

CHAPTER 3 - TOBACCO

Introduction

3.1 *"The members of the Scientific Advisory Committee are unanimous in believing that smoking is an important causative factor in several major diseases. We recognise the link between smoking and lung cancer which generally is attributed to the presence of known carcinogens in tobacco-smoke. We are also aware of the increased risk of coronary heart disease, stroke and emphysema in persons who smoke cigarettes. For these reasons, we strongly endorse the view that the public should be fully informed about the risk in smokers, and we fully support any measures, which are consistent with the liberty of the individual, that are designed to reduce smoking."*

Extract from a letter to the Medical Journal of Australia³⁴ signed by the Chairman and five members of the Scientific Advisory Committee, Australian Tobacco Research Foundation. This body is funded by the three major Australian tobacco companies who annually provide \$500,000.

3.2 Early in its deliberations the Committee decided that any investigation into drug abuse among young people must include a major examination of the legal drugs tobacco and alcohol. The enormous mortality, sickness and absenteeism figures, (combined with the indirect social costs of alcohol consumption such as road accidents and personal violence) demanded the Committee's detailed consideration.

3.3 The Committee took extensive evidence from eight prominent individuals or representatives of organisations in the tobacco field representing the complete range of opinions on tobacco products. Four Committee representatives and a staff member attended the 7th World Conference on Tobacco and Health held in Perth, from the 1 to 5 April 1990. Approximately forty (see bibliography) recently published reports, articles, books and submissions on the tobacco question were reviewed.

3.4 Evidence to the Committee overwhelmingly supports increased, Government-sponsored action in relation to price, availability, advertising, education, age-of-purchase and warnings on cigarettes and tobacco products.

³⁴ Vol. 148, 1/2/88. P. 152.

3.5 The Magnitude of the Problem - A Statistical Profile

- Each day, more than 500 Australian schoolchildren smoke their first cigarette.³⁵
- Every year in Australia 70,000 teenagers become regular smokers - three times the number of people who die each year from diseases caused by smoking.³⁶
- Seventy-five percent of adults who smoke began smoking when they were adolescents, and thirty-three percent of current adult smokers started smoking before they were nine years old.³⁷
- The earlier a person starts smoking, the longer they are likely to smoke overall, the more likely they are to smoke heavily, and consequently, the more likely they are to die of a smoking-related disease.³⁸
- In Australia, if present smoking trends continue, 256,000 boys and 159,000 girls who are now under the age of 14 will die before they should, because they smoked.³⁹
- Children smoke the most heavily advertised brands of cigarettes (Winfield, Peter Jackson) and despite the fact that in New South Wales it is illegal to sell cigarettes to children under 16, sixty-five

³⁵ Shean R E. 'Child Recruits Replace Dead Smokers'. Perth 1987. Australian Council on Smoking and Health.

³⁶ Ibid., and Armstrong, B., et.al., 'A Smoke-free Australia - Our Bicentenary Resolution?' The Medical Journal of Australia, 149, 1988 pp 1-2.

³⁷ Marsh, A., and Matheson, J., 'Smoking attitudes and behaviour: an enquiry carried out on behalf of the Department of Health and Social Security.' London. 1983. and Smoking or Health: the Third Report from the Royal College of Physicians of London, London. Pitman. 1977.

³⁸ Reducing the Health Consequences of Smoking: 25 Years of Progress. A report of the Surgeon-General, Maryland, U.S.A. 1989. and Hill, D. 'Australian Patterns of Smoking in 1986'. The Medical Journal of Australia, 149, 1988, PP 6-10.

³⁹ Armstrong B.K. op. cit.

percent of males and seventy-five percent of females under 16 purchase their cigarettes from shops.⁴⁰

- Children who smoke or children in families where there are smokers, suffer more coughs, colds and respiratory infections than non-smoking children or children in families where there are no smokers.⁴¹
- Of 1000 young Australian males who smoke, one will be murdered, 15 will be killed on the road, and 250 will be killed before their time, by tobacco.⁴²
- More than four out of ten women aged between 16 and 24 smoke regularly.⁴³
- By year ten, a fifth of males and a quarter of females are regular smokers.⁴⁴
- Australian school children spend more than \$30 million a year - \$82,000 each day, on cigarettes.⁴⁵

⁴⁰ Chapman, S. & Fitzgerald, B. 'Brand Preference and Advertising Recall in Adolescent Smokers: Some Implications for Health Promotion'. Australian Journal of Public Health, 72 (5) PP. 491-494. and Hill, D. 'Kids Smoke Sponsors' Brands'. Centre for Behavioural Research in Cancer, Nov. 1989 and 1989 Survey of Drug Use by NSW Secondary School Students, Directorate of the Drug Offensive. Sydney, August, 1990 p. 22.

⁴¹ Charlton, A. Children's Cough Related to Parental Smoking. British Medical Journal, 288. 1984 pp 1647-1649.

⁴² Australian Council on Smoking and Health. 'Hard Facts About Smoking'. Daily News. Perth 30/4/86.

⁴³ Hill, D., & Grey, N., 'Australian Patterns of Tobacco Smoking and Related Health Beliefs in 1983'. Community Health Studies VII (3) p. 307.

⁴⁴ 1989 Survey of Drug Use. op. cit. p. 20.

⁴⁵ Hill, D., Willcox, S., & Gardner, G., 'Tobacco and Alcohol Use Among Australian Secondary Schoolchildren. Medical Journal of Australia 146 (2) 1987, p. 130.

ARGUMENTS AGAINST INCREASED REGULATION OF TOBACCO

3.6 In its discussions with the Chief Executive Officer of the Tobacco Institute (representing the tobacco manufacturing companies) and through the submission of that Institute, a number of arguments were tendered in defence of the continued promotion and advertising of tobacco products and opposing increased taxation or regulation of the industry. The Committee decided to look closely at each of these arguments to assess their validity. The six arguments stated briefly are:

- (i)** The real drug problem in Australia is from illicit drugs;
- (ii)** Smoking is a legal activity and tobacco may be legally sold so it should be legal to advertise and promote the product;
- (iii)** The voluntary agreement between the NSW Minister for Health and the tobacco companies sufficiently restricts the promotion and advertising of tobacco products;
- (iv)** Advertising of tobacco products does not encourage children or adults to smoke and tobacco sponsorship of sporting events is a gesture of corporate goodwill not an attempt at de facto advertising;
- (v)** The tobacco industry is concerned about minors' access to tobacco and has attempted to restrict juvenile access to its products.
- (vi)** That recent public expressions of concern relating to the harm associated with the ingestion of passive or side-stream smoke are not proven.

ARGUMENT 1 ADVANCED BY THE TOBACCO INDUSTRY-

THE REAL DRUG PROBLEM IN AUSTRALIA IS FROM ILLICIT DRUGS.

3.7 The Tobacco Institute claimed that the "real" drug problem for the people of New South Wales (and indeed Australia) was the consumption of illicit drugs such as heroin and amphetamines. They drew the Committee's

attention to two recent deaths of minors from heroin overdoses and concluded that:

"These are the victims of drug abuse." ⁴⁶

3.8 The Institute's feelings on the tragedy associated with the death of minors through heroin use is shared by the Committee. However the point must be made that from whichever perspective one cares to look at the "cost" comparison between cigarettes and illicit drugs, whether it be mortality figures per annum, cost to the community in the provision of health services to users, cost to the health of individuals exposed to others' smoke, or cost to the economy in terms of days lost through ill health or shortened life spans of addicts, cigarette smoking is clearly and overwhelmingly a more serious problem. There is no question, that in terms of crime and corruption illicit drugs prevail but as subsequent paragraphs show, the licit drugs, alcohol and tobacco are overwhelmingly the villains in terms of public health and economic loss.

3.9 In 1987, seventy-one percent of all drug-related deaths in Australia were caused by tobacco. That is a total of 18,000 Australians or about 50 a day. A further twenty-six percent of drug-related deaths were caused by alcohol. Between them the licit drugs alcohol and tobacco accounted for ninety-seven percent of all deaths caused by drug use in that year. All other drug-related deaths accounted for three percent of the total. The death rate due to tobacco has increased by three percent from 1979 to 1987.⁴⁷ There is every likelihood that this percentage will continue to increase for some time, reflecting the increasing proportion of the population to take up smoking until recent years.

3.10 In the same year tobacco caused fifty-one percent of the total number of years of life lost from deaths resulting from drug use. That is approximately 92,000 years of life lost prematurely in just one year. Alcohol provided a further forty percent of the total. All other drugs including illicit opiates made up just nine percent of the total years of life lost from deaths caused by drugs.⁴⁸

⁴⁶ Mulcahy, R.J., Chief Executive Officer, Tobacco Institute. Committee Hearing on 11 May 1990.

⁴⁷ Statistics on Drug Abuse in Australia, 1989, Commonwealth Department of Community Services and Health. P. 30 and P. 37

⁴⁸ Ibid., and Tobacco in Australia: A Summary of Related Statistics, Commonwealth Department of Community Services and Health, P. xi.

3.11 A typical illness due to a smoking related disease required longer hospitalisation (9 days compared to 6 days) and was more costly to treat than the average for all illnesses.⁴⁹ In 1984 it was conservatively estimated that smoking-caused illness and death cost the community in excess of \$2660 million or \$171 per Australian; in 1988 federal and state tobacco levies returned the Governments of Australia slightly less than \$1600 million.⁵⁰ The net financial loss to Australians was, then, in excess of \$1000 million, although these figures cannot of course measure the grief, bereavement and heartache associated with the extended illness or death of close friends or family members and the personal tragedy for sufferers of emphysema, cancer, chronic bronchitis or in some extreme cases gangrene and amputation.

The relationship between tobacco and illicit drugs - particularly marijuana

3.12 As demonstrated above, tobacco smoking is from a health and economic perspective a much bigger problem for Australians than the combined consumption of all illicit drugs. What is emerging however from current research is that the consumption of tobacco is also linked to the uptake of illicit drugs, particularly marijuana.

3.13 Two studies examining the progressive uptake of all drugs (illicit and licit) among schoolchildren were conducted in New South Wales in 1985 and 1988. Both studies demonstrate the relative importance of tobacco, and to a lesser extent alcohol, as drugs of entry preceding the use of other drugs:

3.14 *"The models for males and females show that alcohol and tobacco are significant predictors of marijuana use, although tobacco is considerably more important than alcohol as a route of entry; this relationship holds for 1985 and 1988."*⁵¹

3.15 Males between the ages of 14 and 19 in 1985 who had reported the use of tobacco, were found to be thirty-one percent more likely to have used marijuana. By 1988, those reporting tobacco use were found to be forty-one percent more likely to have used marijuana. In 1985, female tobacco smokers between the ages of 14 and 19 were thirty-two percent more likely to smoke marijuana than girls who did not smoke at all, but by 1988, girls who

⁴⁹ Does Smoking Make Cents?, Victorian Office of Prices, April 1990, P.8.

⁵⁰ Statistics on Drug Abuse in Australia, op. cit., pp 29-30.

⁵¹ Richmond, R., op. cit., Emphasis not in original.

smoked tobacco were only twenty-eight percent more likely to smoke marijuana.⁵²

3.16 It is important to note that the correlation between tobacco and marijuana usage is confirmed in a number of U.S. surveys. In 1986 Dr. Lloyd Johnson testified in a congressional hearing on cigarette advertising and promotion that: "*cigarette smoking is an almost certain preceding step to have been taken by anyone who goes on to use marijuana..*"⁵³

3.17 A 1982 US survey showed that children aged 12 to 17 who smoked dally were 10 times more likely to be using marijuana as non-smokers. In a further survey sixty-six percent of High School seniors who smoked had used illicit drugs in the last month as compared to ten percent of non-smokers.⁵⁴

ARGUMENT 2 ADVANCED BY THE TOBACCO INDUSTRY -

SMOKING IS A LEGAL ACTIVITY AND TOBACCO IS A PRODUCT THAT CAN BE LEGALLY SOLD SO TOBACCO COMPANIES SHOULD HAVE THE RIGHT TO ADVERTISE AND PROMOTE THE PRODUCT.

3.18 This argument constantly emerges in any discussion between those seeking to restrict the promotion of tobacco and those keen to expand or maintain it. The fact that a product is legal and can be purchased does not of itself place any obligation on the Government to allow its promotion. In many cases prescription drugs cannot be generally advertised, though they may be legally sold and in fact the Committee was clearly of the view that an alternative duty existed for the Government, one of doing its utmost to warn its citizens of the dangers of smoking, of encouraging the better use of limited health resources by minimising the incidence of preventable diseases and of actively discouraging the uptake of smoking by juveniles.

3.19 The Committee believes that it is important for the people of New South Wales to realise that the major reason that tobacco is a legally sold substance is because of an historical accident. Were tobacco discovered today and its toxicity known, there would be little chance of it being authorised for sale and distribution.

⁵² Ibid., p. 22.

⁵³ Johnston, L. D., 'Statements before the Subcommittee on Health and the Environment, House of Representatives, 99th Congress: Advertising of Tobacco Products. U.S. Gov. Printing Office, Serial no. 99-167, Washington. 1987.

⁵⁴ Ginzler, K. 'Tobacco as a 'Gateway' Drug', Tobacco and Youth Reporter, Vol. 4, No. 2. P. 9.

3.20 The National Health and Medical Research Council in Australia, the Surgeon-General in the U.S.A. and the Royal College of Physicians in Britain have each been saying for some time that there is absolutely no safe level of tobacco use. Nicotine is a highly toxic and addictive substance, more toxic than cyanide and more addictive than heroin.

3.21 As most of the detailed scientific information on tobacco has only emerged incrementally over the last 25 years it is simply not practicable for Governments to effectively "ban" the substance. Currently approximately thirty percent of all adult Australians are addicted to nicotine, although this figure has been declining marginally for most of the last decade.

3.22 Committee members believe that Australia, like the rest of the world, should be moving towards a smoke-free society. What legal drugs people choose to consume in the privacy of their own homes may be their own business, but it is incumbent upon Governments and the community to do all in their power to minimise the health and economic costs associated with smoking, provide clean-air environments for as many people as possible, and make people aware of the dangers of smoking, including the risks of passive smoking and the danger to children who inhale sidestream smoke.

3.23 To continue to allow the promotion and advertising of tobacco products would be a dereliction of Government responsibility and would be sanctioning the marketing of a substance which, if used as the manufacturer recommends, leads to premature death.

ARGUMENT 3 ADVANCED BY THE TOBACCO INDUSTRY -

THE VOLUNTARY AGREEMENT BETWEEN THE NSW MINISTER FOR HEALTH AND THE FOUR TOBACCO COMPANIES SUFFICIENTLY RESTRICTS THE PROMOTION AND ADVERTISING OF TOBACCO PRODUCTS.

3.24 It is appropriate to mention at this point that the promotion of tobacco products is very much a multinational enterprise. All four cigarette companies which produce cigarettes for the Australian market, are simply subsidiary companies for large American and British conglomerates. Each company produces its product in accordance with local regulations. So, for example the same companies which produce cigarettes here and are required to apply certain warnings to packets and are restricted in the size of those packets, are required to adopt a different set of warnings, and follow different guidelines in Canada. For example, Rothmans (Australia) exports the Winfield brand of cigarettes amongst others to South Pacific countries such as Fiji, Tonga and the Solomon Islands, countries which have not yet passed legislation requiring health warnings on cigarette packets. Advertising flourishes and small packets, attractive to the poor and young are

also distributed. Many of these countries are also being persuaded to sign voluntary agreements.

3.25 The sale and advertising of tobacco products in New South Wales is currently regulated by a "voluntary code" signed on 14 April 1989 by the Minister for Health and representatives of Phillip Morris (Australia) Limited, Rothmans of Pall Mall (Australia) Limited, W.D. & H.O. Wills (Australia) Limited and R.J. Reynolds Tobacco (Australia) inc.

3.26 All witnesses with specific expertise in the area of tobacco, with the exception of Mr. Richard Mulcahy, representing the Tobacco Industry, suggested to the Committee that the voluntary code is not worth the paper it is printed on. The Committee is inclined to accept their view.

3.27 The witnesses, who included representatives of the National Heart Foundation, the Cancer Council, the Smokescreen unit at New South Wales University and the Department of Community Medicine at the University of Sydney, amongst others, cited in support of their claim that the code is of no value, the "vagueness" of a number of statements to be found in the code, and the "exceptions" in a number of the definitions which limited the effectiveness of certain sanctions.

3.28 More specifically they argued that there are four areas of special concern:

- (i) That the voluntary code is between the Government and four tobacco companies only;
- (ii) That an unacceptable and untrue statement appears in the preamble;
- (iii) That in PART 2 - INTERPRETATION of the voluntary code the exclusions under the meaning of "tobacco advertisement" (parts (c) and (d)) and the exclusions under the definition of "vehicle" are completely inappropriate; and
- (iv) That in PART 3 - THE PROVISIONS HEREOF of the voluntary code the wording is so vague or meaningless that it is virtually impossible to regulate and is certainly of no use in reducing the attractiveness of cigarettes to minors.

3.29 Concern 1 relating to the voluntary code: The fact that the agreement is between the Government and four Cigarette Companies only. It excludes for example some cigarette vendors and transport companies involved in the distribution of cigarettes, signwriters, advertisers and vending machine operators. This difficulty has been recognised and drawn to the attention of the Minister by the "Tobacco Advertising Regulation Committee" (discussed

in detail below) in its first report dated 20 August 1990. The Independent Chairman of that Committee, Prof. R. A. Edwards said in an attached letter;

"This report raises two issues that you may wish to take into consideration:

- *the fact that some organisations, other than tobacco manufacturers, advertise tobacco products and*
- *that some tobacco manufacturers who are not parties to the agreement continue to advertise their products in a manner inconsistent with the agreement."*

3.30 Concern 2 relating to the voluntary code: That the following statement appears in the preamble:

"The Manufacturing Companies [Cigarette manufacturers], as in the case of their overseas counterparts, do not accept that it has been scientifically established that the smoking of tobacco products is the cause of any human disease."

3.31 This is despite all the best scientific and medical evidence available from all round the world and is contrary to the advice given by the Tobacco lobby's own scientific advisory committee (See quotation on page 1).

3.32 Since a preamble to an agreement is in the nature of an agreed basis for that agreement, the Committee believes that it is inappropriate for the Government to continue its participation in an agreement in which this phrase is contained in the preamble. It may be opinion of the manufacturing companies but it can hardly have the concurrence of government. Further, the Committee feels that the proposed legislation should prominently espouse the principle that smoking is a major preventable cause of serious disease and Governments should do everything within their power to reduce the number of smokers within the population.

3.33 Concern 3 relating to the voluntary code: That in PART 2 - INTERPRETATION the exclusions under the meaning of "tobacco advertisement" [parts (c) and (d)] and the exclusions under the definition of "vehicle" are completely inappropriate. The code reads:

"In this agreement the following expressions shall have the following meanings:

"tobacco advertisement" means any writing, still or moving picture, sign, symbol or other visual image or message displayed by or caused

to be displayed by the Manufacturing Companies to the public or a section of the public designed to promote:-

- (a) the purchase or use of a tobacco product; or**
- (b) a trade mark or brand name, or part of a trade mark or brand name, of a tobacco product**

but does not include advertisements:-

- (a) concerning merchandise other than tobacco products which bear the corporate name, a brand name or trade mark of any of the Manufacturing Companies or any company related thereto; or**
- (b) that form part of the promotion or conduct of any sporting, cultural, artistic or other event or activity sponsored by the Manufacturing Companies or any company related thereto where that advertisement includes only the use of a trade mark or brand name, or part of a trade mark or brand name, of a tobacco product and does not include any other image or message related to a tobacco product."**

3.34 The effect of these exclusions to the definition of a tobacco advertisement allows the tobacco companies to sponsor such events as the "Winfield" Cup in Rugby League and the "Benson and Hedges" Cricket Series. It also allows the promotion of other merchandise such as Winfield cigarette lighters and bubble gum, Peter Jackson sun screen lotion, Camel boots and confectionary, toys, records and cassettes bearing the tobacco trade names.

3.35 Cigarette brand name advertising is also prominent in motor car and motor cycle racing - with whole cars designed in cigarette colours, brand name logos on the overalls of drivers, in the sponsorship of ski events, on model/toy cars, on images of cars or motor bikes in video machines, as sponsors of rock concerts, operas and dance companies.

RECOMMENDATION 10

THAT A PERSON OR PERSONS BE PROHIBITED FROM THE SALE, DISPLAY, IMPORTATION OR ADVERTISING OF ANY PRODUCT (NOT INCLUDING CIGARETTES) WHICH INCLUDE A TOBACCO TRADEMARK, BRAND NAME OR LOGO OR PART OF A TRADEMARK, BRAND NAME OR LOGO USED BY A TOBACCO COMPANY.⁵⁵

⁵⁵ The Committee is aware of the effect this recommendation may have on some established businesses and acknowledges that on implementation the Government may need to

3.36 The Committee is aware that to a large extent current legislative provisions restricting the advertising of cigarettes are circumvented by allowing incidental advertising. The Committee agrees with the view of the health lobby which claims that the only difference between advertising and sponsorship is who gets paid. The net effect is identical.

3.37 The Committee is further concerned that taxis, amongst the most visible of all motorised transport, are exempted from the definition of "vehicle" thereby allowing them to advertise cigarettes.

RECOMMENDATION 11

THE COMMITTEE RECOMMENDS THAT NO TAXI BE PERMITTED TO CARRY A TOBACCO ADVERTISEMENT.

3.38 Concern 4 relating to the Voluntary Code: That in PART 3 - THE PROVISIONS HEREOF, the wording is so vague or meaningless, that it is virtually impossible to enforce, and is certainly of no use in reducing the attractiveness of cigarettes to minors.

3.39 Under the "Failure to Comply" arrangement, if the cigarette companies do not comply with any of the provisions there is no legal redress, simply an ability to declare the agreement void. The irony with this provision is that the entire document is so imprecise in its language and so lacking in detail and substance that it is virtually impossible to "prove" a breach of the code.

3.40 An example of the above can be found in Part 3 - Section 4:

"APPEAL TO CHILDREN

Tobacco advertisements shall not show scenes, activities, representations, illustrations or contain words which specifically appeal to children."

3.41 Beach scenes, dogs, horses, artificial ducks, surfboards, motorbikes, fast food outlets, hot dogs, soft drinks, parks, fishing lines, discarded clothing and the words "you're laughing" are all regularly used in cigarette advertising and all could be said to appeal to children. The Committee wondered however if they could be said to "specifically" appeal to children? If not, it would be interesting to see an example of an activity, illustration or statement that does specifically appeal to children.

undertake appropriate phasing-in arrangements.

3.42 Part 3 - Section 8:

"SUCCESS

Tobacco advertisements shall not depict the tobacco products in such a way as to state, suggest or imply business, social, sporting or sexual success as attributable to the use of tobacco products."

3.43 As mentioned above, a number of advertisements set on the beach concentrate on the discarded clothing of men and women. The implication to many would undoubtedly be some sexual activity out of camera range. Another recent advertisement features a broken down car and discarded clothing next to a sign pointing towards a nudist colony, but does this imply sexual success and once again, is it possible to prove it? If either of these advertisements do not imply such success, then what possibly could?

3.44 The Committee also questioned the rationale behind Part 3 - Section 6:

"ADVERTISING NEAR SCHOOLS

Tobacco advertisements on banners and billboards shall not be displayed within a distance of 200 metres from the perimeter of any school grounds, children's playground or park used predominantly for children's recreational, sporting or educational use."

3.45 If it is accepted by the cigarette industry and the Department of Health that the advertising of tobacco products near schools is inappropriate then it is ridiculous to suggest that these same young people will not be influenced by advertising outside this artificial zone. Children often travel considerable distances to and from school, and to many other places. The grandest irony of this clause is, that if there is any environment at all in which the harmful and pervasive message contained in this form of advertising can be countered by well-reasoned health messages it is while children are at school. It is when they are travelling with their peers, entertaining themselves and away from the influence of adults, that they are most at risk from such lifestyle advertisements and most likely to be outside this advertisement-free zone.

3.46 Further detailed research on the influence of advertising on minors is referred to below in paragraph 3.81.

RECOMMENDATION 12

THAT BILLBOARD ADVERTISING OF TOBACCO PRODUCTS BE PROHIBITED.

3.47 Part 3 - Section 10 is titled:

"PROMOTION TO CHILDREN

The Manufacturing Companies by their servants and agents shall not provide tobacco products or materials which promote tobacco products to children in competitions or other activities which promote tobacco products."

3.48 The Committee noted with considerable concern the results of a recent survey in New South Wales in which sixty-five percent of male and seventy-five percent of female smokers under 16 years old purchased their cigarettes from shops.⁵⁶ It could easily be argued that the best way to promote tobacco products is to provide a method for their distribution. The Committee is not suggesting that the cigarette companies actively promote the sale of cigarettes to minors but rather they have absolutely no control on their "servants and agents", even in relation to competitions, and so the above clause is at best inoperable and at worst misleading.

3.49 Some difficulties arise for vendors in establishing the age of children, particularly as up until now there has been no universal proof-of-age card. However, the Committee strongly supports the recent government initiative which creates a government sponsored proof-of-age card. This card will be voluntary, available free from motor registries and contain a person's name, photograph, date of birth and signature only. Though originally intended to apply only to the Liquor Act and the Registered Clubs Act, this proof-of-age facility could be easily applied to the Public Health Act, which refers to the offence of selling cigarettes to minors.

RECOMMENDATION 13

- (a) THAT THE MINIMUM AGE AT WHICH CIGARETTES MAY BE PURCHASED BE RAISED TO 18.
- (b) THAT THE PROPOSED 'PROOF-OF-AGE' CARD OR PHOTOGRAPHIC DRIVERS LICENCE BE ACCEPTABLE EVIDENCE OF AGE.
- (c) THAT A PERSON WHO SELLS TOBACCO TO A PERSON WHO IS UNDER THE AGE OF 18 YEARS IS GUILTY OF AN OFFENCE WITH A MAXIMUM PENALTY OF 50 PENALTY UNITS.

⁵⁶ 1989 Survey of Drug Use, op. cit., p. 22

3.50 This recommendation is in line with recent changes to legislation in the ACT and reflects the Committee's concern to do all in its power to limit the availability to minors of Australia's most harmful drug.

3.51 Perhaps the most questionable of all the sections of the voluntary code is that which relates to sports sponsorship. Section 15 states:

"SPORTS SPONSORSHIP

The Manufacturing Companies shall not enter into promotions or sponsorships of any sporting or cultural event where that event is confined to children or where the majority of persons to whom the event appeals are children."

3.52 The cigarette manufacturers may well argue and indeed be able to prove that the two biggest sports promotions by cigarette companies in New South Wales, that is, Winfield in the Rugby League and Benson and Hedges in the Cricket are sports in which the majority of people to whom the sport appeals are not children. However, it is a fact that literally hundreds of thousands of children watch these sports on a regular basis and these two sports are the most popular sports screened on television in New South Wales.

3.53 The Committee finds unacceptable, the "prime-time" television broadcasting of events such as the Motor Racing Grand Prix, Winfield Cup rugby league matches and Benson and Hedges cricket games with the associated saturation coverage of so-called incidental tobacco brand names .

3.54 Some recent research in relation to incidental advertising indicated that during the 1989 Adelaide Grand Prix:

*"The Marlboro name or logo appeared on screen for up to 35.7 percent of the sampled time, but this dropped to 7.6 percent after the company's sponsored cars withdrew. The Fosters name or logo appeared for an average of 20.4 per cent of broadcast time."*⁵⁷

3.55 Other examples include the estimated 40,000 free advertisements that Benson and Hedges receives from a summer of televised cricket in Australia and the 1,412 exposures of the Winfield logo during two televised state football finals.⁵⁸

⁵⁷ Martin, D.S., 'Incidental Advertising of Beer and Cigarettes in TV Broadcast of the Adelaide Grand Prix', Media Information Australia, No 57, August 1990, P.6.

⁵⁸ Jones, R. 'They're turning our children into junkies', Simply Living, 1986; 2: 100-106.

3.56 In a further case, recently confirmed by the High Court of Australia, a television station was convicted of a breach of the Broadcasting and Television Act, 1942 for telecasting some pre-match entertainment called the Winfield Spectacular prior to the 1984 Grand Final. During this "entertainment"

*"the cigarette's name and logo appeared prominently on a large banner which featured in the Spectacular, and the dancers were dressed in colours which matched the cigarette packet's colours."*⁵⁹

3.57 This does not include the signage on the perimeter of the fence advertising a tobacco brand or the staining of the playing field's grass to create the company's name and logo.

3.58 While the Committee believes the case for limiting incidental advertising is indisputable, it appreciates the need for a phasing-in period.

RECOMMENDATION 14

THAT AS SOON AS PRACTICABLE NO SPORTING, CULTURAL OR ARTISTIC EVENT IN NEW SOUTH WALES MAY ADVERTISE OR EXHIBIT A TOBACCO BRAND NAME, LOGO, OR TRADEMARK IN ASSOCIATION WITH THE NAME OF THAT EVENT.

THE TOBACCO ADVERTISING REGULATION COMMITTEE

3.59 Section 19 of the voluntary code sets up the "Tobacco Advertising Regulation Committee" (TARC) made up of one representative of the Minister for Health, one representative of the manufacturing companies and a neutral Chairperson agreed to by the other two representatives. The TARC is charged with presenting a report to the Minister for Health and the manufacturing companies on the operation of the code every six months.

3.60 The Committee held detailed discussions with each representative. It is difficult for the Committee not to be extremely critical of the operation of this body. In doing so the Committee does not take issue with the performance or motives of any of the TARC members but rather at a completely flawed agreement and a hopelessly inadequate review mechanism.

3.61 The voluntary agreement was signed on the 14th April 1989. The TARC met for the first time on 4 December 1989 - almost eight months later. It would appear from the evidence received by the Committee that some

⁵⁹ Martin, op. cit., p. 6.

considerable difficulty occurred in attempting to secure a chairperson acceptable to the other two TARC members and the Minister for Health.

3.62 The Committee met on three occasions in the first six months. The first report was due on 4 June 1990. It was conveyed to the Minister in completed form on the 20 August 1990, 10 weeks late, and publicly released a month later. The TARC itself concluded that:

"the effect of the voluntary code is reduced by the actions of persons and companies who are not signatories to the agreement."

3.63 It further stated that:

"Correspondence to the [TARC] has demonstrated the need for the Committee to interpret the meaning of Clause 8 - which specifies that advertisements shall not state, suggest or imply business, social, sporting or sexual success as attributable to the use of tobacco products. This matter remains under consideration by the Committee and the Committee is of the view that this clause is in need of review and clarification by the signatories to the agreement."

3.64 The members of the Social Issues Committee consider that "review and clarification", or in some cases complete redrafting is also required in Part 1, Part 2 and in Part 3 sections 1, 4, 6, 7, 10, 13, 14, 15, 16, 19, 20 and the Appendix if the agreement is to have any effect whatsoever.

3.65 The TARC has also concluded that its role "did not include correspondence regarding the intent or implementation of the Code." So, put simply, the Tobacco Advertising Regulation Committee, set up to review the compliance of the tobacco companies with the voluntary code, cannot interpret the code except when reviewing alleged infringements and cannot write to people explaining what is meant by the code.

HEALTH WARNINGS

3.66 Finally, the appendix to the voluntary code states that:

"ROTATION - As far as is reasonably practicable, each of the four health warnings specified in various State and Territorial legislation shall appear in advertisements for cigarettes with equal frequency during each calendar year."

3.67 The following survey was conducted by the New South Wales Cancer Council and the National Heart Foundation. The detail is as follows.

3.68 Cigarette advertisements published between 1 July and 31 December 1989 in the following newspapers and magazines available from the State Library of New South Wales, were examined to determine the frequency of publication of each health warning.

3.69 Publications included in study:

MAGAZINES:

The Australian Women's Weekly	Modern Motor
Cleo	Wheels
Woman's Day	The Bulletin with Newsweek
New Idea	Business Review Weekly
Cosmopolitan	Australian Business
TV Week	Time Australia
Family Circle	Better Homes and Gardens
Vogue Australia	Good Housekeeping
Vogue Living	Mode
Vogue Entertaining	Australian House and Garden
Belle	

RESULTS:

After examining approximately 21,000 pages of copy, and 391 cigarette advertisements, a biased pattern clearly emerged.

HEALTH WARNING	NUMBER OF ADVERTISEMENTS	PERCENTAGE OF TOTAL
Smoking Causes Lung Cancer	7	1.8
Smoking Causes Heart Disease	25	6.4
Smoking Damages Your Lungs	18	4.6
Smoking Reduces Your Fitness	341	87.2
TOTAL:	<u>391</u>	<u>100.0</u>

3.70 In short, one warning, that relating to the fitness of smokers, appeared in over eighty-seven percent of all advertisements in these major circulation magazines.

3.71 A more recent example of the reluctance of the tobacco industry to rotate health warnings comes in a recent press release (complete with colour photographs) of the Mount Panorama racing circuit.

"Of the 24 advertisements at the track, only one warning "SMOKING REDUCES YOUR FITNESS" is displayed.

On 9 billboards, there is no health warning whatsoever.

On 4 billboards the health warnings are damaged and incomplete, and on 2 others they are obscured." ⁶⁰

3.72 Notwithstanding that these matters are still under investigation by the TARC, the Social Issues Committee has decided that the size, type, wording and qualifications associated with the health warnings on tobacco products need to be amended.

3.73 It is of particular concern to the Committee that tobacco is one of the few food-type products legally sold which is not required to list additives or flavouring agents and the Committee considers that this should not continue. Furthermore, in order to draw to the attention of smokers the dangers associated with the continuation of their addiction, the Committee has decided to recommend a number of steps similar to those recently adopted in Canada.

RECOMMENDATION 15

- (a) THAT ONE TOBACCO HEALTH WARNING, THAT RELATING TO A REDUCTION IN FITNESS, BE ABOLISHED AND REPLACED WITH SOMETHING MORE APPROPRIATE TO THE DESTRUCTIVE EFFECT OF TOBACCO CONSUMPTION;
- (b) THAT THE TOBACCO WARNINGS BE INCREASED IN SIZE FROM FIFTEEN PERCENT TO TWENTY-FIVE OF THE SURFACE AREA OF THE PACKET, THAT THEY BE MOVED FROM THE BOTTOM TO THE TOP OF THE PACKET AND CONTRAST WITH THE BACKGROUND COLOUR OF THE CIGARETTE PACKET;

⁶⁰ Press release, The Heart Foundation and the New South Wales Cancer Council, 4 December 1990.

- (c) THAT THESE WARNINGS NO LONGER CONTAIN THE POSTSCRIPT "HEALTH AUTHORITY WARNING"; AND
- (d) THAT EACH CIGARETTE PACKET CONTAIN A CARDBOARD INSERT, INSIDE THE PACKET ITSELF, OF NOT LESS THAN SIX CENTIMETRES BY FOUR CENTIMETRES, WHICH ON ONE SIDE WOULD CONTAIN A HEALTH WARNING AND THE "QUIT FOR LIFE" TELEPHONE NUMBER AND ON THE OTHER SIDE LIST A SELECTION OF THE WORST CARCINOGENS TO BE FOUND IN CIGARETTES.

ARGUMENT 4 ADVANCED BY THE TOBACCO INDUSTRY -

THE ADVERTISING OF TOBACCO PRODUCTS DOES NOT ENCOURAGE SMOKING. IT MERELY ATTEMPTS TO RETAIN CURRENT SMOKERS OF A PARTICULAR BRAND OR ENCOURAGE OTHER SMOKERS TO CHANGE BRANDS. CONTROLS ON ADVERTISING RESTRICT THE INDUSTRY'S ABILITY TO INFORM CONSUMERS OF PRODUCT CHANGES (E.G. LOW TAR CIGARETTES). TOBACCO SPONSORSHIP OF SPORTING, CULTURAL AND ARTISTIC EVENTS IS A MAGNANIMOUS GESTURE OF CORPORATE GOODWILL RATHER THAN DE FACTO ADVERTISING. ADVERTISING DOES NOT ENCOURAGE CHILDREN TO SMOKE.

3.74 All of these claims were made to the Committee by a representative of the tobacco manufacturing companies. It is the Committee's view that none of them are correct. It would appear somewhat unusual that the advertising industry tells advertisers of all products except alcohol and tobacco that advertising will increase overall consumption of the product.

3.75 It is self-evident that for the tobacco industry to remain profitable it must constantly recruit new smokers. As the statistics quoted at the beginning of the chapter indicate, the primary recruitment ground is children. Seventy-five percent of all adult smokers began smoking during or before adolescence.

3.76 While there has been an overall decrease in the number of smokers in Australia since the Second World War there is a still a dramatic increase in the number of smokers, both male and female, from the ages of 14 to 18 and of particular concern is the fact that in comparative surveys of this age group conducted in 1985 and 1988 more females at almost every age in adolescence smoked in 1988 than in 1985, despite the best efforts of health and education authorities to reduce smoking among adolescents.⁶¹

⁶¹ Richmond, R., Webster, I., & Heather, N., Drug Use Amongst Youth: Patterns, Psychosocial Factors & Prevention, Submission, SD 71, P. 8.

3.77 The industry has also created the myth of the low tar cigarette. The unfortunate thing about these cigarettes is that smokers in most instances will draw more heavily on a low tar cigarette increasing their smoke intake and/or smoke more cigarettes. Experts advise that it cannot be sufficiently highlighted that there is no safe level of consumption of tobacco - regardless of the tar level on the side of the packet.

3.78 As mentioned in the section on the Voluntary Code the Committee does not believe that "sponsorship by tobacco companies is an example of corporate goodwill". Rather, it is a clear attempt by the manufacturers to achieve innocence by association. The flaunting of tobacco trade names at venues as diverse as the Opera House, football stadiums and ski fields, is simply an attempt by the tobacco companies to maximise exposure as the media available to them decrease.

3.79 In this context the Committee is very concerned that large scale sponsorship of sport which is particularly attractive to young people glamorises smoking through such events as the NSW Rugby League "Winfield" Cup. Tobacco and alcohol are overwhelmingly the most destructive drugs. For a game that is particularly popular with young people and which is trying to promote itself nationwide, it would be appropriate for the rugby league administrators to consider that their sponsorship funding is derived from the nation's biggest drug killer.

3.80 The League's decision is also in stark contrast to the Australian Soccer Federation which decided in 1989 to terminate a 15 year association with the tobacco company Rothmans and instead enter a five-year agreement with the Victorian Health Promotion Foundation.

3.81 The amount of research on the link between advertising and smoking by children is continually increasing. Below are a selection of statements and conclusions which appear in a range of articles on this issue.

- *"There is enough evidence now, from all different kinds of studies, to justify a conclusion of probable causation for the effect of advertising on the uptake of smoking by children. We did not wait for cast-iron scientific proof before we took public-health action on behaviours that were associated with contracting the human immunodeficiency virus. We should take a similar prudent approach and ban all advertising and the promotion of tobacco."*⁶²

⁶² Pierce, J.P. 'Time to ban cigarette advertising and continue the "Quit For Life" campaigns'. Medical Journal of Australia, Vol. 152. February 5, 1990. P. 113.

- **"Australian studies have shown that children usually smoke the most-heavily advertised brands of cigarettes ... "** ⁶³
- **"Ledwith found that sponsorship by tobacco manufacturers of televised sports acted as cigarette advertising to children who were better able to identify cigarette brands after watching tobacco sponsored sporting events than they were before ..."** ⁶⁴
- **"Tye et al., on review of the available evidence concluded that 'a preponderance of quantitative studies of cigarette advertising suggests a causal relationship with consumption'. All this evidence points to an effect of cigarette advertising on the uptake of smoking by children; as do the substantial falls in smoking prevalence among adolescents in Norway that have followed the ban on tobacco advertising which was implemented with other smoking control measures in that country in 1975."** ⁶⁵
- **"The central focus of the public-health concern is that the images that are presented in cigarette advertising influence how children think about tobacco and this increases the proportion which experiments and later becomes regular users of tobacco products."** ⁶⁶
- **"There is now considerable evidence that children both see and can easily recall cigarette advertising whether it is on billboards, in magazines or newspapers, on television or at the cinema or when it is placed propitiously at sports events."** ⁶⁷

⁶³ Fisher, D. & Magnus, P. "Out of the Mouths of Babes..." The opinion of 10 and 11 year-old children regarding the advertising of cigarettes. Community Health Studies, 1981; No. 5, pp 22-26. and Chapman, S. op. cit.

⁶⁴ Armstrong, K., de Klerk, N., Shean, R., Dunn, D. and Dolin, P. 'Influence of education and advertising on the uptake of smoking by children' Medical Journal of Australia, Vol. 152, 5/2/90, P. 120.

⁶⁵ Ibid.

⁶⁶ 'Reducing the health consequences of smoking: 25 years of progress. A report of the Surgeon-General. Washington, D.C. U.S. Department of Health and Human Services. 1989.

⁶⁷ Pierce, Op. Cit.

- *"In most cases, the addiction is established while the individual is still a minor, aided and abetted by slick advertising."* ⁶⁸
- *"These findings, taken in conjunction with previous research, indicate that cigarette advertising is reinforcing under-age smoking. The smokers showed an enhanced or heightened preference for Kensitas Club, the brand favoured by adults. This is consistent with previous research indicating that promotional devices which help determine and reinforce adult cigarette brand preferences have an even greater effect on under-age smokers."* ⁶⁹

RECOMMENDATION 16

THAT ALL ADVERTISING AT POINT-OF-SALE AND ON PUBLIC VENUES, OVALS AND SPORTING GROUNDS, INCLUDING BRAND NAMES AND TRADEMARKS AND LOGOS REPRESENTED ON THE SURFACE OF SUCH VENUES, BE PROHIBITED AS SOON AS PRACTICABLE.

ARGUMENT 5 - ADVANCED BY THE TOBACCO INDUSTRY -

THE INDUSTRY IS CONCERNED ABOUT MINORS ACCESS TO TOBACCO PRODUCTS AND HAS CONTINUALLY ATTEMPTED TO RESTRICT JUVENILE ACCESS, AND ATTRACTION, TO SUCH PRODUCTS

3.82 This argument was dealt with at length at page 14, PROMOTION TO CHILDREN. Though the industry claims to have tried to restrict the access of juveniles to tobacco products they have been spectacularly unsuccessful. It is of interest that an average of seventy percent of male and female smokers below the age of 16 in New South Wales purchase their cigarettes from shops. ⁷⁰

3.83 It has also been mentioned that the most popular and widely televised sports in the state are sponsored by the tobacco companies. The ACT recently passed legislation increasing the legal age of purchase of cigarettes to 18, this is in line with the Committee's view. It seems patently absurd that the only licit drug easily and legally purchased by 16 year olds is the most harmful one. This is covered in Recommendation 12, above.

⁶⁸ Ibid.

⁶⁹ Aitken, P and Eadie, D., 'Reinforcing effects of cigarette advertising on under-age smoking'. British Journal of Addiction (1990) 85, P. 399.

⁷⁰ 1989 Survey of Drug Use. op. cit. P. 22.

Incidental Advertising in Feature Films

3.84 Bearing in mind that the tobacco companies are international conglomerates and that American films have a major market in Australia the following statistics seem inconsistent with the tobacco industry claims:

- *"In 1988, Phillip Morris paid US\$350,000 so that their brand of cigarettes would be shown in a new James Bond movie 'Licenced to Kill' ...*
- *In 1979, Phillip Morris paid US \$42,500 to have its Marlboro cigarettes appear in the movie Superman II, ...*
- *In 1983, another cigarette manufacturer, Liggett, paid US\$30,000 to have its cigarettes appear in the movie, Supergirl. These are movies with major child and adolescent audiences."*⁷¹

RECOMMENDATION 17

THAT ANY FILM FINANCIALLY OR ADMINISTRATIVELY ASSISTED BY THE NSW FILM CORPORATION DISPLAY NO IDENTIFIABLE BRAND NAME OF CIGARETTES OR INCIDENTAL ADVERTISING, UNLESS IT INCORPORATES "FILE" FOOTAGE AND THAT NO SUCH FILM ACCEPT ANY FORM OF PAYMENT OR SPONSORSHIP FROM A TOBACCO COMPANY.

ARGUMENT 6 - ADVANCED BY THE TOBACCO INDUSTRY -

THAT THE RECENTLY EXPRESSED CONCERNS RELATING TO THE HARM ASSOCIATED WITH THE INGESTION OF PASSIVE OR SIDE STREAM SMOKE HAVE NOT BEEN PROVEN

3.85 This comment was relayed to the Committee, during evidence, by the representative of the Tobacco Institute. It should be remembered however, that the tobacco industry does not yet accept that active smoking causes any health problems, so such a statement is not surprising. It does not however accord with other evidence tendered to the Committee.

3.86 Passive smoking is now recognised as the third leading cause of preventable death in the United States, behind active cigarette smoking and alcohol abuse.⁷²

⁷¹ Fact Sheet: Voluntary Cigarette Advertising Codes. Australian Council on Smoking and Health. Perth. April 1990.

⁷² Glantz, S., Professor, University of California. Speech given on 5 October 1990. Sydney.

3.87 Approximately 53,000 deaths a year in the United States, the majority of them from heart disease, were due to passive smoking, according to the U.S. Environmental Protection Agency. That estimate translated to Australia would indicate that in excess of 1,500 deaths a year occur in Australia from the same cause. For every eight smokers the tobacco companies kill one non-smoker.⁷³

3.88 Dangerous substances in second-hand smoke include: carbon monoxide, carbon dioxide (which reduces the blood's capacity to carry oxygen), methane, propane (used in stoves), acetone (nail polish remover), ammonia (used for cleaning toilets), cyanide (used for killing rats), hydrazine (a rocket fuel), formaldehyde (used in the preservation of tissue), dimethyl nitrosamine and 43 proven carcinogens, including benzene (motor fuel), vinyl chloride, cadmium (found in batteries) and arsenic (used in ant poison).⁷⁴

3.89 Passive smoking is particularly dangerous for children whose respiratory systems have not fully developed and has been linked to acute respiratory infections, impairment of lung function, middle ear effusion and bronchitis. For adults a link has been established between passive smoking and heart disease, osteoporosis and cancer of the stomach and breast.⁷⁵

3.90 The Committee is pleased to support the move by the overwhelming majority of Government Departments and Statutory Authorities towards no smoking in the workplace. In a recent review of the Public Service Notices undertaken for the Committee, it was noted with some concern that only Parliament House which has a policy which states "Notices indicate in which areas of the Parliament a non-smoking policy applies" and the Cabinet Office, which has no stated policy but apparently makes a decision on a branch by branch basis, among all Departments and Statutory Authorities listed, do not, as yet, have a "no smoking in the workplace" policy.

RECOMMENDATION 18

THAT ALL RESTAURANTS IN NEW SOUTH WALES WHICH SEAT IN EXCESS OF 100 PEOPLE MUST PROVIDE A "SMOKE-FREE" AREA.

⁷³ Ibid.

⁷⁴ Ibid. & Hansard, Legislative Council, 25 October 1990, pages 37 and 42.

⁷⁵ Ibid

Price Sensitivity and Influence on Consumption

3.91 An American Heart Association study estimates that the adult price elasticity of demand is approximately -0.4, thus a ten percent price rise produces a four percent consumption fall.⁷⁶ This means that a government that increases excise will increase revenue at least in the short term.

3.92 Of more interest to this Committee however is his suggestion that teenagers are more price-sensitive than adults both because they have a lower disposable income and because their smoking habit (i.e. addiction) is less established. Their price elasticity is -1.4, that is a ten percent price increase produces a fourteen percent decrease per smoker.⁷⁷

3.93 Furthermore, the higher the original price the fewer teenagers will take up smoking. The factor here is -1.2, or in other words an increase in price of ten percent leads twelve percent fewer children to start smoking.⁷⁸

3.94 In New Zealand in 1986 there was a fifty-four percent increase in the price of cigarettes which led to a twenty-six percent drop in consumption in 6 months.⁷⁹ In Norway and Finland significant price increases have also resulted in dramatic decreases in consumption.⁸⁰

3.95 Increasing tobacco taxation appears to be the most effective single measure for curtailing total consumption of tobacco as well as the health damage caused by smoking.⁸¹ Hence, the following recommendation serves the dual purpose of a reduction in juvenile smoking and a mechanism for funding the proposed New South Wales Health Promotion Foundation, which is the subject of Chapter 5.

⁷⁶ Warner, Prof. K., (Michigan University) 'Public Policy and Health'. A report of the American Heart Association. Vol 73, No. 2., February 1986. pp 381 - 395. and same author 'Publicity, Price and Puffing'. Journal of Health Economics, No. 3, 1984, pp 179-86.

⁷⁷ Ibid.

⁷⁸ Ibid.

⁷⁹ Press Release. New Zealand Department of Health. Reprinted in Supplement to Clean Air Clarion, June-August, 1987, p. 2.

⁸⁰ Bjartveit, K., 'Fifteen Years of Comprehensive Legislation: Results and Conclusions', Paper presented at the Seventh World Conference on Tobacco and Health. Perth, W.A. 3 April 1990.

⁸¹ Supplement to the Clean Air Clarion, op. cit.

RECOMMENDATION 19

A FURTHER TAX OF TEN PERCENT ON ALL TOBACCO PRODUCTS BE INSTITUTED AND CHANNELLED DIRECTLY INTO THE RECOMMENDED HEALTH PROMOTION FOUNDATION. THIS TAX INCREASE AT THE RATE OF ONE PERCENT PER YEAR FOR THE NEXT FIVE YEARS UNTIL THE TOTAL RATE OF STATE TAXATION REACHES A FIGURE OF FIFTY PERCENT.

The figure of fifty percent as the State licence fee (that is, fifty percent of the wholesale price) for tobacco products is considered by the Committee to be an achievable national goal. It is already at that level in the states of Western Australia, South Australia, Victoria and the Northern Territory.

CHAPTER 4: ALCOHOL

Introduction

4.1 Alcohol is second to tobacco as the most harmful drug consumed by Australians. Together, they account for ninety-six per cent of all drug-related deaths. The Committee does not wish to be drawn into the debate as to whether in the case of alcohol, unlike tobacco, there is a safe level of consumption for most healthy people. It notes the view expressed in the introduction to the National Health Policy on Alcohol in Australia, that there is a place in society for the consumption of alcohol responsibly and in moderation. Unfortunately, the fact that alcohol is a potentially harmful and addictive drug is not generally acknowledged by the community, it has widespread social acceptance and is regarded by many as an essential component of any social gathering.

4.2 The statistics speak for themselves. It is estimated that one in every five admissions to general hospitals in Australia is due to alcohol-related problems. Among youth, alcohol is the most harmful drug consumed. Australia-wide, of the 238 drug-related deaths recorded among 0 to 14 year olds in 1987, 76 were alcohol-related; of these, 67 were due to motor vehicle accidents. In the 15 to 34 age group, of the 1409 drug-related deaths, 915 were alcohol-related, 504 of these being due to motor vehicle accidents.⁸² In 1989 the statistics for the older age-group remained very similar.⁸³ To these figures must be added the long-term and permanent injuries sustained by many of the alcohol-affected young people who survived such accidents.

Extent of the Problem

4.3 The most recent survey of drug use by students aged 12 to 17 in NSW⁸⁴ shows that the majority of males and females in all age groups (except 12 year-old females) had consumed alcohol at least once, with the incidence rising to ninety-six percent in the case of 17 year-old males. The survey also showed, however, a significant decline in the percentage of those who reported regular use of alcohol in 1989 compared to the figure for 1986 (down from thirty-four percent to twenty-two percent among boys, and down from thirty-two percent to eighteen per cent among girls). This is grounds for only limited satisfaction, however, as a further breakdown of the figures

⁸² Source: National Drug Abuse Information Centre.

⁸³ Source: Commonwealth Department of Community Services and Health, quoted in "1989 Survey of Drug Use by NSW Secondary School Students", Department of Public Health, University of Sydney and Directorate of the Drug Offensive.

⁸⁴ *ibid.*