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# Marleau soft-pedals cigarette report

## Study supports plain packaging

**BY BARRIE McKENNA**  
Parliamentary Bureau

OTTAWA – A federal plan to require plain packaging of cigarettes could still be years away, even though an exhaustive government study concludes it would be an effective anti-smoking tool.

Health Minister Diane Marleau released the study yesterday, but quickly soft-pedalled an earlier commitment to push ahead with legislation when she had the research in hand.

Ms. Marleau, whose political reputation is riding on the plain-packaging issue, now says the 423-page Health Canada study is just another step in a consultation process.

She said she won't do anything about plain packaging for now, acknowledging that more work is needed to convince the provinces, other departments and even her cabinet colleagues that plain packaging is good policy.

"I needed all the ammunition I could get" and the study is "one more piece of ammunition in my arsenal," she told reporters in Ottawa. "If we just keep working at it ..... if enough of us believe it's the right thing to do, we'll find a way of doing it."

Topping the list of those angered by the study is Tory MP Elsie Wayne, who demanded an apology yesterday from Prime Minister Jean Chrétien for the unauthorized use of her picture.

Ms. Wayne, whose picture was shown to focus groups as an example of "an older, heavier set, grey-haired female" as part of an image-identification experiment, does not dispute the accuracy of the description. But she said Health Canada never asked permission to use the photo, and she's offended.

"I am appalled that the Health Minister would use government research and public funds to stereotype a member of Parliament," said Ms. Wayne, who wants "an accounting" of how her photo wound up in the study.

Ms. Marleau's soft-peddalling triggered an angry response from antismoking advocates, who complained that the government has all the scientific evidence it needs but lacks the political backbone to take on the tobacco industry, which employed more than 10,000 people, including growers, in 1994. Cigarette sales generated \$4.9-billion in taxes for Ottawa and the provinces last year.

"This government will go to extraordinary lengths and set an international precedent to save young turbot and assure the future well-being of the fish stock," said David Mair, associate director of the Canadian Council on Smoking and Health.

"For this government to ignore these results and permit the tobacco industry to continue luring tens of thousands of children into tobacco addiction is the equivalent of handing the nets to the Spanish fleet and wishing them good fishing. It will assure death and destruction on a mammoth scale."

Mr. Mair later suggested that plain-packaging legislation may not see the light of day until the end of the current Liberal government mandate in 1998, or even the beginning of the next mandate.

Garfield Mahood, executive director of the Non-Smokers' Rights Association, said Ms. Marleau is clearly delaying while she tries to get the rest of the cabinet on side.

"I don't think there's any question we're engaged in a stall here," he said. "There are no legal reasons this government can't act. The reasons are political, not legal."

For their part, tobacco manufacturers said the study is fatally flawed, and urged Ottawa to immediately scrap the whole idea of plain packaging.

"It fails to recognize the fundamental reality that consumers smoke cigarettes, not packages," said Marie-Josée Lapointe, spokeswoman for the Canadian Tobacco Manufacturers Council. The group speaks for Canada's three cigarette makers, Imperial Tobacco Ltd., Rothmans Benson & Hedges Inc. and RJR-Macdonald Inc. The industry argues that packaging merely gets people to switch brands, not to start smoking.

Ms. Lapointe said the study does not address the fundamental issue – does packaging induce people to smoke?

"The study is filled with mights, could-bes, maybes and perhapses," she said. "And the basic premise is not even examined."

For the study, researchers also looked at possible packaging designs and the likely response of the packaging industry to any new law. It conducted focus groups, reviewed previous studies and did a statistical analysis.

Among the key findings and conclusions in

the report, which included a survey of 1,200 young Canadians aged 14 to 17:

- Plain packaging would likely decrease the incidence of teens taking up smoking, and increase the incidence of teen and adult smokers quitting.
- Denuding packages of their brand markings would curb the ability of consumers to associate positive images with particular brands.
- More field experimentation under controlled conditions is needed to determine the extent of plain packaging's likely impact.
- Only 5.6 per cent of teens believe that making packages less colourful is the best way to get them not to smoke.
- Between 30 and 40 per cent of teens believe generic packaging would make a difference, but a small one.

Dr. John Liefeld, one of seven marketing and behavioural experts who took part, said no amount of study can accurately predict what degree of impact plain packaging might have on tobacco use.

"You're asking about degrees and how much," he said. "Even the physical scientists can't answer that question. We can point to a direction of effect in the behavioural sciences. .... If we really wanted to measure the degree, then we would have to try it and see what happens."

But in the end, Ms. Marleau's biggest headache may not be behavioural science, but the law.

Canadian tobacco companies, all partly owned or controlled by multinationals, have warned the government that any move to infringe on their trademarks would violate international trade deals, and that they would seek hefty damages.

An aide to Trade Minister Roy MacLaren said the department will not have a "definitive" legal opinion on the companies' assertions until it sees proposed legislation.

As well, Ms. Marleau said a pending decision by the Supreme Court of Canada on the legality of the federal ban on tobacco advertising will determine the fate of the plain-packaging initiative.

Packaging and printing companies said yesterday that any move to get rid of glossy, coloured cigarette packs would cost up to 1,200 jobs in Ontario.

The article EM9523 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.