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RETAIL DISPLAY OF TOBACCO PRODUCTS: MONITORING UPDATE

What Is the Issue?

Retail display is the visible presence of tobacco products and accessories at the point of sale. The tobacco industry uses powerwalls, countertop displays, signage and brand-name accessories like lighters to communicate with current, former and potential smokers (Cohen et al. 2008). The impact of these displays, especially on children, is similar to that of conventional advertising (Thomson et al. 2008). Retail displays are associated with adolescent smoking initiation (Henriksen et al. 2004). They also encourage relapse among quitters and increased consumption among smokers (Wakefield et al. 2008). In 2007, the tobacco industry paid Canadian retailers \$76,217,186 for displaying tobacco products and signs (see Health Canada 2008).

In response to the resulting harm to public health, Canadian provincial and territorial governments have enacted legislation to ban or restrict the retail display of tobacco products (Table RD.1). Nunavut, Prince Edward Island and Nova Scotia were the first to enforce complete bans. As recently as 2008, Ontario, Québec and Alberta followed suit. A restriction on retail displays for premises accessible by youth is in effect in Saskatchewan, Manitoba, British Columbia and the Northwest Territories. Canada is thus an international pioneer in controlling the retail display of tobacco products. Health Canada (2006) has proposed federal restrictions on the display of tobacco products at point of sale for premises accessible by youth.

Ontario

Ontario instituted a partial ban on the retail display of tobacco products in May 2006. Yet the tobacco industry still paid Ontario retailers \$31,986,497 for product displays and signs in 2007 (see Health Canada 2008). On May 31, 2008, Ontario began to enforce a complete ban. The *Smoke-Free Ontario Act* states, "No person shall display or permit the display of tobacco products in any place where tobacco products are sold or offered for sale in any manner that will permit a consumer to view any tobacco product before purchasing the tobacco product." (Exemptions exist for tobacconists, duty-free retailers and manufacturers.) The Ontario public supports retail display bans: in 2006, 83% of Ontario adults agreed tobacco products should be kept out of sight (OTRU 2007). In 2007, 73% of Ontario adults agreed cigarettes should be sold in plain white packaging.¹

International Jurisdictions

Iceland (2001) and Thailand (2005) ban the retail display of tobacco products. Ireland enacted similar measures but has not brought them into force. New Zealand, Singapore and South Africa restrict the retail display of tobacco products. In Australia, legislation restricting the display of tobacco products at retail is in effect in the Northern Territory, Victoria and Queensland. The United Kingdom introduced regulations on retail displays in 2004, which are under judicial review. The Framework Convention on Tobacco Control (FCTC) recommends a complete ban on all forms of direct and indirect tobacco advertising.²

¹ 2007 CAMH Monitor Survey, "Panel A" Jan-Jun 2007 (n = 1000), analysis by OTRU

² Canada is a party to the FCTC which came into force Feb 2005 (Health Canada 2006); see also http://www.who.int/tobacco/mpower/mpower_report_global_control_2008.pdf

Table RD.1: Tobacco Retail Display, by Provincial, Territorial and Federal Jurisdiction, September 2008

Jurisdiction*	Complete Ban†	Restriction	Year‡	Comments
Nunavut§	Yes		2004	First Canadian jurisdiction to legislate total ban on visible tobacco products at point of sale
Prince Edward Island	Yes		2006	One black and white price sign of prescribed size allowed per till with no reference to brands
Nova Scotia	Yes		2007	Total ban inside and outside premises
ONTARIO	Yes		2008	Total ban on all visible tobacco products, including power walls, effective May 31, 2008
Québec	Yes		2008	Total ban on all visible tobacco products, including power walls, effective May 31, 2008
Alberta	Yes		2008	Total ban on all visible tobacco products, including power walls, effective Jul 1, 2008
Saskatchewan§		Yes	2002	No visible tobacco products, including accessories, if minors have access; no visible products from outside, regardless of access by minors
Manitoba§		Yes	2004	No visible tobacco products if minors have access; restriction on display of tobacco product accessories
Northwest Territories		Yes	2006	No visible tobacco products if minors have access; restriction on display of tobacco product accessories
British Columbia		Yes	2008	Restriction on retail display in premises accessible by minors effective Mar 31, 2008
New Brunswick		Yes	1999/2009	No countertop display since 1999; complete ban to come into effect Jan 1, 2009
Yukon	No	No	2009	Total ban to come into effect May 15, 2009
Newfoundland and Labrador	No	No		No legislative action on this issue to date
FEDERAL	No	No		<i>Tobacco Act</i> (1997) allows for regulations on "display of tobacco products and accessories at retail" and forbids self-service; Tobacco Reporting Regulations (2000) require tobacco manufacturers to disclose amount paid to retailers for displays; Health Canada (2006) has proposed federal restrictions for premises accessible by minors

* Ordered by degree of legislative action and chronologically

† No visible tobacco products at point of sale regardless of youth access

‡ Effective date

§ In response to a challenge by the tobacco industry, the Supreme Court of Canada upheld the constitutionality of the Saskatchewan legislation in Jan 2005; thereafter Saskatchewan, Nunavut and Manitoba began to enforce their legislation

Sources: Government websites, Canadian Cancer Society

Comments and suggestions are welcome and can be sent to lise_anglin@camh.net

References

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