

China Falling Behind in Tobacco Control Among BRICS

China must prioritize the full and immediate implementation of FCTC measures, as other BRICS countries have done, to ensure a healthy future workforce and further economic development.

Tobacco use is a threat to economic development

It is the number one preventable cause of premature death, killing workers in their most productive years and imposing huge health costs on country budgets. The economies of Brazil, Russia, India, China and South Africa (BRICS) are rapidly developing. Combined, these five countries account for 42% of the world's population and 20% of total world GDP in 2012.¹ BRICS must ensure a healthy workforce to maintain and grow the economy. To do this, BRICS must implement and enforce tobacco control policies that will reduce tobacco use and ensure the future health of their population.

China's smoking population is the largest in the world

- China has the most cigarette smokers in the world (301 million). Over half of Chinese men smoke (52.9%), second only to Russia (60.2%) among BRICS.²
- In 2013, China's smokers consumed 44% of the world's cigarettes, or 2.4 trillion sticks. The world's second highest consuming nation was Russia, smoking 6% of the world's cigarettes, or 347 billion sticks.³

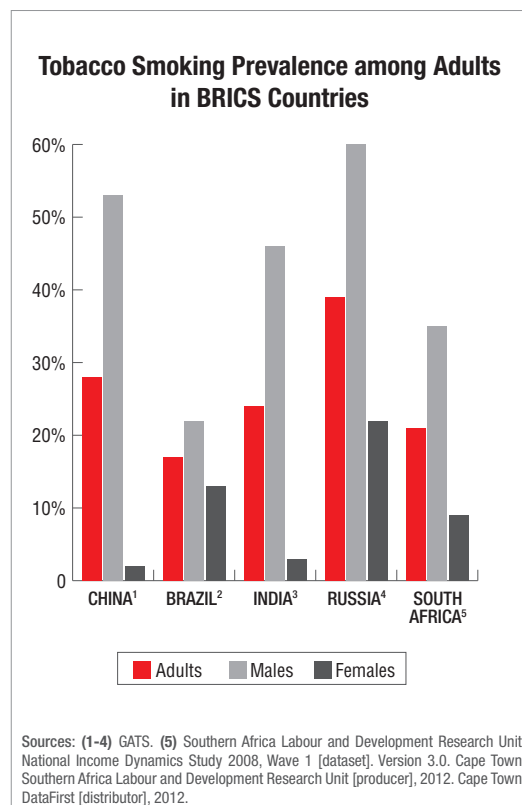
China's tobacco burden projected to be the most devastating among BRICS

Smoking kills up to half of all lifetime users, most during their most productive years (30–69). China will face escalating rates of death and disease as smokers reach middle age—imposing high health care costs on the government and families and reducing the government's ability to invest in the economic development.

- Each year, 1.3 million Chinese smokers die from tobacco-related disease—projected to increase to 3.5 million by 2030, if current trends continue.⁴
- Tobacco kills one million Indians,⁵ 200,000 Brazilians,⁶ 400,000 Russians,⁷ and 44,000 South Africans⁸ annually.

China's tobacco control policies are the weakest among BRICS

All five BRICS are Parties to the WHO Framework Convention on Tobacco Control (FCTC), which obligates them to implement policies that effectively reduce tobacco use and exposure to tobacco smoke.



- **Brazil** is committed to creating a healthy future population that will help continue driving economic growth. The country has comprehensive national tobacco control legislation that bans smoking in all enclosed public places, bans most forms of tobacco advertising, promotion, and sponsorship, and provides for strong pictorial warning labels.
- **Russia** bans smoking in all indoor workplaces and public places, bans almost all forms of tobacco advertising, promotion and sponsorship, and requires pictorial warning labels to cover 40% of cigarette packs.
- **India** bans smoking in most indoor workplaces and public places, bans most forms of tobacco advertising, promotion and sponsorship, and will implement pictorial warning labels to cover 85% of the tobacco package.
- **China** does not have a comprehensive national smoke-free law. Legislation bans smoking in 28 indoor public places listed in the State Council Regulations. A national law bans tobacco advertising on movie, television, radio, and in newspapers and magazines. However, most forms of tobacco promotion and sponsorship are still allowed. Warning labels are small, text-only, and created by the tobacco industry.
- **South Africa** has had strong tobacco control laws since the late 90s. The Ministry of Health is working to finalize regulations that would strengthen existing smoking restrictions to ensure that all indoor public places and workplaces and certain outdoor spaces are smoke-free, further restrict the already very strong restrictions on tobacco advertising and promotion, and enact strong pictorial health warnings.

1. The World Bank. World databank. 2013. Available from databank.worldbank.org. 2. CDC. Global Adult Tobacco Survey (Brazil 2008, China 2010, India 2009-2010, Russia 2009). 3. Euromonitor International [online database]. Tobacco: Cigarettes – Retail Volume. London; Eurmonitor International; 2013. 4. Eriksen M, Mackay J, Ross H. The Tobacco Atlas. Fourth Ed. Atlanta, GA: American Cancer Society; New York, NY: World Lung Foundation; 2012. Available at www.TobaccoAtlas.org. 5. John RM, Sung HY, Max W. Economic Cost of Tobacco Use in India, 2004. Tobacco Control. 2009 Apr;18(2):138-43. 6. Instituto Nacional do Câncer (INCA)[Internet]. Tabagismo no Brasil: Dados e Numéros. Brasília: Ministério da Saúde, INCA. 2009. 7. Gerasimenko N, Zaridze D, Sakharova G, eds. Health and Tobacco: Facts and Figures. 2007. 8. (South African) National Council Against Smoking. 2012.

OVERVIEW OF TOBACCO CONTROL POLICIES

PRICE AND TAX MEASURES

FCTC Article 6: to establish tobacco price and tax measures so as to contribute to the health objectives aimed at reducing tobacco consumption.

China	Brazil	India	Russia	South Africa
<p>Tobacco taxes remain low and the most popular brands of cigarettes are cheap. The government increased tobacco taxes in May 2009, but the tobacco industry absorbed the increase. Consumer prices did not rise, and the tax increase did not produce public health benefits.</p>	<p>In May 2012, a new tobacco tax structure was introduced specifically to reduce tobacco use. It gradually eliminates the distinction between cigarette types, gives the Executive Branch authority to set a minimum retail price, and provides a detailed roadmap for implementing tobacco tax increases over the next four years.</p>	<p>Tobacco taxes on cigarettes are low. The majority of tobacco products consumed in India are non-cigarette varieties, such as bidis and smokeless products. Taxes on these products are extremely low and the products are cheap. Sub-national jurisdictions have the authority to increase the value-added tax (VAT) on tobacco at the sub-national level. In the past 2 years, 18 states have raised their VAT on cigarettes, bidis and/or smokeless products.</p>	<p>Russia bans smoking in all indoor workplaces, indoor public places, and public transport. The only exception to the ban is for long-distance passenger ships. Sub-national jurisdictions may enact more stringent laws than the national legislation.</p>	<p>South Africa uses its tobacco tax policy to reduce tobacco use and has done so since the mid-90s. Cigarettes in South Africa incur a specific excise tax and a value-added tax (VAT). Every year, the National Treasury determines the retail price of cigarettes and adjusts the specific tobacco tax so total taxes make up approximately 52% of the retail price. South Africa's tobacco tax policy has led to significant declines in tobacco use among adults and youth.</p>

OVERVIEW OF TOBACCO CONTROL POLICIES

SMOKE-FREE ENVIRONMENTS; COMPLETE NATIONAL BAN

FCTC Article 8: to provide effective protection against exposure to the harms caused by tobacco smoke in indoor public places, workplaces, and public transport.

China	Brazil	India	Russia	South Africa
China does not have a comprehensive national smoke-free law. Legislation bans smoking in specific places. The Tobacco Monopoly Law requires that smoking be prohibited or restricted in public places and public transportation in general, and the MOH Regulations prohibit smoking in the 28 indoor public places. Sub-national jurisdictions have the authority to implement local smoke-free policies.	Smoking is prohibited in all enclosed public places and the vast majority of enclosed workplaces. Smoking is prohibited in aircraft and vehicles of public transportation.	Smoking is completely banned in many public places and workplaces such as healthcare, educational, and government facilities and on public transport. The law, however, permits the establishment of smoking areas or spaces in airports, hotels having 30 or more rooms, and restaurants having seating capacity for 30 or more. It is possible for sub-national jurisdictions to enact smoke free laws that are more stringent than the national law.	Russia bans smoking in all indoor workplaces, indoor public places, and public transport. The only exception to the ban is for long-distance passenger ships. Sub-national jurisdictions may enact more stringent laws than the national legislation.	South Africa permits designated smoking areas in workplaces, public places and public transport. For work places and specified public places, up to 25% of floor space may be set aside for smoking. However, the Ministry of Health is working to finalize regulations that would strengthen existing smoking restrictions to ensure that all indoor public places and workplaces and certain outdoor spaces are smoke-free.

SMOKE-FREE ENVIRONMENTS – COMPLETE NATIONAL BAN

	China	Brazil	India	Russia	South Africa*		China	Brazil	India	Russia	South Africa*
All indoor workplaces		✓		✓		Pubs and bars	✓	✓		✓	
All indoor public places		✓		✓		Public transport facilities		✓		✓	
All enclosed public transport			✓	✓		Fines for violations: Business owners/employers			✓	✓	
Governmental facilities		✓	✓	✓		Fines for violations: Smokers		✓	✓	✓	✓
Healthcare facilities	✓	✓	✓	✓		Do sub-national jurisdictions have the authority to adopt laws that completely ban tobacco smoking?	✓	✓	✓	✓	✓
Educational facilities, except universities		✓	✓	✓							
Universities		✓	✓	✓							
Restaurants	✓	✓		✓							

* South Africa is working to finalize regulations that would ban smoking in all indoor public places, workplaces, and certain outdoor spaces.

OVERVIEW OF TOBACCO CONTROL POLICIES

BANS ON ADVERTISING, PROMOTION AND SPONSORSHIP

FCTC Article 13: to enforce comprehensive bans on tobacco advertising, promotion, and sponsorship.

China	Brazil	India	Russia	South Africa
<p>A national law bans tobacco advertising on movie, television, radio, and in newspapers and magazines. Local jurisdictions have the authority to regulate outdoor tobacco advertising and some have banned it. Tobacco companies can advertise their products at point of sale, through sponsored events and branded schools, on billboards, online, and through extensive advertising of affiliated companies with the same names as tobacco brands.</p>	<p>Tobacco advertising and promotion is prohibited, with a sole exemption granted for the display of the products at the point of sale. Tobacco product sponsorships of cultural or sporting activities are prohibited.</p>	<p>Advertising through many forms of mass media is prohibited, but tobacco companies still may advertise at the point of sale, subject to some restrictions. Recipients of funds provided by the tobacco industry are prohibited from promoting tobacco products, its trademarks or brand names; however, general sponsorship by the tobacco industry that does not involve the promotion of tobacco products may be permitted.</p>	<p>All forms of domestic and cross-border tobacco advertising, promotion and sponsorship are prohibited, subject to a few exceptions. The law restricts, but does not prohibit, promotional features that may appear on tobacco product packaging.</p>	<p>South Africa has a comprehensive ban on tobacco advertising, promotion and sponsorship, with certain exceptions for books, magazines, newspapers, film or video transmission made outside South Africa. Tobacco products may be visible at point of sale but must be displayed in such a manner that customers may not handle tobacco products prior to purchase. One-meter signs displaying product availability and price may be displayed at point of sale. A manufacturer or importer of a tobacco product may make a charitable financial contribution or sponsorship, but may not publicize that contribution or sponsorship.</p>

OVERVIEW OF TOBACCO CONTROL POLICIES

BANS ON ADVERTISING, PROMOTION AND SPONSORSHIP

	China	Brazil	India	Russia	South Africa*		China	Brazil	India	Russia	South Africa*
Domestic TV and radio	✓	✓	✓	✓	✓	Telephone and cellular phone		✓	✓	✓	✓
Domestic magazines and newspapers	✓	✓	✓	✓	✓	Direct person to person targeting of individuals		✓	✓	✓	✓
International TV and radio		✓		✓		Non-tobacco goods/services with tobacco names		✓	✓	✓	✓
International magazines and newspapers		✓		✓		Non-tobacco brand name used for tobacco product		✓	✓	✓	✓
Billboards and outdoor advertising		✓	✓	✓	✓	Paid placement of tobacco products in TV/film/media	✓	✓	✓	✓	✓
Internet communications		✓	✓	✓	✓	Retailer incentive programs to sell tobacco products			✓	✓	✓
Vending machines	✓		✓	✓		Sponsored events, activities, groups, etc.		±	±	✓	
Point of sale advertising/promotion		✓	±	✓	±	If sponsorship allowed, bans industry publicity of sponsorship		±	±	✓	✓
Conventional mail		✓	✓	✓	✓	Promotion that is false/misleading regarding a product's health effects, hazards or emissions		±	±	✓	✓
Distinctive logos, colors, etc. to promote tobacco products in venues, on vehicles (brand marking)		✓	✓	✓	✓	Fines for advertising violations	✓	✓	✓	✓	✓
Free distribution of tobacco products		✓	✓	✓	✓	Fines for sponsorship violations	✓	✓	✓	✓	✓
Gifts, discounts, prizes, and rewards with purchase		✓	✓	✓	✓						

* South Africa is working to finalize regulations to further restrict tobacco advertising, promotion, and sponsorship.

± Restricted

OVERVIEW OF TOBACCO CONTROL POLICIES

HEALTH WARNINGS ON TOBACCO PACKAGES

FCTC Article 11: to warn consumers of the hazardous effects of tobacco use and exposure to tobacco smoke and ensure they are not misled by deceptive tobacco product packaging and labeling.

China	Brazil	India	Russia	South Africa
<p>Warning labels are text-only, use small 6 point type, feature the same background color as the rest of the pack, and do not spell out specific health harms. Tobacco companies are allowed to design their own labels as long as they meet the minimum requirements set by the State Tobacco Monopoly Administration. Effective April 2012, a China National Tobacco Corporation notice required companies to abolish the English warning, enlarge the font to 4mm, and require the color shading between the text and the warning background to be obviously different. The CNTC notice is a self-regulation and not a legal enactment.</p>	<p>Tobacco products must carry graphic health warnings covering 100% of the back side and 100% of one side of the packages. Beginning in January 2016, an additional text warning must cover 30% of the lower part of the front side of the packages. Brazil was the first country in the world to ban misleading terms such as “light” and “low-tar.”</p>	<p>Health warning labels are pictorial and text, will cover 85% of the front panel of the package, and must be rotated every 24 months. There is ban on the use of misleading descriptors (including, among others, “light,” “ultra-light” and “low-tar”) and associated graphics or product design features. There is no requirement for qualitative statements about constituents and emissions.</p>	<p>Russia implemented regulations requiring health warnings on 30 percent of the front and 50 percent of the back of the pack. Health warnings on the back of the pack are required to include pictures. Regulations allow misleading descriptors such as “light” and “low-tar,” so long as the products contain a warning that such products are not less harmful to health.</p>	<p>Smokeable tobacco product packages must have a primary warning covering 15% of the front of the package and a secondary warning covering 25% of the back of the package. The law requires a side panel warning (covering 20%) stating yields of tar and nicotine. Misleading terms, descriptors and other indicia that create a false impression that one tobacco product may be less harmful than another are banned. the Ministry of Health is working to finalize regulations that would require pictorial warning labels.</p>

OVERVIEW OF TOBACCO CONTROL POLICIES

HEALTH WARNINGS ON TOBACCO PACKAGES

	China	Brazil	India	Russia	South Africa*
Law mandates specific warnings		✓	✓	✓	✓
Percent of principal display areas covered (front and back)	30%	65%	85%	40%	20%
Front	30%	30%	85%	30%	15%
Back	30%	100%	85%	50%	25%
Number of approved warnings	2	10	4	13	8
Warnings required to rotate	✓	✓	✓	✓	✓
Includes a picture or graphic		✓	✓	✓	
Written in the principal language(s) of the country	✓	✓	✓	✓	✓
Bans misleading packaging and labeling including terms, descriptors, trademarks, or figurative signs	✓		✓		✓
Requires display of qualitative (descriptive) constituents and emissions		✓			
Bans display of emission yields, including tar, nicotine, and carbon monoxide	✓				
Appears on each package and any outside packaging	✓	✓	✓		✓
Requires warnings not to be concealed by tax stamps or other required markings	✓	✓			
Fines for violations		✓	✓	✓	✓

* South Africa is working to finalize regulations to enact pictorial warning labels.