



**December 2001**

## **Deceptive Cigarette Labelling**

This month's Working Paper provides data showing that substantial proportions of Ontario smokers are being misled by the terms 'light' and 'mild' on cigarettes.<sup>1</sup> The purpose of this update is to inform readers about three recent developments of direct relevance to public policy with regard to such deceptive labelling.

In Canada, the Ministerial Advisory Council on Tobacco Control<sup>2</sup> convened an international expert panel to review and advise on such labeling. Based on the report of the expert panel<sup>3</sup>, the Ministerial Advisory Council advised the Minister that:

- Cigarette descriptions such as 'light' and 'mild' are a major public health problem and have already contributed to the deaths of thousands of Canadians. To reduce tobacco-caused illness and death, this problem must be corrected as quickly and as effectively as possible.
- An end to the 'light' and 'mild' deception can only be achieved through a complete ban on misleading descriptors, accompanied by appropriate public education efforts.

In November 2001, the National Cancer Institute in the United States released an extensive report on the risk associated with smoking cigarettes with low machine-measured yields of tar and nicotine.<sup>4</sup> In particular, it stated the following:

- Epidemiologic and other scientific evidence do not indicate a benefit to public health from changes in cigarette design and manufacturing over the last fifty years.
- Spontaneous brand switchers compensate completely for nicotine delivery, reflecting more intensive smoking of lower-yield cigarettes.
- Many smokers switch to lower yield cigarettes out of concern for their health, believing these cigarettes to be less risky or to be a step toward quitting.

This monograph documents the same conclusions about health risk and deception that were reported to the Canadian Minister of Health.

Further to the Minister's stated intent to ban the use of the terms 'light' and 'mild' in Canada,<sup>5</sup> a Notice of Intent was published on December 1, 2001 in the Canada Gazette, Part I. The notice indicates that Health Canada is considering regulations under the *Tobacco Act* to prohibit

manufacturers and importers from selling a tobacco product in a package displaying the terms 'light' or 'mild'. Interested parties are invited to comment by **January 14, 2002**.

Readers should be aware that the Ministerial Advisory Council advised the Minister that the government must ensure that other terms and devices that have a similarly misleading effect, or could have a misleading effect, are eliminated rapidly or not allowed onto the market at all. For example, the use of colours to reinforce perceptions of relative risk is a major concern. Cigarette manufacturers have already colour-coded their brands; when descriptors are removed, this colour coding is likely to play an even bigger role in shaping customers' perceptions. The Council advised that the obvious solution for eliminating these difficulties is to introduce plain packaging. The Council also advised the Minister that the government needs to put the onus on manufacturers to demonstrate that elements of their packaging and marketing do not mislead smokers about issues that are vital to their health.

Readers who are interested in submitting comments related to the Notice of Intent are directed to:

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## **References**

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2. Health Canada. Ministerial Advisory Council on Tobacco Control. Terms of reference. [http://www.hc-sc.gc.ca/english/archives/releases/2001/2001\\_62ebk2.htm](http://www.hc-sc.gc.ca/english/archives/releases/2001/2001_62ebk2.htm)
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4. National Cancer Institute. Smoking and Tobacco Control Monograph 13. Risks Associated with Smoking Cigarettes with Low Machine-Measured Yields of Tar and Nicotine. Bethesda, Maryland: 2001. [http://cancercontrol.cancer.gov/tcrb/nci\\_monographs/MONO13/MONO13.htm](http://cancercontrol.cancer.gov/tcrb/nci_monographs/MONO13/MONO13.htm)
5. Rock A. Letter from the Minister of Health for Canada to the Canadian tobacco industry, Ottawa, May 2001. [http://www.hc.sc.gc.ca/english/archives/releases/2001/2001\\_62e.htm](http://www.hc.sc.gc.ca/english/archives/releases/2001/2001_62e.htm)