LETTERS TO THE EDITOR

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Steps towards a tobacco advertising ban in the European Community

The Europe against Cancer programme, launched in 1986, set as its target reducing cancer mortality by 15% in the European Community by the year 2000. In this context, reducing tobacco consumption is a major objective, and several legislative texts have already been adopted by the European Community. Other proposals are still pending, in particular the European Commission's proposal to ban all tobacco advertising in the community (except at the point of sale), on which the European parliament gave its opinion on 11 February 1992 and which will be discussed for preliminary agreement on the 15 May 1992 by the European Community's health council (the health ministers from the 12 countries in the community).

The first text adopted was a resolution of July 1989 (a resolution has no binding effect on governments) banning smoking in places open to the public. Further texts adopted were directives (which have a binding effect on governments) concerning the labelling of tobacco products (Directive 89/622 of 13 November 1989) and the maximum tar yield of cigarettes (Directive 90/239 of 17 May 1990). A proposed directive amending Directive 89/622 concerning the labelling of tobacco products and banning certain oral snuff products will probably be finally adopted by the European Community's health council on the 15 May 1992.

This set of measures is already impressive, but the crucial element of the European Community's policy remains the proposed ban on tobacco advertising, which has given rise to "the most ferocious lobbying campaign seen in Europe"[1] – particularly from the tobacco industry.

The first debates about tobacco advertising go back to April 1989, when the commission presented a proposal to restrict the advertising of tobacco products in the press and by means of bills and posters. In March 1990 the European parliament examined this proposal and voted in favour of a total ban on tobacco advertising by amending the commission's proposal, which it claims is too weak. In December 1990, following a health council meeting where some member states also expressed their support for a total ban, the European Commission announced that it would present a proposal for a total ban on tobacco advertising in the community.

The current proposal, which was presented by the commission in May 1991, is based on the principle of a total ban on tobacco advertising, except within tobacco sales outlets, provided that it is not visible from outside the premises. Sponsoring is not covered as such, but the promotional use of brand names is banned.

The commission's proposal met with an immediate reaction and was strongly attacked by the tobacco industry, the press, and advertising agencies. In November 1991, just before the health council met, the European Publishers Council launched a massive press campaign in several newspapers and magazines throughout the community on the theme "Stop the EC taking liberties." Advertising agencies have backed this campaign in preparing the posters published in the press.

The tobacco industry was very active in the European parliament. Its arguments mainly concerned freedom of speech, the claim that a tobacco advertising ban would have no effect on tobacco consumption, the effectiveness of voluntary agreements, the value of providing information in advertising to the consumer, and the claim that advertising is not aimed at recruiting new smokers. Another argument raised by the tobacco industry concerned the legal base of the commission's proposal, which was used to delay the vote in the plenary session of the European parliament through the return of the proposal to its legal committee.

The vote on the proposal was due to take place during the January plenary session, but some members of the European parliament opposed the vote on legal grounds and obtained a postponement of a vote on the proposal until the European parliament's legal committee gave its opinion on the issue. The legal committee's opinion was issued shortly thereafter and was favourable to the European Commission's proposal. The vote therefore took place on 11 February 1992, the European parliament expressing its support for a tobacco advertising ban with 150 votes in favour, 123 votes against, and 12 abstentions.

The decision on the proposed ban on tobacco advertising is in the hands of the community's health ministers, who will meet on 15 May 1992 and consider the European Commission's proposal and the European parliament's opinion. Although the European parliament, in line with the 73% of Europeans who support a tobacco advertising ban,[2] gave a favourable opinion, three countries are still opposing the ban: Germany, the United Kingdom, and the Netherlands. Denmark recently changed its position following the rallying of a majority in the Danish parliament in support of the ban.

As the situation stands, if none of the three countries—Germany, the United Kingdom, and the Netherlands—lifts its veto, the tobacco advertising ban has no chance of being adopted. We hope that public pressure nationally and internationally will force one or all of the opponents to follow the move towards a tobacco advertising ban.

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1 Dawe T. Tobacco campaign on eve of EC vote raises abuse fears. *The Times* 1992 Feb. 10:6, cols 1–4.
2 Adriaanse H, van Reek J. Adults in the European Community favour a tobacco advertising ban. *Tobacco Control* 1992; 1: 57.

Adults in the European Community favour a tobacco advertising ban

A question about legislation to ban all forms of tobacco advertising was asked in the Eurobarometer surveys, carried out in the 12 member states of the European Community in March–April 1987 (coordinated by Faits et Opinions, Paris; n = 11 594) and October 1991 (coordinated by INRA-Europe, Brussels; n = 12800). The respondents were interviewed at home. Response rates were not recorded.[1]

The question asked in 1991 was: "Several countries have adopted or are about to adopt a law which bans all form of direct or indirect advertising of tobacco products. Are you, personally, for or against such a ban?" (Answers: very much for, to some extent for, to some extent against, very much against.) the table shows the results.

The question asked in 1987 was: "Some countries have adopted laws to combat smoking in order to reduce the frequency of cancer. For each of the measures I am going to mention to you, can you tell me if you would approve or disapprove of them being enforced (in your country)?... if you would approve or disapprove of the banning of all advertising of any kind of tobacco?"

In both surveys 73% of the people questioned were in favour of a ban. Stratification of the 1991 data by country and smoking status shows majorities in favour of a ban in all cases, except for smokers in the Netherlands.

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1 Commission of the European Communities. Europe against cancer programme. Brussels: European Commission, 1991. (Eurobarometer No 36.)

Percentages of people aged 15 years and over who were "very much" or "to some extent" in favour of a ban on tobacco advertising, October 1991

	Smokers	*Non-smokers**	*Total*	*n*
Belgium	62	78	74	1000
Denmark	53	54	53	1000
France	52	71	64	1000
Germany	58	79	73	2000
Greece	78	80	79	1000
Ireland	74	79	77	1000
Italy	81	87	85	1000
Luxemburg	61	75	70	500
The Netherlands	47	62	55	1000
Portugal	84	90	88	1000
Spain	68	82	76	1000
United Kingdom	67	73	72	1300
European community	64	78	74	12800

* Includes ex-smokers and never smokers.
Source: Commission of the European Communities.[1]