

Debunking tobacco industry misinformation



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Tobacco Mythbusters

Tools for debunking common myths promoted by the tobacco industry

MYTH**1**

An increase in tobacco tax would reduce tax revenue

REALITY

Tobacco tax increases generate additional revenue, in addition to reducing tobacco consumption.

MYTH**2**

Increases in tobacco taxes hurt the economy

REALITY

Tobacco use and related diseases heavily burden the economy.

MYTH**3**

Tobacco taxes hurt the poor

REALITY

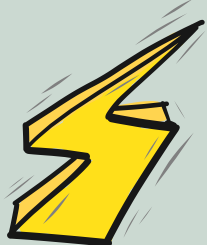
People with lower incomes disproportionately benefit from the health gains from higher tobacco taxes.

MYTH**4**

Indoor public smoking bans harm businesses

REALITY

Indoor public smoking bans are supported by the public and do not harm restaurants and bars.



Tobacco Mythbusters

**MYTH****5**

Designated smoking areas are sufficient to protect the public

REALITY

The only way to protect the public in indoor public spaces is through a total smoking ban.

MYTH**6**

The tobacco industry is vital to the economy

REALITY

The tobacco industry reduces economic growth and government budgets, leaving countries to contend with the health burden.

MYTH**7**

Shifting away from tobacco farming takes away jobs and money

REALITY

Farmers can shift to health-promoting crops that are more lucrative and thus avoid exploitative tobacco industry contracts.

MYTH**8**

Tobacco farmers are prosperous

REALITY

Smallholder farmers are often indebted to tobacco companies and frequently experience losses.

MYTH**9**

Tobacco growing and production poses no significant risks to the environment

REALITY

The growing and production of tobacco pollutes land, water and air – and is responsible for 5 percent of deforestation globally.

MYTH**10**

Tobacco farming poses no significant risks to its workers

REALITY

Tobacco farmers and their families are at serious risk of exploitation and health complications.

MYTH**11**

The tobacco industry is a partner in combating illicit trade

REALITY

The tobacco industry has been found to be complicit in illicit trade.

REALITY

The tobacco industry will go to great lengths to block progress.

**MYTH****12**

Plain packaging deprives the tobacco industry of trademarks and other intellectual property rights

REALITY

Plain packaging does not infringe on trademarks and other intellectual property rights.

MYTH**13**

Tobacco tax increases exacerbate illicit trade

REALITY

Studies show a very weak causal relationship between increases in taxes and illicit trade. Illicit trade can increase even when taxes are lowered.

MYTH**14**

Tobacco advertising does not influence youth to start smoking

REALITY

Exposure to tobacco advertising increases the likelihood of smoking initiation and progression in youth.

Tobacco Mythbusters

Tools for debunking common myths promoted by the tobacco industry



The tobacco industry will go to great lengths to avoid, delay or undermine progress.¹ The right to health is a fundamental responsibility of the state. However, big tobacco companies seek to maintain lax policy environments, and often employ interference tactics, for example, creating industry-backed ‘front groups’ of consumers or farmers to obstruct progressive tobacco control legislation. Experiences in many countries prove that contrary to industry-biased forecasts, tobacco control action can raise government revenue, help businesses, improve livelihoods and increase employment overall.

For decades, the tobacco industry has been using the same myths to promote tobacco products. The same tobacco fallacies are perpetuated across the globe — as one country debunks these myths, they continue to be promoted by the tobacco industry in another country or region.

This document is intended as a quick reference guide for parliamentary action with ready-to-go evidence-based counter-arguments when faced with these common myths. Through increased awareness of these common myths and the facts to combat them, parliamentarians can come together as a common front to stop these tobacco industry myths once and for all.

COMMON MYTHS

“The tobacco industry is a partner in combating illicit trade”	“Tobacco farmers are prosperous”		“Designated smoking areas are sufficient to protect the public”	“Shifting from tobacco farming takes away jobs and money”	“Increases in tobacco taxes hurt the economy”
“Tobacco growing and production poses no significant risks to the environment”		“An increase in tobacco tax would reduce tax revenue”	“Tobacco advertising does not influence youth to start smoking”		“Tobacco farming poses no significant risks to its workers”
“Tobacco tax increases exacerbate illicit trade”	“Tobacco taxes hurt the poor”		“Plain packaging deprives the tobacco industry of trademarks and other intellectual property rights”	“Indoor public smoking bans harm businesses”	“The tobacco industry is vital to the economy”

¹ Boseley S. (2017). Threats, bullying, lawsuits: tobacco industry’s dirty war for the African market. The Guardian. Available at: https://www.theguardian.com/world/2017/jul/12/big-tobacco-dirty-war-africa-market?CMP=Share_AndroidApp_Tweet.

MYTH 1

“An increase in tobacco tax would reduce tax revenue.”



**Reality:
tobacco
tax actually
increases
revenue
while reducing
tobacco sales,
thus reducing
tobacco-
related harms.**

While the public health goal of tobacco taxation is to reduce consumption, the demand for tobacco products in relation to price is inelastic. This means that as price increases, the demand for tobacco — and therefore the consumption — decreases by a lesser amount,^{2,3} increasing total revenue. Young people are particularly sensitive to tobacco product price increases, meaning that higher prices are especially likely to discourage them from starting or continuing to purchase these products.⁴

- The Philippines generated US\$4.7 billion in health tax revenues in 2019, almost doubling revenue from 2015. The Tobacco Tax Reform was passed in 2019, which further increased tobacco taxes following the landmark 2012 Sin Tax Reform Act.^{5,6} The Philippines earmarks total tax revenue for universal health coverage and infrastructure for healthcare (about 50 percent) and 5 percent of annual tax revenue for alternative livelihoods for tobacco farmers and workers.⁷ This is in line with Articles 17 and 18 of the WHO Framework Convention on Tobacco Control (WHO FCTC).
- In 2015, China increased its wholesale tax rate on cigarettes from 5 to 11 percent. After one year, cigarette sales dropped by 3.3 percent. The tax delivered an additional 70 billion yuan (US\$11 billion) to the central government in that one year.⁸

2 WHO (2014). Raising Tax on Tobacco. What You Need to Know. Geneva, WHO.

3 WHO. Estimating price and income elasticity of demand. Available at: https://bnttp.net/wp-content/uploads/2021/06/2_2estimatingpriceincomeelasticities.pdf. Accessed 14 March 2025.

4 Chaloupka F.J., Straif K., Leon M.E. (2011). Effectiveness of tax and price policies in tobacco control. Tobacco Control, 20: 235-238.

5 The Republic of the Philippines Department of Finance (2020). ‘Sin’ tax collections almost double to P269.1-B in 2019 Sin Tax Reform. Available at: <https://www.dof.gov.ph/sin-tax-collections-almost-double-to-p269-1-b-in-2019/>. Accessed 14 March 2025.

6 Cashin C., Sparkes S., Bloom D. (2017). Earmarking for health: from theory to practice. Geneva, WHO.

7 Republic of the Philippines. (2019). Republic Act No. 11346. ‘Tobacco Tax Reform’.

8 WHO (2016). Tobacco tax increase results in decreased tobacco consumption. Available at: <https://www.who.int/hongkongchina/news/detail/10-05-2016-tobacco-tax-increase-results-in-decreased-tobacco-consumption>. Accessed 14 March 2025.

MYTH 2



“Increases in tobacco taxes hurt the economy.”



Reality: tobacco use and related diseases heavily burden the economy.

Tobacco harms the global economy and national economies. It also imposes significant financial burdens on individuals and households. Smoking-attributable diseases cost the global economy over a trillion US dollars annually, due to medical expenses and lost productivity.⁹ Tobacco users spend a significant portion of their budget on tobacco products and spend less on health care and education compared to non-users.¹⁰ Consumer spending is directed to tobacco instead of household necessities and other goods and services available in local economies.¹¹ Tobacco-related health harms can hurt the economy by forcing breadwinners out of the labour market. Out-of-pocket expenses for medical care due to tobacco-related illnesses can drive families into poverty or trap them there, exacerbating inequalities and escalating government social protection costs.

- In Thailand, Brazil and Malaysia, 76, 73 and 65 percent of male smokers respectively spent money on cigarettes instead of household essentials, in the years 2006, 2009 and 2006–2007, respectively.¹¹
- In Turkey, non-smoking households spent on average 9 percent more on food, utilities and housing than smoking households.¹²

9 Goodchild M., Nargis N., and d’Espaignet E.T. (2018). Global economic cost of smoking-attributable diseases. *Tobacco Control*, 27(1) 58-64.

10 Do Y.K. and Bautista M.A. (2015). Tobacco use and household expenditures on food, education, and healthcare in low- and middle-income countries: a multilevel analysis. *BMC Public Health*, 15: 1098.

11 Eriksen M., Mackay J., Schluger N., et al. (2015). *The Tobacco Atlas: Fifth Edition*. American Cancer Society and World Lung Foundation.

12 San S. and Chaloupka F.J. (2016). The impact of tobacco expenditures on spending within Turkish households. *Tobacco Control*, 25(5) 558-563.

MYTH 3

“Tobacco taxes hurt the poor.”



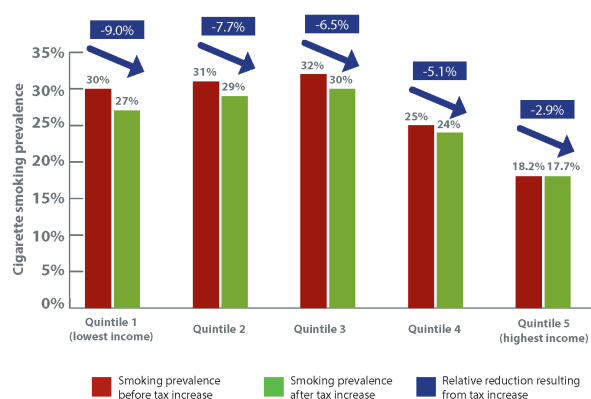
**Reality:
tobacco
taxation
can reduce
inequities.**

Across the world, tobacco-related diseases burden the poor the most. Tobacco companies target poorer countries and lower-income populations. The poor are also more likely to live in environments that have significant barriers to making healthier choices.

Tobacco taxation can reduce inequities. Because lower-income groups are more sensitive to price increases in tobacco, they are more likely to stop smoking or not start when prices are raised. Thus, the multiple benefits of tobacco taxes – in health, welfare, poverty reduction, education and opportunity – accrue mostly to them.^{13,14}

- In Eswatini almost half of all deaths averted during the first year of the tax increase modelled in the Tobacco Control Investment Case would be among the poorest 40 percent of the population.¹⁵ Meanwhile, wealthier users, who typically still consume despite price increases, end up paying the majority portion of the tax increases.
- In Lao People’s Democratic Republic, the tax increase modelled in the Tobacco Control Investment Case is estimated to have the greatest impact on smoking prevalence among the poorest, with a 9 percent reduction in the lowest income quintile versus a 3 percent reduction in the highest income quintile. In addition, more than half of the averted deaths (57 percent) from the cigarette tax would be among the poorest 40 percent of the population.¹⁶

Investment Case for Tobacco Control in Lao PDR



- 13 Fuchs Tarlovsky A., Marquez P.V., Dutta S., Gonzalez I.F. (2019). Is Tobacco Taxation Regressive? Evidence on Public Health, Domestic Resource Mobilization, and Equity Improvements (English). WBG Global Tobacco Control Program. Washington, DC, World Bank Group.
- 14 UNDP and Secretariat of the WHO FCTC (2019). Investment Case for Tobacco Control in Myanmar. The Case for Investing in WHO FCTC Implementation.
- 15 UNDP and Secretariat of the WHO FCTC (2021). Investment Case for Tobacco Control in Eswatini.
- 16 UNDP and Secretariat of the WHO FCTC (2022). Investment Case for Tobacco Control in Lao PDR. The Case for Scaling up WHO FCTC Implementation.

MYTH 4

“Indoor public smoking bans harm businesses.”



Reality: indoor public smoking bans are supported by the public and do not harm restaurants and bars.

Smoke-free policies in bars, restaurants, workplaces, public transport and other public places are widely accepted by the public – even more so after implementation.^{17,18}

- In 2008, Mexico City implemented a smoke-free law covering restaurants, bars and nightclubs. The ban did not harm city businesses; in fact, economic evidence suggests a positive impact on restaurants' income, employees' wages and levels of employment.¹⁹
- In 2003, Mayor Michael Bloomberg enacted a smoke-free ban in New York City to protect the health of all workers at their workplaces. Industry responded with dire predictions about businesses being harmed and jobs being lost. One year later, employment in restaurants and bars had risen and business receipts were up 8.7 percent.²⁰
- In Uruguay 80 percent of the adult population supports smoke-free policies, in Ukraine more than 80 percent and in Costa Rica and Kenya more than 90 percent support them.²¹

- 17 Scollo M., Lal A., Hyland A., Glantz S. (2003). Review of the quality of studies on the economic effects of smoke-free policies on the hospitality industry. *Tobacco Control*, 12(1) 13–20.
- 18 WHO (2023). Report on the Global Tobacco Epidemic, 2023: Protect People from Tobacco Smoke. Geneva, WHO.
- 19 López C.M., Ruiz J.A., Shigematsu L.M., et al. (2011). The economic impact of Mexico City's smoke-free law. *Tobacco Control*, 20(4) 273-278.
- 20 New York City Department of Finance, Department of Health & Mental Hygiene and Department of Small Business Services, and New York City Economic Development Corporation (2004). The State of Smoke-Free New York City: A One-Year Review.
- 21 Tobacco-Free Kids (2019). Smoke-Free Environments Countering Industry Arguments. Available at: https://www.tobaccofreekids.org/assets/global/pdfs/en/SF_myths_realities_en.pdf. Accessed 14 March 2025.

MYTH 5



“Designated smoking areas are sufficient to offer protection from secondhand smoke.”



**Reality:
designated
smoking areas
do not provide
enough protection
to the public
from secondhand
smoke, especially
indoors.**

Designated smoking areas still expose individuals to secondhand smoke, regardless of whether they maintain separate ventilation systems. For indoor places, the only way to protect the public is through an absolute smoking ban.

- Exposure to secondhand smoke is estimated to be responsible for 1.3 million deaths each year.²²
- The American Society of Heating, Refrigerating and Air Conditioning Engineers stated that the only way to effectively eliminate the health risk of indoor smoke exposure is to completely ban smoking inside and near buildings.²³ To provide non-smokers with the highest level of protection in line with the WHO FCTC Article 8, all indoor public places, workplaces, public transport and other outdoor public places, such as parks and playgrounds, should be 100 percent smoke-free.
- A cross-sectional study in Kazakhstan investigating air quality in food- serving venues found that venues with enclosed designated smoking areas had hazardous levels of air quality. Only completely smoke-free venues had an air quality that was not harmful to health.²⁴

²² The Lancet Global Burden of Disease (2020). Secondhand smoke—Level 3 risk. Vol 396.

²³ ASHRAE Board of Directions. (2023). ASHRAE Position Document on Environmental Tobacco Smoke. Available at: <https://www.ashrae.org/file%20library/about/position%20documents/pd-on-environmental-tobacco-smoke-english.pdf> Accessed 1 October 2025.

²⁴ Sadykova J., Baizhaxynova A., Crape B. (2020). Air quality at venues of mixed smoking policies in Kazakhstan. Tobacco Induced Diseases, 18:79.

MYTH 6

“The tobacco industry is vital to the economy.”



**Reality:
tobacco-related
harms reduces
government
budgets and
economic
output.**

Multinational tobacco corporations accrue most benefits from tobacco sales, leaving countries to contend with the health, economic, environmental and development burden.²⁵ The heavy tobacco burden results in substantial loss of gross domestic product (GDP).

- In Jordan in 2015 the tobacco industry generated 889 million Jordanian Dinar (JOD) (including government tax revenue, employee wages and payments by the industry to the government for goods and services). However, total economic losses to the country due to tobacco use were far higher at JOD 1.6 billion.²⁶
- In Fiji in 2019, tobacco use caused FJD 319 million in economic losses. These losses are equivalent to 2.7 percent of Fiji's GDP and are about
- 4.3 times more than the government revenue generated by cigarette taxes.²⁷
- Tobacco use cost Eswatini SZL 684 million in 2017, equivalent to 1.1 percent of its GDP. The vast majority of these costs are due to reduced productivity from health harms.²⁸

25 WHO (2004). Tobacco and Poverty. A Vicious Cycle. Geneva, WHO.

26 UNDP, the Secretariat of the WHO FCTC and WHO (2019). Investment Case for Tobacco Control in Jordan.

27 UNDP and the Secretariat of the WHO FCTC (2024). The Investment Case for Tobacco Control in Fiji. Available at: <https://iris.who.int/handle/10665/376705>

28 UNDP and the Secretariat of the WHO FCTC (2021). The Investment Case for Tobacco Control in Eswatini. The case for scaling up WHO FCTC implementation.

MYTH 7



“Shifting from tobacco farming takes away jobs and money and there are no economically sustainable alternatives to tobacco farming – especially for smallholder farmers in low- and middle-income countries (LMICs).”



**Reality:
farmers
can switch
to health-
promoting
crops which
are more
lucrative.**

There are better livelihoods and opportunities for tobacco farmers than the debt-bonded, exploitative tobacco industry contracts.²⁹ Farmers can switch to other crops (prioritizing health-promoting ones), crop combinations and farming systems. When there is little to no support for smallholder farmers, many feel they have little choice but to turn to tobacco for the infrastructure and extension services the tobacco industry has in place. It is important for governments to offer support to help farmers transition to alternative crops and reduce the tobacco industry's influence.³⁰

- Kenya is the first country to participate in Tobacco-Free Farms, a joint effort with the Food and Agriculture Organization and WHO to transition to more profitable and easier-to-grow crops, like beans. By March 2022, growers had sold 135 metric tons of beans to the World Food Programme, delivering more income than in comparison to tobacco farming.³¹
- Livelihoods of tobacco farmers are at risk due to the influence of the tobacco industry, placing them in a weak bargaining position in the leaf marketing chain, and leaving them vulnerable to fluctuations in demand and tobacco leaf price.³⁰
- Further useful information such as farmers' testimonials and campaign materials are available from the 2023 World No Tobacco Day page, with the theme 'Grow food, not tobacco'.³²

29 Hu T.W., Lee A.H. (2015). Tobacco control and tobacco farming in African countries. J Public Health Policy, 36(1): 41-51.

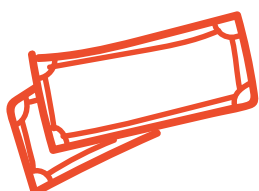
30 Leppan W., Lecours N., Buckles D., eds. (2014). Tobacco control and tobacco farming: separating myth from reality. London and New York, Anthem Press.

31 WHO Kenya (2022). Launch of tobacco-free farms in Kenya. Available at <https://www.afro.who.int/countries/kenya/news/launch-tobacco-free-farms-kenya?utm>

32 WHO (2023). World No Tobacco Day 2023 – Grow food, not tobacco. Available at: <https://www.who.int/campaigns/world-no-tobacco-day/2023>.

MYTH 8

“Tobacco farmers are prosperous.”



**Reality:
tobacco
farming
often renders
farmers
indebted
to tobacco
companies.**

Tobacco farming rarely generates a net gain, but instead it is linked to food insecurity, malnutrition, sickness for farmers, child labour, poverty and debt. Cigarette manufacturers and leaf buying companies often exploit tobacco farmers, including through low-paid and bonded adult labour as well as unpaid child labour.³³

- According to a 2017 survey of smallholder tobacco farmers in Zambia, farmers were not making profits but instead experiencing drastic losses in income.³⁴
- In Indonesia, a farm-level survey found that non-tobacco farmers had higher overall profits than tobacco farmers. This was partly attributable to tobacco being less consistently productive than other crops.³⁵
- A study in North Macedonia found that input costs for tobacco farming are high compared to other crops, rendering it barely profitable at best. Seventy-seven percent of tobacco farmers stated they would switch to another crop if government subsidies for tobacco farming were discontinued.³⁶

- 33 Hu T.W., Lee A.H. (2015). Tobacco control and tobacco farming in African countries. *J Public Health Policy*, 36(1): 41-51.
- 34 Goma F.M., Labonté R., Drope J., et al. (2019). *The Economics of Tobacco Farming in Zambia: Tobacco Farmers Survey Report 2019*. Lusaka and Atlanta, University of Zambia School of Medicine and American Cancer Society.
- 35 Sahadewo G.A., Drope J., Witoelar F., et al. (2020). *The Economics of Tobacco Farming in Indonesia: Results from Two Waves of a Farm-Level Survey*. Chicago, IL: Tobacconomics, Health Policy Center, Institute for Health Research and Policy, University of Illinois at Chicago.
- 36 Spasova Mijovic T., Hristovska Mijovic B., Trpkova-Nestorovska M., et al. (2023). *The Economics of Tobacco Farming in North Macedonia*. Skopje, Analytica.

MYTH 9



“Tobacco growing and production poses no significant risks to the environment.”



Reality: tobacco farming damages the environment, causes deforestation, and pollutes land, water and air.

Tobacco seriously harms the environment at various stages in the tobacco production and consumption life cycle – from farming and manufacturing to tobacco use and disposal.

- Tobacco farming causes nearly 5 percent of deforestation in developing tobacco-growing countries.³⁷
- Approximately 200,000 hectares of land are cleared for tobacco agriculture and curing each year.³⁸
- Tobacco is usually planted as a single or monocrop, which causes soil erosion and leaves the topsoil exposed to wind and water. Many countries have experienced desertification from tobacco cultivation.³⁸
- According to the Toxic Release Inventory Database, tobacco manufacturing plants released more than 456,000 kg of toxic chemicals in 2008, including ammonia, nicotine, hydrochloric acid, methanol and nitrates.³⁸ Around 22 billion tonnes of water are used in tobacco production globally every year.³⁹
- The global production of 6 trillion cigarettes in 2014, including tobacco cultivation, led to 84 million metric tonnes of carbon dioxide emissions (about 0.2 percent of the global total).⁴⁰
- Cigarette butts are among the most littered items in many countries. The chemicals they contain, such as arsenic, lead and nicotine, are hazardous for the flora, fauna and human health.³⁸ In addition, cellulose-acetate-based cigarette filters do not biodegrade. They can stay in the environment for a very long time as microplastics, which could severely harm the marine environment, as well as lake, river, estuary and wetland aquatic environments.⁴¹

37 Geist H.J. (1999). Global assessment of deforestation related to tobacco farming. Tobacco Control, 8: 18-28.

38 WHO (2017). Tobacco and its environmental impact: an overview. Geneva, WHO.

39 WHO (2022). WHO raises alarm on tobacco industry environmental impact. Available at: <https://www.who.int/news/item/31-05-2022-who-raises-alarm-on-tobacco-industry-environmental-impact>. Accessed 14 March 2025.

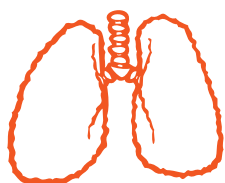
40 Zafeiridou M., Hopkinson N.S. and Voulvoulis N. (2018). Cigarette Smoking: An Assessment of Tobacco's Global Environmental Footprint Across Its Entire Supply Chain. Environ Sci Technol, 52(15): 8087-8094.

41 WHO (2022). Tobacco: poisoning our planet. Geneva, WHO.

MYTH 10



“Tobacco farming poses no significant risks to its workers.”



**Reality:
tobacco
farmers are
exposed to
serious health
risks.**

Tobacco farmers are exposed to serious health risks, including green tobacco sickness,⁴² high levels of toxic agrochemicals, nicotine poisoning from harvesting and exposure to tobacco smoke during the curing of tobacco leaves. In addition, tobacco farming is extremely labour intensive, often using children’s and women’s unpaid labour, which results in missed opportunities for education or more productive activities.⁴³

- Among the many dangerous pesticides used in tobacco growing, are DDT and 11 other persistent organic pollutants (POPs), which are known toxic substances that resist degradation and bioaccumulate and are damaging to human and environmental health.^{44,45} These POPs are often banned in high-income countries but many LMICs continue to use them in tobacco farming.⁴⁴

42 McKnight R.H. and Spiller H.A. (2005). Green tobacco sickness in children and adolescents. *Public Health Rep*, 120(6): 602-605.

43 Leppan W., Lecours N., Buckles D., eds. (2014). *Tobacco Control and Tobacco Farming: Separating Myth From Reality*. London and New York, Anthem Press.

44 WHO (2017). *Tobacco and its environmental impact: an overview*. Geneva, WHO.

45 Stockholm Convention. *Stockholm Convention on Persistent Organic Pollutants*.

MYTH 11



“The tobacco industry is a partner in combating illicit trade.”



Reality: the tobacco industry has been found to be complicit in illicit trade.

The tobacco industry often promotes itself as a ‘partner’ to governments in finding policy solutions to prevent illicit trade. For example, tobacco companies have funded front groups such as the Transnational Alliance to Combat Illicit Trade or TRACIT, a coalition that supposedly combats illicit trade but which ignores any industry involvement in smuggling. Tobacco companies also often claim that they are victims of illicit trade, but evidence is clear that transnational tobacco companies have been complicit, deliberately smuggling their own products or facilitating illicit trade.⁴⁶

- In 2014, British American Tobacco (BAT) was fined by customs authorities in the UK for massively oversupplying the market in Belgium, so that products were illicitly diverted back to the UK.⁴⁷
- The tobacco industry has actively interfered with the WHO FCTC’s Protocol to Eliminate Illicit Trade in Tobacco Products. For example, major transnational tobacco companies have been undertaking a series of initiatives to portray the ratification of the Protocol as non-essential and promoting voluntary or self-regulatory measures instead.⁴⁸

46 Tobacco Tactics, University of Bath (2021). Illicit Tobacco Trade. Available at: <https://www.tobaccotactics.org/article/illicit-tobacco-trade/>. Accessed 14 March 2025.

47 Boseley S. (2017). Anti-smuggling proposal ‘may let tobacco industry in by back door’. The Guardian. Available at: <https://www.theguardian.com/business/2017/sep/08/anti-smuggling-proposal-may-let-tobacco-industry-in-by-back-door>. Accessed 14 March 2025.

48 Secretariat of the WHO FCTC (2021). The Tobacco Industry and the Illicit Trade in Tobacco Products.

MYTH 12

“Plain packaging infringes on intellectual property rights and increases illicit trade.”



Reality: plain packaging does not infringe on intellectual property rights and does not increase illicit trade.

The tobacco industry often invokes intellectual property rights and the threat of illicit trade to oppose plain packaging. For example, the industry claims that plain packaging infringes on their intellectual property rights, particularly their trademarks. Tobacco companies have, however, lost several legal challenges in domestic courts and at international tribunals based on this claim. Moreover, the tobacco industry is behind media campaigns and newspaper articles that aim to spread fears that plain packaging would lead to an increase in illicit trade of tobacco products. However, the features of tobacco packaging used to combat illicit trade – such as tax stamps and codes – should not be affected by plain packaging measures. Further, there is no independent evidence to link plain packaging to an increase in illicit trade.

- In Australia, there has been no increase in illicit trade since plain packaging was implemented in 2012. Indeed, the rate of illicit trade has remained stable, at about 3 percent.⁴⁹
- In 2018 BAT filed a lawsuit in Uruguay after the president signed a decree to enact plain packaging. The tobacco industry was unsuccessful in their efforts and Uruguay implemented a law on plain packaging in 2019.⁵⁰
- The tobacco industry has also challenged the implementation of plain packaging of tobacco products in Australia, United Kingdom, France, and Norway, claiming that this measure violates their trademark rights, freedom of commercial expression, trade and free movement of goods. All these challenges by the tobacco industry have been rejected in the respective countries' domestic courts.⁵⁰
- Similar arguments about trademarks and intellectual property rights have been raised in international legal challenges. Australia's plain packaging measures have been challenged before the WTO, as well as in an investment law dispute initiated by Philip Morris Asia under a 1993 bilateral investment treaty with Hong Kong. Australia has won all international legal challenges to its plain packaging measures, with the WTO panel and Appellate Body ruling in favour of Australia, while the investment tribunal dismissed the investment law dispute due to Philip Morris' 'abuse of rights'.⁵¹

49 Scollo M., Zacher M., Coomber K., et al. (2015). Use of illicit tobacco following introduction of standardised packaging of tobacco products in Australia: results from a national cross-sectional survey. *Tobacco Control*, 24: ii76-ii81.

50 WHO (2019). WHO Report on the Global Tobacco Epidemic, 2019. Offer help to quit tobacco use. Geneva, WHO.

51 WHO FCTC Knowledge Hub, McCabe Centre for Law and Cancer (2021): The Australia Plain Packaging Disputes at the WTO. Available at: <https://www.mccabecentre.org/downloads/McCabe-Centre-paper-on-WTO-plain-packaging-panel-and-Appellate-Body-decisions.pdf>. Accessed 14 March 2025.

MYTH 13

“Tobacco tax increases will exacerbate illicit trade.”



Reality: studies show a very weak causal relationship between increases in taxes and illicit trade. Illicit trade can increase even when taxes are lowered.

Contrary to tobacco industry arguments, tax and price measures have a limited impact on the illicit market, despite the incentive of profit for illegal activity. Evidence shows that non-price factors that enable and drive illicit trade, such as weak customs and tax administration, social acceptance of illicit trade, corruption and complicity of cigarette manufacturers, enable illicit trade. Indeed, country case studies strongly confirm that the most important determinant in illicit trade of tobacco products is tax administration.⁵² Tax increases should be introduced together with tighter controls to reduce incentives for tax evasion – such as simplifying tax structures, monitoring the tobacco products market, and strengthening customs and policing.^{52,53}

- Examples from numerous other countries across various stages of development, including the UK, Ireland, and the Philippines, have shown that an increase in tobacco taxation goes hand in hand with a decrease in illicit trade.⁵³
- The Protocol to Eliminate Illicit Trade in Tobacco Products is an international treaty adopted by the Conference of the Parties to the WHO FCTC, which entered into force in 2018. It includes a package of measures that countries should implement in cooperation with one another, including supply chain controls (e.g., licensing and tracking and tracing systems), establishing legal frameworks to punish offences, and mutual assistance in administration and law enforcement. Countries that are not yet Party to the Protocol may wish to consider accession.⁵⁴

52 WHO (2014). Raising Tax on Tobacco. What You Need to Know. Geneva, WHO.

53 World Bank Group Global Tobacco Control Program (2019). Confronting Illicit Tobacco Trade: a Global Review of Country Experiences. Washington DC, World Bank Group.

54 An official list of Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products is available at: https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IX-4-a&chapter=9&clang=en.

MYTH 14

“Tobacco advertising and promotion do not influence youth to start smoking.”



Reality: there is sufficient evidence to show that tobacco advertising, promotion and marketing encourages youth to start smoking.⁶⁴

Since up to half of tobacco users die from tobacco-related illness,⁵⁵ the tobacco industry is motivated to attract new consumers in order to stay in business. This leads to the tobacco industry pouring massive resources into tobacco marketing campaigns aimed at youth.⁵⁶

- According to the Global Youth Tobacco Survey conducted across 25 countries of the WHO European Region, more than half of young people in each country are exposed to tobacco advertisement and promotion on television or in movies or videos.⁵⁷
- Longitudinal studies have consistently shown that youth exposed to tobacco advertising and marketing are more likely to become smokers⁵⁸ and established smokers in young adulthood.⁵⁹
- Exposure to tobacco use in movies and on TV promotes smoking initiation among youth.⁶⁰ Studies in Mexico,⁶¹ the United States,⁶² and Germany⁶³ all found that that adolescent exposure to smoking in movies was associated with adolescent smoking prevalence.

- 55 WHO (2020). Tobacco Fact Sheet. Available at <https://www.who.int/news-room/fact-sheets/detail/tobacco>. Accessed 14 March 2025.
- 56 Tobacco-Free Kids (2008). Tobacco Advertising & Youth: The Essential Facts. Available at: https://www.tobaccofreekids.org/assets/global/pdfs/en/APS_youth_facts_en.pdf. Accessed 14 March 2025.
- 57 WHO (2020). Summary results of the Global Youth Tobacco Survey in selected countries of the WHO European Region. Copenhagen, WHO Regional Office for Europe.
- 58 Lovato C., Watts A., Stead L.F. (2011). Impact of tobacco advertising and promotion on increasing adolescent smoking behaviours. *Cochrane Database Syst Rev*, (10).
- 59 Gilpin E.A., White M.M., Messer K., et al. (2007). Receptivity to tobacco advertising and promotions among young adolescents as a predictor of established smoking in young adulthood. *Am J Public Health*, 97(8): 1489-1495.
- 60 Sargent J.D., Hanewinkel R. (2015). Impact of Media, Movies and TV on Tobacco Use in the Youth. *The Tobacco Epidemic*, vol. 42, pp. 171–180.
- 61 Thrasher J.F., Jackson C., Arillo-Santillán E., et al. (2008). Exposure to smoking imagery in popular films and adolescent smoking in Mexico. *Am J Prev Med*, 35(2): 95-102
- 62 Sargent J.D., Beach M.L., Adachi-Mejia A.M., et al (2005) Exposure to movie smoking: its relation to smoking initiation among US adolescents. *Pediatrics*, 116(5): 1183-1191.
- 63 Hanewinkel R., Sargent J.D. (2007). Exposure to smoking in popular contemporary movies and youth smoking in Germany. *Am J Prev Med*, 32(6): 466-473.
- 64 US Centers for Disease Control and Prevention (2021). Tobacco Industry Marketing. Available at: https://www.cdc.gov/tobacco/data_statistics/fact_sheets/tobacco_industry/marketing/index.htm. Accessed 14 March 2025.



