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Smoking probe hazy on packs

Study finds no proof generic packaging hits cigarette habit; groups gird for fight

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OTTAWA – A federal study on the merits of making generic packaging of cigarettes mandatory likely is to find that the proposal has merits even though there is no proof it would actually curb smoking.

It is impossible to prove conclusively that plain packaging will get smokers to quit or to deter young people from starting, said one of the study's authors, demanding anonymity.

But the researcher added that lack of proof does not mean the policy would not be effective – particularly in deterring children from smoking – if used in conjunction with other preventive measures, such as higher tobacco taxes, advertising restrictions and education.

"Behavioural sciences are not like physics or chemistry," the expert said. "As long as there is reasonable probability that doing something will lead to [results], that's enough to initiate public policy. You don't have to prove beyond a reasonable doubt as you would in the medical sciences."

The study – titled *When packages can't speak: Possible impacts of plain and generic packaging of tobacco products* – is the result of months of work by seven packaging, advertising and behavioural experts hired by Health Canada.

Its findings will be released tomorrow by Health Minister Diane Marleau, who went out on a limb last year by endorsing plain packaging only to run into flak from the industry and within cabinet. She later said she wanted to see the results of the study before pushing ahead with legislation.

The cornerstone of the \$300,000 study was a national survey of hundreds of Canadians to determine how the measure would affect behaviour. Researchers also looked at

possible packaging designs and the likely response of the packaging industry to any new law, conducted focus groups, reviewed previous studies and did a statistical analysis.

But anti-smoking groups fear the study's findings will be so lukewarm that the government will drop the plain packaging idea – at least until the Supreme Court of Canada rules later this year on the legality of an existing ban on all tobacco advertising.

"That's precisely our concern: that this study will be an excuse to let the issue drop," said Garfield Mahood, president of the Non-Smokers' Rights Association.

The anti-smoking lobby, which has been pushing Health Canada to act, has warned it won't give up on plain packaging without a fight. Mr. Mahood said few people thought the former Tory government would ban tobacco advertising, as it did in 1988.

"We think that before the dust settles we are going to win this one," he said. "We are not prepared to abandon something that has the potential to be such a winner for public health."

Mr. Mahood said health groups are trying to get the initiative back on track by highlighting what they say is a sharp increase in smoking since Ottawa lowered taxes last year. They also plan to release research of their own.

"I think this minister would like to have plain packaging reform," Mr. Mahood said. "Other interests in the government may want to run away from it. But she's on-side."

The tobacco industry also is trying to discredit the as-yet-unseen Health Canada study.

Marie-Josée Lapointe, spokeswoman for the Canadian Tobacco Manufacturers Council, said "it's a fool's game" to try to prove an assumption about smoking behaviour with an untried measure, such as plain packaging.

"It's bad policy, it's bad politics and it's bad science," said Ms. Lapointe, who speaks for the three Canadian cigarette makers – Imperial Tobacco Ltd., Rothmans Benson & Hedges Inc. and RJR Macdonald Inc. "It's not public policy that will benefit the national interest, any way you look at it."

Canadian tobacco companies sold 58 billion cigarettes last year, generating roughly \$2-billion in after-tax revenue.

Even with the new study in hand, the thorniest issue for the government is not smoker behaviour. It's the threat of legal action from tobacco companies. Canadian cigarette makers, all of which are part-owned or controlled by foreign multinationals, have warned that any move to restrict or outlaw the use of their trademarks would violate domestic and international laws.

To protect themselves, tobacco companies have been carefully registering as trademarks everything that appears on a cigarette pack, including the colours, logos, brand name and any other markings. Rothmans Benson & Hedges Inc., for example, recently launched a new brand – Canadian Classics – and registered the tag line "100 per cent Canadian tobacco without additives" as part of its trademark.

Also girding for a fight is a coalition of packaging and printing companies that has warned that as many as 1,200 jobs will be lost across Ontario if those glossy, four-colour packages are replaced with plain black-and-white lettering.

But a spokesman for the group said the government may be working on a plan for sophisticated or even multicolored plain packaging.

"The government may be happy about mucking up the waters on plain packaging like that," said the spokesman, Gary Majesky.

The article EM9522 reprinted above is used in Figure 9.21 of the STAT 220 Course Materials and in Figure 11.2 of the STAT 231 Course Materials.