

## SECTION 21: TOBACCO, ROLLING PAPERS AND FILTERS

### Question 73:

- i) Taking into account its general policy objectives, do you agree that CAP's rules, included in the proposed Tobacco, Rolling Papers and Filters section, are necessary and easily understandable? If your answer is no, please explain why.
- ii) On consideration of the mapping document in Annex 2, can you identify any changes from the present to the proposed Tobacco, Rolling Papers and Filters rules that are likely to amount to a significant change in advertising policy and practice, which are not reflected here and that you believe should be retained or otherwise given dedicated consideration?
- iii) Do you have other comments on this section?

*Responses received from:*

Advertising Association;  
Asda;  
Charity Law Association;  
Department of Health;  
Institute of Practitioners in Advertising;  
International Association for the Study of Obesity and International Obesity

*Summaries of significant points:*

These organisations, and an individual, agreed the rules in the proposed Tobacco, Rolling Papers and Filters section are necessary and easily understandable. Those respondents did not identify any changes from the present to the proposed rules that would amount to a significant change in advertising policy and practice, apart from those highlighted in the consultation document:

Advertising Association;  
Asda;  
Institute of Practitioners in Advertising;  
Proprietary Association of Great Britain

*CAP's evaluation of those points and action points:*

<p>TaskForce; National Heart Forum; Proprietary Association of Great Britain;</p> <p>An individual</p>	<p><i>1. Charity Law Association said:</i> Rule 21.2 should include a sub-rule that the marketing of rolling papers should not, equally, suggest that they can be used, whether expressly or by innuendo, for the smoking of proscribed drugs.</p> <p><i>2. Department of Health said:</i> We are generally content with proposed changes, with one comment on a point of detail. We would like an amendment to rule 21.2 considered. We suggest replacing the words:</p> <p style="padding-left: 40px;">“Marketing communications must neither encourage people to start smoking nor encourage smokers to increase their consumption or smoke to excess”</p> <p>With the words:</p> <p style="padding-left: 40px;">“Marketing communications must neither encourage people to start smoking nor encourage people who smoke to increase their consumption”.</p> <p>The reasons for these suggested changes are:</p> <ul style="list-style-type: none"> <li>• To refer to people who smoke as “smokers” could be perceived as demeaning and does not acknowledge the broader context in</li> </ul>	<p>1. Rule 21.6 would prevent marketing communications for rolling papers and filters from suggesting those products can be used for the smoking of proscribed drugs. That rule makes clear that “except in exceptional circumstances, for example in the context of an anti-drugs message, any reference to illegal drugs will be regarded as condoning their use”.</p> <p>2. CAP understands the Department’s point that the proposed rule implies, by referring to “smoking to excess”, there could be an acceptable level of smoking. On that basis, CAP has decided to amend the rule, in line with the Department’s suggestion, so that it states:</p> <p style="padding-left: 40px;">“Marketing communications [for rolling papers or filters] must neither encourage people to start smoking nor encourage people who smoke to increase their consumption”</p>
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	<p>which they are consumers of marketing information; and</p> <ul style="list-style-type: none"> <li>• To refer to “smoke to excess” suggests there is a level of smoking that is acceptable or safe. Any level of smoking is potentially dangerous to health and no level can be considered safe”.</li> </ul> <p><i>3. National Heart Forum and International Association for the Study of Obesity and International Obesity TaskForce said:</i></p> <p>There are links between the risk of child obesity and maternal smoking during pregnancy, and we therefore welcome the strong rules on marketing of tobacco and related products in the UK.</p> <p>There is no justification to continue to permit advertising of tobacco-related products. It is acknowledged that doing so has the potential to indirectly promote tobacco products which may not be advertised to the public. We recommend that CAP’s present rules are strengthened to ensure that the marketing of rolling papers and filters is not permitted in any media. A notion of ‘responsible’ marketing of rolling papers and filters seems an oxymoron as any marketing of these products is a clear encouragement to smoke.</p>	<p>3. Although it empathises with the points raised, CAP considers it would be inappropriate for its Code to prohibit the marketing of products that are permitted, by law, to be marketed.</p> <p>Nevertheless, the Code includes restrictions on the marketing of those products because CAP is aware of the link between rolling papers and filters, smoking and the potential danger to health.</p>
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