

Subject: RE: HK Legislation on Descriptors
Date: Fri, 24 Feb 2006 15:13:14 +0800
From: <Fishburnb@wpro.who.int>
To: <jmackay@pacific.net.hk>, <christine_wong@dh.gov.hk>
CC: <TFI_Unit@wpro.who.int>, <MILANL@wpro.who.int>

Dear Dr Wong and Dr Mackay:

Dr Mackay recently alerted us to attempts to undermine the Hong Kong (China) government's efforts to ban the use of misleading terms on tobacco products. We are extremely concerned about this issue.

Research on the tobacco industry's own documents, as well as careful monitoring of their activities reveals that the tobacco industry continues to put profits before life; its own expansion before the health of future generations; its own economic gain ahead of the sustainable development of struggling countries. Now, as nations have begun to fight back with a global strategy, and some countries begun to turn the course of the epidemic, tobacco companies continue to launch new weapons in the form of products disguised to appear less harmful and more attractive.

The "light", "mild" and "low tar" cigarette campaigns that were so effective in keeping customers, gaining new ones, and undermining tobacco control in the 20th century have continued into the 21st century. Tobacco companies continue reassuring health concerned smokers by offering with their new products the illusion of safety. They continue to take their old and new customers to more insidious levels of deception by promoting and selling new products disguised under healthier names, fruity flavours or more attractive-looking packaging, while still disingenuously insisting that the terms "light", "mild" and "low tar" as well as "cool", "clean", "ice" are simply descriptions of taste and not marketing ploys. Honest accurate information on tobacco product ingredients, toxicant deliveries, and health effects is scarce for many of these products.

Fortunately, tobacco control professionals learnt valuable lessons about the tobacco industry approaches from the experiences and successes as well as failures of 20th century tobacco control efforts. Global public health also has the strength of the combined forces of the United Nations and its Member States through the World Health Organization's Framework Convention on Tobacco Control – the WHO FCTC, a powerful tool to combat tobacco and the challenging approaches of its industry. It is also why the WHO Member States stipulated in WHO FCTC Article 11 that countries take appropriate action to ban tobacco product packaging and labeling that is "misleading, deceptive, or likely to create an erroneous impression about its characteristics, health effects, hazards or emissions, including any term, descriptor, trademark, figurative or any other sign..." Countries specifically included the term "mild" as well as "low tar", "light", and "ultra-light" in Article 11. We note that such action is required within three years of entry into force. We also note that China is now a Party to the WHO FCTC, and that the Convention entered into force for China in January 2006.

We would also like to bring to your attention the fact that the purpose of this year's World No Tobacco Day is to raise awareness about the existence of a great variety of deadly tobacco products in order to help people get accurate information, remove the disguise and unveil the truth behind tobacco products – traditional, new, and future. The theme for this year's World No Tobacco Day is:

TOBACCO: DEADLY IN ANY FORM OF DISGUISE

It is crucial to empower people and organizations with knowledge about the different tobacco products and their many forms and disguise in order to implement more effectively control tobacco and improve global health. World No Tobacco Day 2006 has the following objectives:

- raise awareness about all forms of tobacco: **DEADLY IN ANY FORM**. Cigarettes, pipes, bidies, kreteks, clove cigarettes, snus, snuff, smokeless, cigars... they are all deadly;
- raise awareness about all types and names and flavours; **DEADLY IN ANY DISGUISE**. Mild, light, low tar, full flavour, fruit flavoured, chocolate flavoured, natural, additive-free, organic cigarettes, PREPS (Potentially Reduced-Exposure Products), harm-reduced... they are all deadly;
- raise awareness about the need for strict regulation and encourage its implementation.

All of these products and practices are deadly and addictive and thus the absence of truthful information deprives even well intended people the ability to make healthy choices. Whether the disguise is perpetuated by multinational corporations or by well intended, but uninformed shops, families, and individuals, the end product can be the same: use of products that carry unnecessary risks of disease, debilitation and death. The truth about tobacco can empower people to improve their own health, as well as the health of their families, friends, and others in their community.

We hope that Hong Kong will be successful in its attempts to ban misleading terms on tobacco products and support the fullest implementation of the WHO FCTC.

Best Regards,

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