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Ministry of Health  
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Dear Ministry of Health

### **Standardised Tobacco Products and Packaging Draft Regulations**

Thank you for the opportunity to comment on the Ministry of Health's consultation document, *Standardised Tobacco Products and Packaging Draft Regulations*. The Royal New Zealand College of General Practitioners (the College) supports the intent of the draft regulations on standardising tobacco products and packaging in New Zealand as part of the comprehensive tobacco control programme.

### **General practice and the College**

General practice is the range of values, knowledge, skills, and practices required to provide first level medical services in both community practice and hospital settings. General practice includes the provision of both first contact and continuing care for all ages and both sexes that is comprehensive, person-centred, and takes into account the roles of family, whānau, community and equity in achieving health gains.

GPs comprise almost 40 percent of New Zealand's specialist workforce and their professional body, the College, is the largest medical college in the country. The College provides training and ongoing professional development for GPs and rural hospital generalists, and sets standards for general practice. The College is committed to:

- Ensuring that New Zealand has a GP workforce that contains sufficient vocationally trained GPs to: ensure appropriate service provision; enable sustainable, safe, high quality primary health care; meet the increased demands of an ageing population and co-morbidity; and to meet the Government's expectations of care that is sooner, better and more convenient.
- Improving patient outcomes with regard to continuity and access to quality care by: promoting better integration between primary care, secondary care and social services; and encouraging innovation and the development of new models of care.
- Achieving health equity in New Zealand through: a greater focus on the social determinants of health; reducing the rates of smoking and increasing health food options for low-income families; better integration of health and social services; and ensuring that funding for primary care is targeted to the most disadvantaged.
- Improving health outcomes for rural communities through the work of high quality, well trained medical generalists working within multidisciplinary teams.
- Achieving health equity for Maori. Health equity for Māori will be achieved when Māori have the same health outcomes as other New Zealanders. For this to occur, service delivery to Māori needs to be appropriate and effective and ensure equity of access. This does not mean a reduction in service delivery to other New Zealanders, but rather improving service delivery to Māori to ensure fairness.

## Ministry of Health's consultation

The Government has decided to tightly regulate how tobacco products may be packaged and presented in order to counter the marketing power of tobacco products and packaging. Your consultation document explains that the regulations are made under the amended Smoke-free Environments Act 1990 and that the main features of the overall scheme are:

- standardising the size and appearance of tobacco products and packages to make them less appealing, and to make the graphic warnings on the packs larger and more effective;
- allowing a brand name and certain other manufacturer information to be printed on the pack, but with tight controls (eg, over the typeface, font size, colour and position);
- prohibiting the use of tobacco company branding imagery and all other marketing devices on tobacco product packaging and on tobacco products themselves.

The Ministry is now seeking feedback on an 'exposure draft' of regulations (ie, regulations before the Smoke-free Environments (Tobacco Plain Packaging) Amendment Bill is passed) on the proposed requirements for standardised tobacco products and packages.

## The College's response

The College strongly supports the proposed measures to standardise the appearance of tobacco products and tobacco product packaging to: reduce their appeal and acceptability; make warning messages more effective; and minimise false impressions about harmful effects. We commend the Ministry of Health in applying the four principles of: alignment with international requirements; effectiveness; practicality; and consistency with New Zealand's international obligations and commitments, in developing the draft regulations.

The College does not intend to address the specific questions raised in the consultation document. However, our more general comments are set out below.

The College is a member of the Smokefree Coalition and has endorsed its strategy, *Tobacco Free New Zealand 2020: Tupeka Kore Aotearoa 2020* which comprises a vision that "Future generations of New Zealand children will be free from exposure to tobacco and will enjoy smokefree lives."<sup>1</sup>

As you will be aware, tobacco use is a leading cause of preventable death in New Zealand. It is concerning that around 5000 people die each year in New Zealand because of smoking or second-hand smoke exposure.<sup>2</sup> The College advocates making New Zealand smoke-free as soon as possible, with specific targets for Māori.<sup>3</sup> Whereas the New Zealand Government set a goal in 2011 for New Zealand to be "effectively smokefree by 2025",<sup>4</sup> the College promotes more ambitious timeframes as well as specific targets to reduce the startling differential rates of smoking for Māori compared with non-Māori. We note the prevalence of smoking among Māori is high with 38.1 percent of Māori aged 15+ years being current smokers (having smoked more than 100 cigarettes in their lifetime and currently smoke at least once a month) in 2014/15, which is higher than non-Māori ethnic groups.<sup>5</sup>

The College considers that the variation in imagery, branding, font sizes, styles and colours on tobacco packaging plays an important role in the appeal of tobacco products and smoking, particularly for young

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<sup>1</sup> The Smokefree Coalition. *Tobacco Free New Zealand 2020: Tupeka Kore Aotearoa 2020*. Wellington: The Smokefree Coalition; December 2009. Available from: <http://www.sfc.org.nz/pdfs/091221AchievingtheVision.pdf>

<sup>2</sup> Ministry of Health. *Health effects of smoking*. Wellington: Ministry of Health; 12 June 2015 [cited 4 July 2016]. Available from: <http://www.health.govt.nz/your-health/healthy-living/addictions/smoking/health-effects-smoking>

<sup>3</sup> The Royal New Zealand College of General Practitioners. *Tobacco: Position Statement*. Wellington: The RNZCGP; 2013. Available from: <https://www.rnzcgp.org.nz/assets/documents/Standards--Policy/Tobacco-position-statement.pdf>

<sup>4</sup> Ministry of Health. *Smokefree 2025*. Wellington: Ministry of Health; June 2013. Available from: <http://www.health.govt.nz/our-work/preventative-health-wellness/tobacco-control/smokefree-2025>

<sup>5</sup> Ministry of Health. *Tier 1 statistics 2014/15: New Zealand Health Survey*. Wellington: Ministry of Health; 19 November 2015 [cited 5 July 2016]. Available from: <http://www.health.govt.nz/publication/tier-1-statistics-2014-15-new-zealand-health-survey>



people. Therefore, minimising these variations through standardised packaging in conjunction with more effective graphic health warnings are crucial to reducing this appeal. We also support standardising the sizing and quantities of tobacco products to help further eliminate variations and maximise the overall effect from standardising.

The College urges the Government to follow the lead set by the Australian government in standardising the retail packaging and appearance of tobacco products.<sup>6</sup> We acknowledge that the report commissioned by the Australian Department of Health suggests that the tobacco plain packaging measure is achieving its aims.<sup>7</sup> Findings in the report include:

- Over the period December 2012 to 2014, the chain volume measure (seasonally adjusted) of household consumption for cigarettes and tobacco declined by 14.4%.
- In 2013, 12.8% of Australians aged 14 or older were daily smokers, which declined from 15.1% in 2010.
- Tobacco clearances (including excise and customs duty), which are an indicator of tobacco volumes in the Australian market fell by 3.4% in 2013 relative to 2012 (when tobacco plain packaging was introduced) and have subsequently fallen a further 7.7% in 2014.

The report noted that while reductions in smoking prevalence “cannot be directly attributable to plain packaging alone, they are strongly suggestive that plain packaging is contributing to decreases in smoking at the population level”. It also noted this was consistent with earlier evidence that the introduction of the tobacco plain packaging has reduced the appeal of tobacco products to consumers, increased effectiveness of health warnings on tobacco products, and reduced the ability of the retail packaging of tobacco products to mislead consumers about the harmful effects of smoking.<sup>8,9</sup>

Finally, the College acknowledges the important work of the ASPIRE2025 research group of the University of Otago. We are aware of this group’s submission on the draft regulations and support their comments on the opportunity for New Zealand to develop regulations that set a new standard in best practice.

## Conclusion

The College supports greater regulation of the tobacco industry to reduce the smoking prevalence and improve population health outcomes in New Zealand. The College believes the proposed regulations on standardised tobacco products and packaging are a positive move towards achieving this goal.

We hope you find our comments helpful. If you would like any further information or clarification please do not hesitate to contact the College’s policy team at [policy@rnzcgp.org.nz](mailto:policy@rnzcgp.org.nz).

Yours sincerely



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<sup>6</sup> The Royal New Zealand College of General Practitioners. Tobacco: Position Statement. Wellington: The RNZCGP; 2013. Available from: <https://www.rnzcgp.org.nz/assets/documents/Standards--Policy/Tobacco-position-statement.pdf>

<sup>7</sup> Department of Health. Post-Implementation Review: Tobacco Plain Packaging 2016. ACT: Australian Government; 26 February 2016. Available from: <http://ris.dpmc.gov.au/2016/02/26/tobacco-plain-packaging/>

<sup>8</sup> Wakefield M, Coomber K, Zacher M, et al. Australian adult smokers’ responses to plain packaging with larger graphic health warnings 1 year after implementation: results from a national cross-sectional tracking survey. *Tob Control*. 2015;24:ii17–25.

<sup>9</sup> White V, Williams T, Wakefield M, et al. Has the introduction of plain packaging with larger graphic health warnings changed adolescents’ perceptions of cigarette packs and brands? *Tob Control*. 2015;24:ii42–9.