provided important strategic leadership within Smokefree helping to establish key agencies which now play a major role in smoking cessation, health promotion and tobacco control policy development.

The Cancer Society of New Zealand (the Society) thanks the Ministry of Health for the opportunity to comment on the proposed changes to the Tobacco Display Guidelines. We respectfully ask however, that any changes to the tobacco display guidelines begin with a review of the degree to which the guidelines are realising the purpose of Part 2 of the 1990 Smokefree Environments Act (the Act), “*to reduce the social approval of tobacco use, particularly among young people...by imposing controls on the marketing, advertising, or promotion of tobacco product..*”. To this end the proposed changes outlined by the Ministry fall far short; in fact, by interpreting the Act in the narrowest sense, the Ministry is, in effect, creating a new, far weaker, law.

The Cancer Society notes that tobacco marketing has been proven to be a risk factor for young people starting smoking. A part of such marketing is the displays of packets and cartons in shops. The Society supports regulations to remove such displays so that all tobacco products are ‘below the counter’. This approach is successfully used in other jurisdictions.ⁱ

The importance of such displays was revealed by the Rothmans New Zealand Marketing Director in 1999, who was reported as saying, “*You can’t sell if the consumer can’t see the cigarettes because they are kept behind a perspex glare ... You wouldn’t sell baked beans that way, so why sell cigarettes like that*” ... “*basic retailing principles hold that the product must be visible or it won’t sell*”.ⁱⁱ

The current display of cigarette packets and cartons in shops remains one of the key ways by which tobacco companies in New Zealand can get their products in front of young people and in front of smokers who are trying to quit. The visual presence of these products may also distort young people’s perceptions about these products as being routine consumer goods (rather than being hazardous, highly addictive products).

Given the above evidence and arguments, the Cancer Society of New Zealand calls on the government to adopt the laws used in Canada concerning the banning of all retail displays of tobacco products in all retail settings. This would be a logical next step to previous advertising, sponsorship and retail display restrictions used in New Zealand.

ⁱ The current New Zealand law compares poorly with those in various Canadian Provinces. These have complete bans on the retail display of tobacco products (ie, Saskatchewan; Manitoba; Newfoundland and Labrador; and Nunavut). Legal challenges to these laws by the tobacco industry have been successfully defeated. Another province, Ontario, is also considering such legislation. Prior to these laws, retail point-of-sale and “trade promotion” accounted for much of the Canadian tobacco industry’s promotional budget (ie, 53% in 1996). Steps to reduce tobacco advertising at point-of-sale have also been taken in Australia (ie, New South Wales, Australian Capital Territory (ACT), and Tasmania) and Singapore. A complete ban on visual display of tobacco has been successfully introduced in Thailand. Work on retail bans is also underway in Ireland and South Africa.

ⁱⁱ Glaser N. Tobacco continues downward. *Retail Today*. 1999;(April):16-18.