

HRIDAY HEALTH RELATED INFORMATION
DISSEMINATION AMONGST YOUTH



Vol. 1 | December - March 2009/10

Maadhyam

Delivering news to tobacco control professionals

WHAT'S NEW

The National Tobacco Control Programme (NTCP), which had begun as a pilot project in nine states following the approval of the Cabinet Committee on Economic Affairs has now been extended to 21 states with 12 new states including Nagaland, Tripura, Mizoram, Arunachal Pradesh, Sikkim, Jharkhand, Bihar, Uttarakhand, Maharashtra, Goa, Andhra Pradesh and Orissa.



p2 **Tobacco Control Updates- India**

p3 **Global Tobacco Control Updates**

p5 **Publications**

p6 **Workshops & Programmes**

Tobacco use is a major national and global health burden. Promoting awareness about the harmful effects of tobacco use is a mission that needs our serious attention, aggressive activism and action from all. For this, HRIDAY (Health Related Information Dissemination Amongst Youth) has been engaged in activities aimed at promoting health awareness and health activism among school and college students across India since 1992.

Since 2003, HRIDAY functions as the Secretariat of the Advocacy Forum for Tobacco Control (AFTC), which is a coalition of 63 Indian organizations, working on advocacy, awareness and research related to tobacco control. Its mission is to design, implement and evaluate strategies to address tobacco related issues and share successful programme methodology with others interested in similar goals.

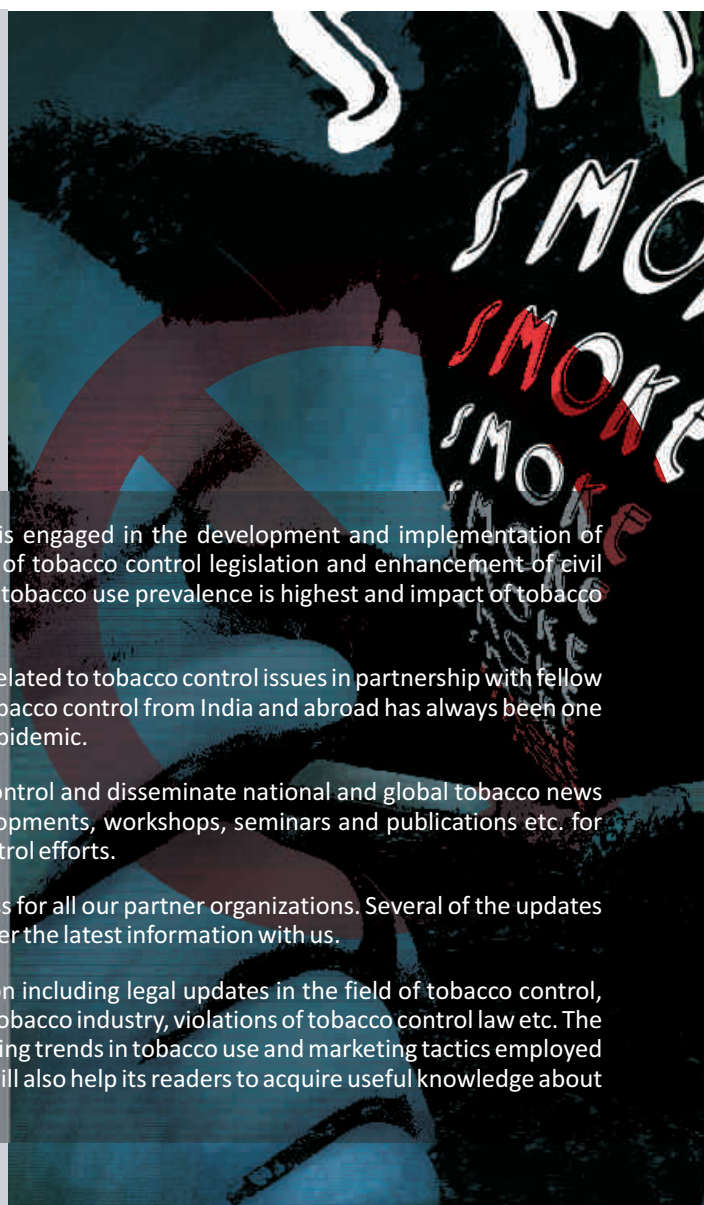
HRIDAY is a recipient of an ongoing grant from Bloomberg Initiative (BI) and is engaged in the development and implementation of evidence-based policies, appropriate amendments, and effective enforcement of tobacco control legislation and enhancement of civil society engagement in tobacco control. Outreach programmes in regions where tobacco use prevalence is highest and impact of tobacco control services is lowest, have been a key area of focus of HRIDAY'S work.

This quarterly newsletter by HRIDAY is an effort to spread and share information related to tobacco control issues in partnership with fellow NGOs and governments. The lack of information and updates in the context of tobacco control from India and abroad has always been one of the major impediments to a comprehensive and coordinated response to the epidemic.

The newsletter endeavours to share knowledge and best practices in tobacco control and disseminate national and global tobacco news and updates. It is an attempt to disseminate available information, legal developments, workshops, seminars and publications etc. for multiple stakeholders at various levels to make use in their day to day tobacco control efforts.

We would like to make the development of this newsletter a collaborative process for all our partner organizations. Several of the updates here have been sent to us by them. The events/developments mentioned are as per the latest information with us.

In this first edition, we share a range of tobacco control updates and information including legal updates in the field of tobacco control, notifications and amendments to the smoke free rules in India, cases against the tobacco industry, violations of tobacco control law etc. The newsletter includes brief insights into different studies and publications on changing trends in tobacco use and marketing tactics employed by tobacco product manufacturers. Along with national updates the newsletter will also help its readers to acquire useful knowledge about international developments and events on tobacco control.



Tobacco Control Updates - India

Legal updates

i) **New pictorial warnings for tobacco product packages notified:** The Ministry of Health and Family Welfare vide Gazette notification **G.S.R 176 (E) dated March 5, 2010** has introduced new pictorial health warnings and appointed June 1, 2010 to implement them for mandatory depiction on all tobacco product packages. The new warnings are notified for use on both smoking forms of tobacco and smokeless forms showing a picture of a cancer struck mouth which depicts the lethal consequence of using tobacco. The new warnings are stronger in comparison to the present warnings on tobacco products, which have been proven ineffective through field testing. These pictorial warnings have been developed in various regional languages and can be obtained from the MoHFW.

The newly notified health warnings

SMOKING KILLS



For smoking forms

TOBACCO KILLS



For chewing/smokeless forms



Note: The new pictorial health warnings have been postponed for implementation from June 1, 2010 to December 1, 2010 by a Gazette notification (G.S.R. 411) dated May 17, 2010 from the Central Government.

ii) **'Health for Millions' challenges Child Labour in Beedi Industry:** A Public Interest Litigation (PIL) was filed by Health for Millions before the Supreme Court of India to challenge the constitutional validity of Proviso to Section 3 of the Child Labour (Prohibition and Regulation) Act, 1986. The Act permits employment of child labour in the hazardous process of beedi rolling as part of family business and Government aided schools. The SC heard the case on November 16, 2009 and a notice was issued to the opposing parties to reply. The PIL demands amendment of the said Act and deletion of the proviso to Section 3 of the Child Labour Act as it is violative of Article 21 A (Right to Education) and Article 24 (no child will be employed in hazardous occupation) of the Constitution of India.



According to government sources 25 lakh young boys and girls work in the beedi industry.

With this provision coming into force, no person can sell cigarettes and other tobacco products in an area within a radius of one hundred yards of any educational institution.

v) **More officers authorized to implement Smoke-free rules:** By the Notification No. G.S.R. 680 (E) dated September 15, 2009, the Central Government has amended the earlier rules on smoke free public places i.e. Prohibition of Smoking in Public Places Rules, 2008 by expanding the list of law enforcers to include the Director Public Health, In-charge administration in Central/State governments, airport manager, librarian, principal/teachers, head of the institutions, post master, station master, inspectors of central excise/income tax, customs, sales tax, transport, gazetted officers of State/Central Government/PSU's etc. These additional officers are authorised to take action within their jurisdiction against the violations of Section 4 of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA).

iii) **Karnataka High Court orders Karnataka Police to implement COTPA:** The Karnataka High Court, in a PIL filed by Cancer Patients Aid Association against Union of India in November 2009, directed the Deputy Inspector General of Police and all the Superintendents of Police from all districts to file an action taken report within six weeks on the implementation of COTPA in the State.

vi) **Students associations demand stronger pictorial warnings:** In a PIL filed in the Andhra Pradesh High court by Ms Old Students Association Vs Union of India (UOI) and Others (WP No 1371 of 2010), the Petitioners have asked the High Court to quash notification G.S.R 305(E) dated May 3, 2009 on Packaging and Labelling of tobacco products, restricting the printing of pictorial warnings to one of the panels (front 40 percent) of all tobacco products packaging, and declare it as arbitrary, illegal and irrational. It called for appropriate action against the violators of the Packaging and Labelling (amendment) rules 2008 and an

iv) **Government restricts sale of tobacco products near educational institutions:** By the Notification No. G.S.R. 687(E) dated September 18, 2009, the Central Government brought into force the provision of Section 6 (b) of COTPA.

issuance of directions for the UOI to implement stronger warnings. The petitioners have also mentioned that by weakening the warnings, the UOI and the MoHFW have denied individuals' Right to Life, a violation of Article 21 of the Constitution of India.

vii) **Industry violates COTPA, promotes cigarettes in Tamil Nadu:**

Godfrey Phillips introduced its cigarette brand 'Four Square' in Tamil Nadu in May 2009 and in December 2009 launched a concert-cum-singing competition sponsored and promoted in the name of **"Four Square Get Famous – Be Tamil Nadu's Next Singing Sensation"**. The concert was highly advertised through its website, banners, posters and four square cigarette packets (free prize coupons inserted inside the packets), a violation of Section 5 of COTPA. PASUMAI THAAYAGAM (Green Motherland), an NGO working on tobacco control issues in Tamil Nadu initiated action against the violators by filing complaints against them with the police, Health Ministry, State tobacco control cell and Chennai City Corporation. Former Union Health Minister Dr. Anbumani Ramadoss released a press statement requesting the Chief Minister of Tamil Nadu to take action following which the concert was banned. The legal cell at HRIDAY has been involved in giving legal assistance to the government and the NGO for action against violators.

viii) **Consumers file cases against the tobacco industry:**

a) **Consumer Education Research Society and Others Vs. Dharampal Satyapal and Others** filed in 2005 before the National Consumer Forum of Disputes Redressal Commission for compensation of more than one crore rupees to identified and unidentified victims of oral cancer due to chewing of tobacco products and for selling Gutkha, a hazardous product, without any suitable warning for people who are unable to read and feeble warnings for those who can read.

b) **Deepak Kumar Vs. Indian Tobacco Company** filed in 2009 before the Maharashtra State Consumer Disputes Redressal Commission, for compensation of one crore rupees for not warning him of the ill effects of cigarettes, which caused him throat cancer, and eventually loss of speech.

Global Tobacco Control Updates

Fourth session of the Intergovernmental Negotiating Body (INB) on Protocol of Illicit Trade of Tobacco Products

The Intergovernmental Negotiating Body (INB) Meeting on the issue of Protocol on the Illicit Trade of Tobacco Products was held from March 14-21, 2010 in Geneva. A draft of the Protocol was released by the Chair, INB ahead of the session in order to allow participants the time to deliberate over the content of the Protocol. Inter-sessional meetings were held for all the regions before the fourth session of the INB so that the countries in the region were committed to take a collective stand as a region. Although a final draft of the Protocol of Illicit Trade of Tobacco Products was not produced during the session, there was consensus on key issues related to certain Articles. Some of these included:

- **Article. 7-** Tracking and tracing of tobacco products was mostly agreed upon although the EU has not yet accepted that tracking and tracing obligations should extend to tobacco products other than cigarettes.
- **Article. 20-** General information sharing, except data on agricultural production.
- **Article. 21-** Enforcement information sharing, except on the issue of manufacturing equipment.
- **Article. 23-** Assistance and cooperation: training, technical assistance and cooperation in scientific, technical and technological matters.
- **Article. 24-** Assistance and cooperation: investigation and prosecution of offences.
- **Article. 37-** Relations between the Meeting of the Parties and intergovernmental organizations.

A number of issues that remain outstanding include but are not limited to the extent of licensing, Internet remote sales, Free Zones, duty free sales and unlawful conduct including criminal offences.

Cyprus goes smoke-free from New Year

This New Year Cyprus has introduced a blanket ban on indoor smoking in pubs, clubs and cafes and it is being regarded as one of the most stringent in Europe. Smokers in Cyprus will be restricted to smoking outdoors as the authorities have imposed a new anti-smoking law from 1st January 2010. Proprietors and offenders face a maximum € 2,000 fine upon smoking in a closed public space. A maximum €1,000 fine will also be imposed on any establishment that fails to clearly state that an indoor area is a smoke-free zone. The authorities have vowed to strongly implement the law with police having the power to issue on-the-spot fines.

South-East Asia Workshop on Implementation of FCTC Guidelines

December 15-17, 2009, Kathmandu, Nepal

A three-day regional workshop on implementation of FCTC guidelines was organized by the Ministry of Health and Population, Government of Nepal and Framework Convention Alliance in collaboration with Resource Centre for Primary Health Care, Nepal. The workshop was attended by Government representatives from India, Nepal, Bangladesh, Sri Lanka, Maldives, Bhutan and Myanmar and representatives from key NGOs working on tobacco control from India, Nepal, Bangladesh, Sri Lanka, Thailand, Philippines, Maldives and Indonesia. The workshop provided a unique platform for government and non-government organisations from the South-east Asia region to come together to share developments in their countries in implementing the FCTC obligations. During the discussion, participants took stock of the situation of tobacco control initiatives in the region and outlined a plan of action to implement the guidelines on Article 8 adopted at COP-2 in Bangkok in 2007 and guidelines on Article 5.3, 11 and 13 adopted at COP-3 in Durban in 2008. The government and NGO representatives from each country prepared a collective country specific plan of action and set priorities for implementing the FCTC mandates.



FCTC
WHO FRAMEWORK CONVENTION
ON TOBACCO CONTROL

Only 5.4% of world's population covered by comprehensive smoke-free laws

WHO released its second report on the global tobacco epidemic on December 9, 2009. The focus of the report was smoke-free environments that cause about 600,000 premature deaths per year, countless crippling and disfiguring illnesses and economic losses amounting to tens of billions of dollars per year. It reported that only 5.4% of the world's population is covered by comprehensive smoke-free laws in 2008, up from 3.1% in 2007. This means that 154 million more people are no longer exposed to the harms of tobacco smoke in work places, restaurants, bars and other indoor public places. The report also describes countries' efforts to implement the tobacco control package called MPOWER, which WHO introduced in 2008 to help countries implement some of the demand reduction measures in the WHO Framework Convention and its guidelines. Other key findings of the report include the following:

- Five new countries - Djibouti, Egypt, Islamic Republic of Iran, Malaysia and Mauritius met the best practices for health warnings on cigarette packages
- Three other countries - Israel, Romania and the United Arab Emirates offered comprehensive help to quit.
- Panama joined the small group of countries that bans all forms of tobacco advertising.
- Six more countries - Czech Republic, Estonia, Fiji, Finland, the Netherlands and Seychelles levied tobacco taxes higher than 75% of retail price.
- Of the world's 100 most populous cities, 22 are smoke-free.



40th Union World Conference on Lung Health underlines global concern for tobacco control

The **International Union Against Tuberculosis and Lung Disease** organised its 40th World Conference in Cancun, Mexico, from December 3-7, 2009. The Conference hosted more than 2000 delegates from 109 countries working in the field of tuberculosis and other lung diseases. Delegates participated in a 5-day scientific programme with 100+ sessions focused on the theme of "Poverty and Lung Health". This global summit on lung health had four symposia scheduled for exclusive discussions on tobacco control with specific focus on mass media, poverty, tuberculosis and the tobacco industry. Besides, 174 poster presentations were contributed by the conference delegates expressing the imminent global concern for tobacco control.

The 41st Conference on "Tuberculosis, HIV and lung health: from research and innovation to solutions" will be held from November 11-15, 2010 in Berlin, Germany.

Publications

Tobacco use and related factors among pre-university students in colleges in Bangalore

India Institute of Public Health (IPH) conducted a baseline survey on tobacco use, reasons of use/non use of tobacco products as well as awareness and sources of knowledge on harms of tobacco among 300 students of classes 11 and 12. The study found that 15.7% of students were ever tobacco users (use of tobacco even once in a lifetime) of which 5.3% were current users of tobacco (use of tobacco in 30 days preceding the survey). Mean age of initiation of tobacco use was 14.7 years. The most common reasons reported by ever users for starting tobacco use included 'peer influence', 'just for fun', 'curiosity to try out tobacco' and 'for style/fashion'. The study highlights the strong influence of peers in adolescents' decision regarding initiation and continuation of tobacco use. Hence, apart from quantitative estimates the study provides important qualitative insights on reasoning processes that govern adolescents' behaviour regarding tobacco use. IPH highlighted a strong need for an awareness programme which includes knowledge of socio-economic implications of tobacco use in all schools and colleges.

(Refer Bhojani et al, *Tobacco use and related factors among pre-university students in a college in Bangalore, India*, The National Medical Journal of India, 294-297, December 2009, Volume 22, No. 6)



Gender Differences in Tobacco Use among Youth: More Girls Are Taking Onto the Addiction

A latest study conducted by HRIDAY, in collaboration with the University of Texas, USA, published in December 2009 has revealed important differences in prevalence of tobacco use among boys and girls. The study titled Project MYTRI – Mobilising Youth for Tobacco Related Initiatives in India – a school based intervention programme targeting prevention of tobacco use initiation in young adolescents was conducted in 32 schools in two major cities in India: Delhi and Chennai. Fourteen thousand students from classes sixth and eighth were enrolled. The intervention programme, extending over two years, included multiple innovative components like peer-led classroom activities, posters, and parent education.

The study revealed the psychosocial risk profiles of boys and girls and highlights that girls are far more vulnerable to tobacco

advertising, as compared to boys. Also, twenty-one percent boys had ever used tobacco as against 14.7% girls. Although fewer girls than boys reported having ever used tobacco, the study found a higher percentage of girls using tobacco than that reported in earlier studies. These statistics become increasingly important given the fact that every year tobacco kills 86,000 women in the age group of 30 – 69 in India, according to the World Health Organization (1996). As shown by MYTRI, in India and other research abroad, youth are becoming increasingly vulnerable to tobacco use. The findings call for stringent enforcement of tobacco control policies including advertising bans and larger and more effective health warnings on tobacco packages.

(Refer Babar et al, *Tobacco use psychosocial risk profiles of girls and boys in urban India: Implications for gender specific tobacco intervention development*, Nicotine & Tobacco Research, 1-8, December 11, 2009)

Smokeshirts! Countering the Impact of Pictorial Health Warnings

An article by HRIDAY, on 'Smokeshirts' was published in the December 2009 issue of Tobacco Control, which talks about a tactic used to circumvent the impact of pictorial warnings. Smokeshirt, already prevalent in other countries, is being imported from Germany and has been launched in the Indian market recently. It is now readily available at accessible tobacco outlets frequented by young people. Smokeshirt is an attractive, sophisticated cover for a cigarette packet, which enable smokers to cover up the graphic health warnings on cigarette packets that are now being adopted in many countries. India enforced the implementation of pictorial warnings on 31st May 2009 following several delays due to the tobacco industry lobby. The launch of Smokeshirts in India can be seen as a tactic to counter the impact of the new warnings. India's new regulations also prohibit the sale of any product that can be used to cover or obscure the warnings thereby making, the sale of Smokeshirts illegal.

(Refer Dahiya and Arora, *India: Countering the impact of pack warnings*, Tobacco Control, 429-430, December 2009, Volume 18, No. 6)



Workshops & Programmes

Capacity building workshop in Andaman and Nicobar Islands

A capacity building workshop on Tobacco Control was held for law enforcers and NGO personnel in Andaman and Nicobar Islands capital Port Blair on February 17, 2010. The workshop was organized by UNNATI in association with the Directorate of Health Services A & N Administration, Zilla Parishad, Port Blair and HRIDAY, New Delhi. The workshop that included 110 participants from various departments (police, health and education), NGOs and self help groups was intended to train authorised officers about COTPA and its rules for effective implementation of tobacco control law and sensitize various stakeholders about the ill effects of tobacco use. The following recommendations were brought forth:

- Strengthen Government and NGO partnership in dealing with social concerns like tobacco.
- Impart awareness and implement tobacco control laws at the district and grass-root levels.
- Engage and involve the media to highlight the problems in the society caused due to tobacco use.
- Develop a robust monitoring, evaluation and review mechanism for effective implementation of the law.
- Administration should declare the island a smoke-free island at an early date.



A first of its kind workshop on tobacco control was held in the Andaman and Nicobar Islands with legal and technical support from HRIDAY

Orientation of Police Personnel to Implement Tobacco Control Laws:

On November 19, 2009, a workshop was organized by 'Uttar Pradesh Voluntary Health Association' (UPVHA) with the objective to orient and sensitize police personnel towards tobacco control laws, facilitate effective implementation of the laws in Lucknow and other parts of Uttar Pradesh. The workshop was addressed by the DIG of Lucknow who said that "COTPA is a social legislation and it is our responsibility to take all possible steps for its effective implementation to save the lives of people from the menace called tobacco". Amit Yadav, Legal Officer HRIDAY, participated as a Resource person. The participants were provided with the '*Indian Tobacco Control Laws – A Resource Manual*' developed by HRIDAY as a guide and reference for tobacco control laws. The following were some of the key outcomes of the workshop:

- The participants and discussants agreed to conduct further discussions on making Police Stations smoke free.
- The workshop recommended and resolved for the display of 'no smoking' signage in all Police Stations.
- Participants recommended effective monitoring of violations of COTPA 2003 by all police personnel.



Shri Prem Prakash, DIG of Lucknow inaugurated the ceremony by lighting the ceremonial lamp



Sh. Prem Prakash addressing participants at the workshop

Food Inspectors (FDA) in Maharashtra sensitized on tobacco control

On September 24, 2009, Healis- Sekhsaria Institute for Public Health, organized a state level workshop for Food Inspectors from FDA in Mumbai, Maharashtra. The prime objective of the workshop was to sensitize Food Inspectors about tobacco control laws while keeping in mind their implementation roles and help them channelize the law through their jurisdiction. Identifying the obstacles in implementation of the tobacco control law and their solutions was one of the goals of the workshop.

A pre and post workshop survey questionnaire was designed to understand the knowledge, attitude and awareness levels among the food and drug administration (FDA) officials in Maharashtra. Various IEC material developed for the workshop included 'Tobacco Kills Magazine' (latest issue), Bidi Monograph, Gutka Monograph, and Resource Manual (COTPA).



Participants at the State Level Workshop for Food Inspectors in Maharashtra

Key Findings

- Before the training, eighty percent of the officials were unaware of the WHO-FCTC.
- In the pre workshop survey almost 92% of the officials face varying degrees of difficulty in implementing the COTPA Laws.
- All the officials had an understanding about the WHO- FCTC post the workshop.
- After the training about 83% of the officials had an improved understanding about the COTPA laws.
- Following the workshop, the Food Inspectors had increased knowledge about the harmful effects of smoking, smokeless tobacco, second hand smoke and sale of tobacco to minors.

Legal Officer Priyanka Dahiya from HRIDAY participated in the workshop, which was inaugurated by the Health Minister of Uttar Pradesh



Workshop on preparedness and enforcement of COTPA in Uttar Pradesh

On December 23, 2009, a state level workshop on tobacco control laws was organized by Ramakrishna Mission Home of Service in Varanasi. Participants included heads of state government and district level functionaries including the police, food and drug administration, school officials and NGOs.

The workshop was aimed at sensitizing law enforcement agencies at the state and district level in areas such as preparedness and enforcement action plans to implement the tobacco control laws. The workshop helped enhance competencies amongst key personnel in the State and broad base enforcement mechanism on the tobacco control law with a special focus on building greater awareness about the Smoke-Free Rules 2008. IEC materials on tobacco control law were also developed. Various experts were invited to speak on topics that included tobacco control laws, health and environmental hazards of tobacco, the National Tobacco Control Programme and role of various stakeholders.

Delhi Smoke Free Initiative

The Smoke Free Delhi Initiative by the Delhi Government organized training workshops for medical officers and paramedics under School Health Services in February, 2010. Another training workshop was organized for the members of the Pan Vikreta (tobacco vendors) Association on 26th February 2010 under the initiative. The trainings were aimed at highlighting the detriments of second hand smoke along with various aspects of the Tobacco Control law. The workshops laid emphasis on Sections 4 and 6 of COTPA 2003 which deal with ban on smoking in public places and ban on sale of tobacco products to and by minors respectively.

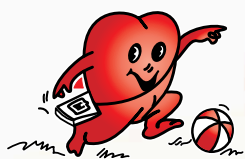
The legal and technical teams of HRIDAY participated as resource persons. The Legal Officers elaborated on the tobacco control law and the role of medical and school health officers in implementing these laws. The technical team presented HRIDAY school health programmes that can be adopted as a model and implemented in all schools.

Next Issue Highlights

- World No Tobacco Day activities of tobacco control NGOs
- Updates on important tobacco control litigations
- 39th Parliamentary Standing Committee Report which includes an appraisal of the National Tobacco Control Programme
- Workshops and Programmes

Contact Us:

We would be happy to receive feedback on this initiative. Please e-mail your comments/suggestions to Ms. Manjusha Chatterjee (manjusha@hriday-shan.org). If there is a tobacco control event that you are planning to organize or have any other updates, please share them with us for inclusion in future editions. Remember – this newsletter is based on your inputs.



HRIDAY HEALTH RELATED INFORMATION
DISSEMINATION AMONGST YOUTH

C-1/52, 3rd Floor Safdarjung Development Area,
New Delhi, India-110016 Tel No.: 91-11-26850342, 26511840,
Fax: 91-11-26850331 Website: www.hriday-shan.org

This document has been produced with the help of a grant from the World Lung Foundation. The contents of this document are the sole responsibility of the authors and can under no circumstances be regarded as reflecting the positions of the International Union Against Tuberculosis and Lung Disease (The Union) nor those of the Donors.