

Advent and Impact of Pictorial Warnings on Tobacco Products: A Global Scenario

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Abstract

Warning labels on tobacco products are an effective way of communicating the consequences of tobacco use and bring about behavioral changes like quitting and reducing the tobacco consumption. Research studies in developed countries have shown that large and colorful and scary image warnings placed on the tobacco products are more effective in informing consumers and nonusers. The Framework Convention on Tobacco Control (FCTC), first to be adopted under WHO's Article 19, is one of the most quickly ratified treaties in United Nations history, states that warnings and messages should be 50% or more of the principal display areas but shall be no less than 30% of the principal display areas, of the tobacco packets, and may be in the form of or include pictures or pictograms". Evidence from countries like Canada, Brazil, Thailand, and New Zealand have shown that placement of pictorial warnings has motivated smokers to quit the habit, in these countries. On October 15, 2014, India's Ministry of Health and Family Welfare (MOHFW) announced that pictorial warnings would cover 85% of the principal display areas (both sides at the top edge) of tobacco packages, of which 60% would consist of specified pictorial warnings and 25% would consist of the text warning. More research and policy are needed for warning labels on tobacco products other than cigarettes. As more low and middle income countries implement similar policies, research findings in these areas will enrich the evidence on effective health warning labels.

Key Words

Pictorial warnings; tobacco; framework convention of tobacco control (FCTC); COTPA

INTRODUCTION

Tobacco is the only legally available product that kills people, and 1.2 million people die from tobacco use in our region annually. An effective tobacco control strategy is, therefore, not just a programmatic necessity but also a moral imperative," as said by Dr. Samlee Plianbangchang, WHO. The World Health Organization has estimated that India has the second largest number of smokers in the World after China.^[1] The prevalence of tobacco use among adults (15 years and above) is 35%. The prevalence of overall tobacco use among males is 48 % and that among females is 20 %. Nearly two in five (38%) adults in rural areas and one in four (25%) adults in urban areas use tobacco in some form.^[2] Many approaches and strategies are being tried to prevent, control and cease tobacco use both at individual and community level. These include withdrawal clinics, medication, behavior modification, anti-tobacco media

campaigns, limitations on where to smoke and restricted access for minors'. Unlike many other products, tobacco packaging is not removed and discarded but is used as a container until the contents have been consumed. It thus remains highly visible and is frequently exposed to the users.^[1] It thus serves the purpose of brand advertisement. Apart from the brand name, these packages also contain a picture with a health warning on it. It is truly said that, "A picture speaks a thousand words". These pictorial warnings on the tobacco packets serve an important role. Warning labels on tobacco products are an effective way of communicating the consequences of tobacco use and bring about behavioral changes like quitting and reducing the tobacco consumption. Research studies in developed countries have shown that large and colorful and scary images warnings placed on the tobacco products are more effective in informing consumers and nonusers.^[3] Moreover, wherever a

large population is illiterate, pictorial warnings serve the purpose of helping the users visualize the dangerous consequences of tobacco use. In a country like India, with its multilingual and multicultural communities, a pictorial warning can break cultural, regional and language barriers. Canada was the first country to introduce pictorial warnings way back in 2001 followed by Brazil.^[1] Owing to the alarming havoc of the tobacco epidemic, WHO formed Framework Convention on Tobacco Control. The World Health Organization Framework Convention on Tobacco Control (WHO FCTC) is a treaty adopted by the 56th World Health Assembly on 21 May 2003.^[4] It became the first World Health Organization treaty adopted under article 19 of the WHO constitution.^[5] The treaty came into force on 27 February 2005. It had been signed by 168 countries and is legally binding in 180 ratifying countries.^[6] There are currently 16 United Nations member states that are non-parties to the treaty (nine which have not signed and seven of which have signed but not ratified).^[7] The FCTC, first to be adopted under WHO's Article 19, is one of the most quickly ratified treaties in United Nations history.^[8] It is a supranational agreement that seeks "to protect present and future generations from the devastating health, social, environmental and economic consequences of tobacco consumption and exposure to tobacco smoke" by enacting a set of universal standards stating the dangers of tobacco and limiting its use in all forms worldwide.^[4,9] To this end, the treaty's provisions include rules that govern the production, sale, distribution, advertisement, and taxation of tobacco. FCTC standards are, however, minimum requirements, and signatories are encouraged to be even more stringent in regulating tobacco than the treaty requires them to be.^[9] Article 11 of the WHO Framework Convention on Tobacco Control states: "Each Party shall ... adopt and implement ... effective measures to ensure that ... tobacco product packaging and labeling do not promote a tobacco product by any means that are false, misleading, deceptive or likely to create an erroneous impression about its characteristics, health effects, hazards or emissions ... [Parties shall adopt and implement effective measures to ensure that] each unit packet and package of tobacco products and any outside packaging and labeling of such products also carry health warnings describing the harmful effects of tobacco use ... These warnings and messages ... should be 50% or more of the principal

display areas but shall be no less than 30% of the principal display areas, ... [they] may be in the form of or include pictures or pictograms". WHO FCTC Article 11 guidelines are intended to assist Parties in meeting their obligations under Article 11 of the Convention, which provides a clear timeline for Parties to adopt appropriate measures (within three years after entry into force of the WHO FCTC for a given Party).^[10]

How does the health warning labels work and how effective are they?

There is extensive evidence to show that health-warning labels on smoked tobacco products work in the following ways.

- Increase health knowledge about the harms of tobacco
- Prevent relapse in former smokers
- Deter youth and adults from initiating use and experimentation
- Deter smokers from having a cigarette when they are about to have one
- Increase smokers' intentions and attempts to quit
- Reduce appeal of the cigarette pack
- Promote use of quit resources^[11-13]

Large graphic warnings that cover at least half of both primary tobacco package surfaces (front and back) are more effective than smaller warnings or those that contain only text. Warning labels can be implemented at virtually no cost to governments, and generally are more strongly supported by the public than most other tobacco control interventions. They should be specific in describing the health effects of tobacco use, and be periodically rotated to maintain their impact. Deceptive terms (e.g. "light" or "mild") that suggest some products are less harmful should be banned. Plain (standardized) packaging enhances the impact of health warnings and other packaging and labeling measures, and reduces the marketing impact of package design.^[10]

Health warnings provide needed information about the dangers of smoking

People have a fundamental right to health information, including accurate information about the harms of tobacco use. Despite clear evidence, many smokers do not fully understand the risk of tobacco use to their health or the health of others. Accurate warnings about the harms of tobacco use and secondhand smoke exposure will influence people to decide against using tobacco. Health warnings also change social norms about tobacco

use, which reduces tobacco use and increases support for tobacco control measures. Overall extensive research in Canada suggests that larger (>50% of the surface of principal display area) and strongly worded health warnings, supported by emotionally strong graphics, are highly effective in tobacco control. Evidence from countries like Canada (58%), Brazil (67%), Thailand (44%), and New Zealand (67%) have shown that placement of pictorial warnings has motivated smokers to quit the habit, in these countries. Therefore, there is a need for stronger and more informative graphic health warnings.^[11] Several studies have been conducted in India to assess the effectiveness of pictorial warnings. A study done in Davangere city, Karnataka, reports that 50.8% of the population of the age group of 15 years and above, were of the opinion that pictorial warnings encourage them to quit tobacco habits.^[1] Another study conducted in Bangalore, on Health professionals, showed that 79.2% of the study population were of the perception that pictorial warnings with a text message are more effective.^[12]

Use of graphic pack warnings is increasing

Use of graphic pack warnings has increased; more people are protected by this measure than by any other. Around 1.4 billion people (almost 20% of the world's population) were protected by strong pack warnings in 2014, up from 14% in 2012.^[13] Twelve more countries (Bangladesh, Costa Rica, Fiji, Jamaica, Namibia, Philippines, Samoa, Solomon Islands, Trinidad and Tobago, Turkmenistan, Vanuatu and Viet Nam) implemented large graphic pack warnings in the past 2 years that include all appropriate characteristics, making this the measure with the greatest improvement in the past 2 years in terms of the number of countries newly adopting it. Ten middle income countries and one low-income country (Bangladesh) were among the 12 countries adopting this measure since 2012. Although 86% of countries have pack warning legislation, only a third have successfully mandated graphic warnings, and less than a third have mandated that warnings be sufficiently large to cover at least 50% of the main package surfaces (front and back). There are 36 countries (with 18% of the world's population) that would reach the highest level of achievement by either increasing the size of warnings so that they cover at least half of both the package front and back, or by adding additional label characteristics to already large warnings. About 30% of countries, including half of low-income countries, have not

implemented any warning label policies or require only small warnings that cover less than 30% of the main package surfaces (36% of all countries and 53% of low-income countries had no warnings or small warnings in 2012). Of the 460 million people (6.5% of the world's population) who live in one of the world's 100 largest cities, more than 109 million people (in 23 cities) are exposed to large graphic pack warnings. All but one of these cities is located in a country with national legislation stipulating strong pack warnings; only one city (Hong Kong Special Administrative Region of China) has established graphic pack warnings ahead of national policy.^[13]

RECENT ACHIEVEMENTS AND DEVELOPMENTS

Regulations for Gulf Cooperation Council (GCC) warning labels directive put into force

After a five-year process, in August 2012 countries of the Gulf Cooperation Council (GCC) adopted and put into force a unified regulation for implementing pictorial health warnings. These pictorial warnings were designed to meet the cultural and population needs of the Arab region and include the following provisions:

- Pictorial and text warnings are to cover not less than 50% of both the package front and back.
- Text areas are not to exceed 40% of the total warning label.
- Warning text is to appear in Arabic on the front and in English on the back. Images of both cigarettes and shisha (water pipes) are to be used.
- New images and appropriate text warnings may be developed and updated.^[10]

Madagascar implements pictorial warning labels

The government of Madagascar finalized regulations that require pictorial health warnings on tobacco packages on 17 July 2012. All cigarette, chewing tobacco and snuff tobacco packages now contain required health warnings that cover 50% of both the front and back of the package, with a pictorial warning on the front and a text warning in the Malagasy language on the back. A total of eight different health warning messages were approved for use, each with an image and accompanying text, which will be rotated in two batches. The first four messages appeared for 12 months beginning in October 2012, and will be replaced in October 2013 by the second set of four messages. Additionally, misleading and deceptive terms such as "light", "ultra-light", "mild" and "flavored" are prohibited

on tobacco packages, whether in Malagasy or any other language, and sales of cigarette cases intended to block the warnings are also prohibited.^[10]

WHO FCTC Secretariat promotes a new resource of pictorial health warnings for Africa and elsewhere

An online resource containing 43 pictorial health warning label images covering four broad categories (smoking health harms; secondhand smoke exposure; cigarette contents and toxic emissions; and socioeconomic consequences of tobacco use), with accompanying text in either English or French, have been developed for use in sub-Saharan African countries. The images and text are designed to meet specific needs of countries in the WHO African Region, including consideration of sub regional cultural contexts and language variations, and was extensively field tested across sub-Saharan Africa to ensure their effectiveness. This large library of images will facilitate the recommended best practice of using 8-12 graphic warnings simultaneously, and rotating their use every 1 to 2 years in order to achieve the desired impact. This resource has been developed as part of the South-South cooperation demonstration project mandated by the Conference of the Parties. The WHO FCTC Secretariat owns the copyright and can grant countries permission to use the health warnings.^[13,14]

Countries are beginning to implement plain packaging for tobacco products

Plain (standardized) packaging of tobacco products is one tobacco control intervention that is beginning to be implemented. As defined in Guidelines to Article 11 of the WHO Framework Convention on Tobacco Control, plain packaging restricts or prohibits the use of logos, colours, brand images or promotional information on packaging other than brand names and product names displayed in a standard colour and font style. Plain packaging reduces the attractiveness of tobacco products, minimizes misleading packaging and enhances the effectiveness of health warnings. In December 2012, Australia became the first country to implement plain packaging on all tobacco products. Despite the tobacco industry's concerted efforts to block plain (standardized) packaging, such as through legal claims, an increasing number of countries are taking this step. Ireland, the United Kingdom and France all passed legislation in 2015 to implement plain packaging. The intervention is also under active consideration in a number of

countries, including Burkina Faso, Chile, New Zealand, Norway, Panama, a Singapore, South Africa and Turkey. The European Union's Tobacco Products Directive permits Member States to introduce plain (standardized) packaging. By banning the use of logos, colours, brand images or promotional information other than brand and product names in a standard colour and font style, an important element of advertising and promotion can be neutralized.^[13]

Thailand successfully protects warning label requirements from legal challenge

One tactic adopted by the tobacco industry is to challenge tobacco control legislation in the courts. In Thailand, a transnational tobacco company mounted a legal challenge in 2013 to an order by the Ministry of Health mandating the display of combined pictorial and text health warnings covering at least 85% of the two largest surfaces of cigarette packs and cartons. The lower court temporarily suspended implementation of the pack warning requirements while the case was ongoing. However, in May 2014 Thailand's Supreme Administrative Court reversed the lower court's temporary order, noting that the warning label requirements were issued to "protect the people and our youth", and found that they were within the intended scope of the tobacco control law, and that their implementation would not burden either party while the case continued to be decided on its merits. Although the court case continues, the Supreme Administrative Court's reversal of the lower court ruling is a strong indication that the warning label requirements are likely to be upheld. As in this case, unjustified legal challenges made by the tobacco industry do not stand up in courts of law.

Egypt successfully phases-in strong health warning label requirements

The Ministry of Health in Egypt successfully phased-in implementation of pictorial health warnings on tobacco products over a period of several years, with support of the WHO Eastern Mediterranean Regional Office (EMRO) and WHO Country Office. These efforts started in 2001 with the country's first tobacco control legislation, which among other provisions included a requirement for the first text warnings on packaging. In June 2007, updated legislation increased the size of health warnings to cover at least half of the packaging and included a provision for pictorial warnings - a cost-effective means of increasing public awareness about the dangers of tobacco use which was

implemented later that year. An Executive By-Law issued by the Minister of Health in 2010 further strengthened the warning label requirements by specifying pictorial content. A new set of pictorial images is introduced every 2 years, with the most recent set introduced in 2014. To date, six different sets of graphic images have been included on both cigarette and waterpipe tobacco packages. Egypt plans to further increase the size of its pictorial health warnings to 80% of both front and back package display areas in the future, although timing of this strengthened requirement has not yet been set.^[13] India enacted the “Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act” (COTPA) as a multi-measure law in 2003, while the world was still negotiating the FCTC. The law came into force from May 1, 2004, nearly a year ahead of coming into force of the FCTC. COTPA too stipulates depiction of pictorial health warnings on all tobacco products (Section 7). However, primarily due to lack of political will, the pictorial health warnings in India - experienced constant delay, deferral and dilution. Section 7 of COTPA mandates that no person can produce, supply, distribute or import any tobacco product unless every tobacco product package carries a specified warning including a pictorial warning as may be prescribed by the rules.

D) Specified Health Warnings^[13-17]

(a) The COTPA Rules dated March 15, 2008 prescribe that every package of cigarettes and other tobacco products should bear the specified pictorial warnings.

The Components of the specified health warnings under the Rules are:

- The health warning “Smoking Kills” (on smoking forms of tobacco products) and “Tobacco Kills” (on smokeless or chewing and other forms of tobacco products) is printed in white font colour on a red colour background.
- Pictorial depiction of the ill effects of tobacco use on health is placed below the health warning.
- The health message “Tobacco Causes Cancer” is printed in black font colour on a white colour background.

(b) Specified health warning shall appear in all type of packs in which cigarette and other tobacco products are packaged for consumer use or retail sale.

(c) Area of the specified Health Warning

1. The Specified Health Warnings shall occupy 40% of the principal display area of the front panel of tobacco product packs.
2. The size of the specified health warning shall be legible and prominent and is to be increased proportionally according to the increase in package size occupying 40% of the principal display area.
3. The Principal display area for different tobacco packs are:
 - For box type packages, two equal sized largest surface area of the box that may be
 - displayed or visible under normal or customary conditions of sale or use;
 - For pouch type packages, the entire surface area of the pack that may be displayed or visible under normal conditions of sale or use;
 - For conical or cylindrical type of packages, the entire curving area of the pack that may be displayed or visible under normal or customary conditions of sale or use;
 - For any other form or type of package, the entire surface area of the pack that may be displayed or visible under normal or customary conditions of sale or use;

(d) None of the elements of the specified warning are severed, covered or hidden in any manner when the package is sealed or opened;

(e) No messages that directly or indirectly promote a specific tobacco brand or tobacco usage in general are inscribed on the tobacco product package;

(f) No product shall be sold unless the package contains the specified health warning: Provided that the specified health warning shall be printed [pasted or affixed] on every retail pack in which the tobacco product is normally intended for consumer use or retail sale, as well as any other external packaging, such as cartons or boxes;

(g) The specified warnings shall be inscribed in the language used on the pack;

(h) Prohibition on obscuring, masking, altering or detracting from the Specified Health Warnings.

(II) Rotation of specified health warnings^[13-17]

On October 15, 2014, India’s Ministry of Health and Family Welfare (MOHFW) announced new rules called the Cigarettes and Other Tobacco Products Amendments Rule emphasized on increasing the size of PHWs on smoked and smokeless tobacco packages, to be effective from April 1, 2015. The new warnings would cover 85% of the principal display areas (both sides at the top

edge) of tobacco packages, of which 60% would consist of specified pictorial warnings and 25% would consist of the text warning. This represents a substantial increase from the current size of PHWs, which cover 40% of the principal display area of the front panel of the packages.

CONCLUSION

we know that warnings are effective when they use large pictures with accompanying text-the larger the label, the better. Periodically rotating labels in sets prevents message fatigue, though there is no standard on the optimum number in a set or rotation period. We have an overall understanding of the types of messages that are effective in warning labels, such as emotional appeals, but pre-testing is critical to ensure that subgroups in a population are receiving these messages as intended. More research and policy are needed for warning labels on tobacco products other than cigarettes. As more low and middle income countries implement similar policies, research findings in these areas will enrich the evidence on effective health warning labels.

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