

# Tobacco product regulation

## Evidence of harm

**Scientific evidence has unequivocally established that tobacco consumption and exposure to tobacco smoke cause death, disease and disability.**

– Article 1(f) of the WHO Framework Convention on Tobacco Control (WHO FCTC)

Tobacco is the only legally available product that kills up to half of its regular users when consumed as recommended by its manufacturer. It is also one of the few openly available commercial products that is largely unregulated in terms of its contents and emissions.

All tobacco products are harmful and addictive and can cause death and disease. Tobacco product ingredients and emissions, including nicotine, should be regulated. This includes oversight of tobacco product manufacturing, packaging and labelling, and distribution.

## Tobacco products are addictive and toxic

Tobacco contains nicotine, many carcinogens and other toxins that come from the tobacco plant, its processing and combustion. Nicotine is an addictive substance. Tobacco products are designed to deliver nicotine efficiently leading to addiction. Addiction results in long-term exposure to high levels of the poisons in tobacco products. Tobacco dependence is itself classified as a disease.

Tobacco products are also adapted to enhance their appeal, for instance by making them less harsh to smoke, disguising their smell and through the addition of flavouring. The use of cigarette filters and misleading descriptive terms on packaging and labelling such as 'mild', 'low tar' or 'light' is also done to make the products more acceptable. In fact, these products are not safe and their implied health benefits are not backed up by the scientific evidence.

## Tobacco products must be regulated

Tobacco product regulation serves public health goals and is a key component of any comprehensive tobacco control programme. It involves the scientific regulation of the contents and emissions of tobacco products through product research and testing, mandating the disclosure of test results and regulating the packaging and labelling of tobacco products.

There are many types of tobacco product available, including cigarettes, cigars, waterpipe, smokeless (chewing or snorted) and electronic. In addition, the tobacco industry continues to develop new products all the time. Regulation should cover all tobacco products.

## Tobacco regulation in the WHO FCTC

The WHO FCTC is a catalyst for tobacco product regulation. Three articles of the WHO FCTC address tobacco product regulation.

- ▶ Article 9 on regulation of the contents of tobacco products
- ▶ Article 10 on regulation of tobacco product disclosures
- ▶ Article 11 on packaging and labelling of tobacco products

In addition, Article 20 on research, surveillance and exchange of information and Article 22 on cooperation in the scientific, technical and legal fields and provision of related expertise both help facilitate tobacco product regulation.

## WHO support for tobacco regulation

WHO assists in efforts to regulate the contents and emissions, and the packaging and labelling, of tobacco products. It seeks to promote the most effective and evidence-based regulatory



**World Health  
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frameworks for tobacco control, and to build global tobacco testing and research capacity to test tobacco products for regulatory compliance. It does this through two bodies:

- ▶ The WHO Study Group on Tobacco Product Regulation (TobReg), which was established in 2003 and includes leading scientific experts. It carries out research and drafts recommendations for WHO's Member States on establishing regulatory frameworks for the design and manufacture of tobacco products.
- ▶ The WHO Tobacco Laboratory Network (TobLabNet), which was established in 2005 and is a global network of government, academic and independent laboratories. The network aims to strengthen national and regional capacity for the testing and research of the contents and emissions of tobacco products.

### **Best practices and the way forward**

Tobacco products should be banned, but until they are they should be firmly regulated. The tobacco industry has shown itself to be untrustworthy at self-regulation, for example with their use of misleading safety claims and marketing practices.

Tobacco companies must be held accountable for their products and their marketing of them.

To regulate tobacco products, the following measures are needed.

- ▶ Articles 9, 10 and 11 of the WHO FCTC should be fully implemented.
- ▶ Regulation should be applied to all tobacco products, including waterpipe and smokeless tobacco, and should keep up with new forms of tobacco use, including electronic nicotine delivery systems.
- ▶ Governmental supervision is required of tobacco product manufacture and government enforcement required of regulations governing the design, contents and emissions of tobacco products, as well as their distribution, packaging and labelling, with the aim of protecting and promoting public health.
- ▶ No health claims should be permitted based on the level of ingredients or emissions or whether the products meet regulatory standards for ingredients and emissions.
- ▶ Current research and testing capacity should be expanded globally.