

Philip Morris's Indian subsidiary violates Tobacco Control Act



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An advertisement of a tobacco product in Goa by the world's largest tobacco company Philip Morris' subsidiary in India blatantly violates the Indian tobacco control Act.

"Tobacco companies are undermining [tobacco control] legislations in many countries" had said Dr. Douglas Betcher, Head of Tobacco Free Initiative of the World Health Organization (WHO) recently in a meeting on the global tobacco treaty.

The rulings for point-of-sale tobacco advertising in accordance with 'The Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003', came into effect on 1 January 2006. The Rules envisage stringent and immediate action by the State Government against advertisement of smoking and other tobacco products.

The rules clearly mention that on point-of-sale of tobacco products, only type of tobacco product should be mentioned and no brand name, or any other promotional message or picture is permitted under the Indian law.

But Philip Morris' advertisements boards in Goa violates the law. "This advertisement is, at the onset, reckless contempt of the law" said Dr Shekhar Salkar, General Secretary of National Organization for Tobacco Eradication (NOTE India), in a letter addressed to the Indian subsidiary of Philip Morris demanding an unconditional apology for this gross violation and disregard to public health.

"The Act does not allow display of pictures at the point of sale of tobacco products, which has been done  Tobacco ads in the advertising board placed at a kiosk in Panaji near Hotel Lucky, opposite Municipal garden and kiosk below D. V. talaulikar hospital, Khalap Mension, Vasco, Goa. The law states that, at a point of sale of cigarettes, the boards shall contain only the words: - 'Cigarettes are sold here'" said Dr Salkar.

"Big Tobacco's interference in health policy is one of the greatest threats to the treaty's implementation and enforcement. Philip Morris/Altria, British American Tobacco (BAT) and Japan Tobacco (JT) use their political influence to weaken, delay and defeat tobacco control legislation around the world. While the industry claims to have changed its ways, it continues to use sophisticated

methods to undermine meaningful legislation" had said Kathy Mulvey of Corporate Accountability International at the recent meeting last year on the global tobacco treaty.

The exact wording of the rulings on point-of-sale tobacco advertising is given below:

1. All the existing points of sale advertisement boards for cigarettes and other tobacco products will have to be removed.
2. The point of sale advertisement boards that is permitted under the Rules shall not exceed 60 cm x 45 cm. Each of these boards should contain the specified health warning occupying the top edge of the board measuring 20 cm x 15 cm and the display boards shall only list the type of tobacco product at the point of sale, without any mention of the board name or other promotional message or picture.
3. There shall be no display of cigarette and other tobacco products at the point of sale.

"People need to become more aware of existing tobacco control legislations in India and take responsibility in partnering with the government for the enforcement of the same" said another tobacco control advocate Professor Dr Rama Kant who heads Indian Society Against Smoking, and has been working closely with NOTE India too.

Only time will tell how committed Indian Government and state government of Goa is to the public health and well-being of its citizens, and take 'stringent and immediate action' as per the law.

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