Draft guidelines for the implementation of Articles 9 and 10 of the WHO FCTC – A Backgrounder

- The Framework Convention on Tobacco Control (FCTC), which came into force on February 27, 2005, is the world's first international public health treaty, negotiated under the auspices of the World Health Organization (WHO). Its purpose is to reduce the use of tobacco products worldwide by putting in place measures to control tobacco demand and supply.

- Article 9 of the FCTC deals with the testing and measuring of the contents and emissions of tobacco products, and their regulation. Article 10 deals with the disclosure of tobacco product information to governmental authorities and the public.

- Draft guidelines on the implementation of articles 9 and 10 are to be presented for adoption at the 4th session of the Conference of the Parties (COP4) to the FCTC in November 2010, in Uruguay. These draft guidelines, which are based on sound science and current tobacco control practices, recommend measures on the disclosure of tobacco product ingredients and product characteristics to governmental authorities, and on the regulation of ingredients.

- The draft guidelines are not explicit as to the specific kind of prohibition or restriction the Parties may wish to apply on tobacco product ingredients. It is understood that, as with all FCTC Guidelines, Parties would have to examine their national market and cultural specificities to determine how best to apply the guidelines to promote public health.

- In particular, the draft guidelines recommend that certain ingredients that increase the "attractiveness" of tobacco products be either restricted or prohibited, as a tool to help limit youth initiation. As evidenced in tobacco manufacturers research documents disclosed to the public, additives are used in tobacco products to: (1) make the initial smoking experience more pleasant; (2) encourage experimentation, and (3) make the tobacco smoke less harsh and mask the smell of second-hand smoke.

- Concerns have been expressed regarding the depth of scientific evidence to support a restriction or prohibition on the use of additives, that such restrictions or prohibitions will negatively impact tobacco growers and specifically the making of American-Blend Cigarettes.

- In regards to concerns regarding the lack of evidence, there are numerous literature sources available that discuss the role of additives in making tobacco products more attractive to users. For example, the European Commission's Scientific Committee on Emerging and Newly Identified Health Risks recently released a pre-consultation opinion on the "addictiveness and attractiveness of tobacco additives" that lists more than 400 documents as references.

- On the issue of the potential impact on tobacco growers as a result of restrictions or a prohibition on additives, the impact is expected to be negligible. A World Bank's study (*Curbing the Epidemic*, 1999) on the impact of tobacco control on world economies found that activities to reduce tobacco consumption would not result in job losses for the next few decades, if at all. The WHO's figures indicate that the number of smokers will unfortunately continue to increase slightly over the next 30-40 years (*The Tobacco Atlas*, 2002) as will the demand for tobacco from growers.

- Regarding the alleged need to use additives with Burley tobacco when used in American-Blend Cigarettes, evidence exists that these cigarettes can be reformulated into their additive-free counterparts. For example, it is well documented that Winston cigarette brand that contains Burley tobacco has been sold without any additives.

This document was prepared by the Key Facilitators of the Working Group on Articles 9 and 10 of the WHO FCTC.

September 2010