



Smoke Free Partnership Annual Report 2007

SFP Annual Review 2007

Introduction

Despite evidence that tobacco control measures by the European Community and within the Member States have had a positive effect on smoking rates and saved thousands of lives, smoking still remains the largest single cause of preventable death and disease in Europe. Although much has been achieved in tobacco control over the past decade, increased capacity for tobacco control is needed in order to bring about further changes within Member States and the EC. Resources available for tobacco control actions still fall far short of what is needed, despite the trans-national nature of the tobacco industry and the need to facilitate a European response.

Aims of the SFP Europe

The Smoke Free Partnership was set up to begin to address this shortfall. Its founding membership consists of Cancer Research UK, the European Respiratory Society and the Institut National du Cancer. It aims to consolidate tobacco control activities and policy research at European and national levels in collaboration with other EU health organisations and tobacco control networks. In order to achieve its aims, the partnership will: build on existing alliances; support national tobacco control efforts; supplement existing tobacco control activities at European level; harness the partners' existing research and funding capacities; and develop capacity and research strategy at EU level in a more targeted way.

Overview of Activities in 2007

2007 has been a momentous year for the SFP as we moved closer to one of our core goals - to ensure legal protection from secondhand smoke across Europe. The SFP worked hard in collaboration with the "*Global Smokefree Partnership*" to ensure European support for the draft Article 8 Guidelines of the FCTC which were adopted with unanimous support from all Parties¹. Throughout 2007, the SFP received requests from several Member States for assistance in adopting smokefree laws in their country. These requests have included evidence to put before Parliamentary hearings on draft legislation as well as how to deal with and answer repeated industry requests for

¹ The guidelines were adopted during the second session of the Conference of the Parties, which took place in Bangkok, Thailand, from 30 June to 7 July 2007. The draft decision of Committee A, who was charged with addressing the draft Article 8 guidelines, is now available on the WHO website. [Click here](#) to download COP2's decision on Article 8.

“clarifications” of legislation. In its second year of operation, the Partnership is now *the* organisation of reference on smokefree policies in Europe.

On other matters, the SFP led the work of the EU RIP (Reduced Ignition Propensity) Alliance to ensure the success of the campaign for “fire-safer” cigarettes. On November 29, 2007, the Committee of the General Product Safety Directive (GPSD) agreed to mandate CEN, the EU’s standard-making body, to develop a pan-European standard for production of fire-safer cigarettes. During the press event, MEP Arlene McCarthy (Chair of the Internal Market Committee in the European Parliament) stressed that this victory “*would not have been possible without the help of the Smoke Free Partnership and all the organisations that signed up to the EU RIP Alliance*”.

Internationally, The SFP worked on the WHO Framework Convention on Tobacco Control (FCTC) issues and in particular, investigation of EU funding streams for tobacco control in developing countries and supporting work on FCTC monitoring being carried out by the Framework Convention Alliance (FCA). Over 2007, the Brussels office continued to work with the Framework Convention Alliance (FCA) to monitor implementation of the FCTC. Two staff members attended the Second Conference of the Parties (COP) to the FCTC in June. The meeting was considered very successful as it adopted all FCA recommendations but one. Furthermore, it was agreed that work would start on a protocol on illicit trade and on a number of guidelines on packaging and advertising (Article 13) and on relations with the tobacco industry (Article 5.3). in relation to the latter, the SFP participated in the draft guidelines meeting that took place in The Hague in December 2007 .

Another milestone for SFP this year has been the launch of our website www.smokefreepartnership.eu. The findings and key messages of the “*Lifting Smokescreen*” report, which have been translated into most EU languages and are available on the SFP website, continue to be widely used by public health experts, policy makers and politicians across Europe to support smokefree policies. The figure of at least 79,000 EU deaths from passive smoking is now routinely quoted in any EU-level debate on passive smoking.

Further details about SFP’s activities over the past year are described below.

Smokefree Legislation

On 30 January 2007, the Commission published a Green Paper *Towards a Europe free from tobacco smoke: policy options at EU level*² to launch a broad public consultation on the best way to promote smoke-free environments in the EU. The SFP and its figure of at least 79,000 EU deaths from passive smoking in the *Lifting the Smokescreen* report were quoted in the Green Paper. In accordance with the spirit in which the SFP works, we coordinated our response with other EU health organisations and EU tobacco control networks, and argued that the best way to introduce a total ban on smoking in all enclosed public places (that would be supported and complied with) should be at the national level. The Commission received a total of 311 replies to the consultation and, in September 2007, asked the SFP to present its response at the international conference: *Towards a Smokefree Society*³ in Edinburgh³ as one of the *key* organisations of reference on smokefree policies in the EU.

The SFP was also very active in the European Parliament (EP) and successfully lobbied for changes to the EP's own initiative report in response to the Commission Green Paper on Smokefree. All our amendments were voted through in the Strasbourg plenary on 25 October. The report, which was approved by 561 Members of the EP (MEPs), with 63 votes against and 36 abstentions, called on the EU's executive, the Commission, to draw up a law banning smoking in all enclosed workplaces, public buildings and transport. They also demanded that the Commission, which is the only EU body allowed to propose laws, designate tobacco as a class-1 carcinogen, analyse the cost of smoking to national health services, and consider setting an EU-wide minimum tax level for tobacco products. Whilst the report has no legal power, the size of the majority backing it and the growing European momentum towards smoking bans gives it considerable political weight - a factor likely to influence future Commission proposals. The SFP is particularly indebted to MEP Florenz for ensuring that the legislation was not watered down⁴. He and other MEPS fought off strong lobbying from pro-tobacco interests in favour of different types of exemptions, for instance for bars and restaurants or for separate smoking areas.

² (COM(2007) 27 final) -

http://ec.europa.eu/health/ph_determinants/life_style/Tobacco/Documents/gp_smoke_en.pdf

³ The presentations are now available on the conference website and can be found by clicking on the link below:

<http://www.smokefreeconference07.com/programme.php>

⁴ The **European Parliament's** resolution states that "*only a full smoking ban in all enclosed workplaces, including catering and drinking establishments, and all public buildings and transport can protect the health of employees and non-smokers and make it considerably easier for smokers to give up*".

In June, the SFP also organized a press conference in the European Parliament in close cooperation with MEP Gerard Onesta (FR, Green) and MEP Karl Henz Florenz (DE, EPP) to highlight the findings of a poll commissioned to look into MEPs' attitudes towards the smoking ban in the EP and smokefree policies in general.

On 17th April, the SFP organized a workshop entitled *Smoke Free Places* as part of the European Public Health Alliance Conference *Health in the Enlarged EU*. The workshop was designed to bring together national tobacco control coalitions and members of the public health community in order to: discuss the need for, and assess the prospects of, further smoke-free campaigns and collaboration in their own countries; learn the rationale for 100% smoke-free policies and the main scientific arguments (ie the proven dangers of passive smoking and the fact that smoke-free legislation is health and safety legislation); and to update participants on the development of guidelines on Article 8 of the FCTC. The workshop highlighted the need for further capacity building to drive forward smokefree policies and strategic national campaigns.

The SFP also gave key technical assistance and capacity building to support the adoption of smokefree policies in several Member States, and monitored the implementation in those countries that have already adopted full or partial smokefree legislation, notably France and Slovenia. In October, a representative of the SFP spoke at the very first tobacco control session to be organised at the European Health Forum in Gastein, Austria⁵. Partly in response to a press release drafted by the SFP, the Austrian Chancellor criticised a draft smokefree law published by the Health Minister in a subsequent speech at Gastein. The law is now being amended.

Reduced Ignition Propensity (RIP) Cigarettes

A European campaign to ensure that only 'fire-safer' cigarettes are produced and marketed in the EU was launched at a hearing in the European Parliament on 28 February 2007. The event was hosted by Ms Arlene McCarthy, MEP and Chair of the EP Internal Market and Consumer Protection Committee and opened by MEP Ms Catherine Stihler. The event brought together seven European Parliamentarians, together with Commission officials, Permanent Representations, local authorities, fire-fighters, health professionals and Health and Safety NGOs. Dr Jacques Latarjet – Former President of the *Société Française d'étude et traitement des brulures* and

⁵ The other two speakers at the event were the Head of the Unit on Health Measures and Legislation from DG Sanco and a representative of DG TAX.

former President of the European Burns Association stirred participants with case studies of burns victims, stressing that burn injuries are horribly painful and in almost all cases, impair people for the rest of their lives. François Damphousse, Director at the Quebec Office of Non-Smokers' Rights Association, who lobbied successfully for RIP legislation across Canada, exposed the tactics of the tobacco companies, which include claiming that RIP cigarettes are more toxic and that they do not prevent fires. He explained that the tobacco industry will probably do all it can to obstruct reform at European level because they do not want their products to be classified as 'unsafe'. This landmark event raised awareness among policy-makers and health and safety professionals about the urgency of regulating for RIP cigarettes.

The RIP campaign at EU level was coordinated by the SFP. In view of the fact that it is technologically and economically feasible for cigarettes to meet fire-safety standards, the EU RIP Alliance⁶ successfully promoted, in collaboration with other EU organisations such as the European Fire Safety Network www.raddningsverket.se/firesafetynetwork and the RIP coalition in the UK www.firesafercigarettes.org.uk, the introduction of reduced-ignition propensity based on the same standard as in New York and Canada (ASTM International) E2187.

The SFP would like to thank all the MEPS who were active during the campaign and especially Arlene McCarthy (Chair) UK Socialist Group in the European Parliament, Catherine Stihler (Chair) UK Socialist Group in the European Parliament, Liz Lynne UK Group of the Alliance of Liberals and Democrats for Europe, Baroness Sarah Ludford UK Group of the Alliance of Liberals and Democrats for Europe, Jean Lambert UK Group of the Greens/European Free Alliance, Robert Evans UK Socialist Group in the European Parliament, Chris Davies UK Group of the Alliance of Liberals and Democrats for Europe.

Nicotine Regulation and Harm Reduction

The Smokefree Partnership, together with the European Heart Network and the Comité National Contre le Tabagisme (CNCT), held a two-day seminar in Leuven on 3rd and 4th May 2007 to discuss tobacco and nicotine product regulation. Entitled

⁶ Created in 2006, The EU RIP Alliance is a new independent and flexible partnership between the Smoke Free Partnership, the European Child Safety Alliance, EuroSafe www.childsafetyeurope.org, the European Older People's Platform www.age-platform.org, the European Federation of Nurses Associations www.efnweb.eu/version1/en/index.html, the European Public Health Alliance www.epha.org, Eurocare www.eurocare.org, PGEU www.pgeu.org, the Health & Environment Alliance www.env-health.org, the London's European Office www.London.gov.uk and Action on Smoking and Health (ASH) www.ash.org.uk.

"Consensus seminar on tobacco and nicotine product regulation", the event brought together over 50 members of the tobacco and scientific communities working on tobacco control throughout Europe. The result of this seminar⁷ was a major step forward to promoting the development of a framework for the regulation of all tobacco and nicotine-based products to the European agencies as recommended by the EU ASPECT report.

The SFP also responded to a consultation on Smokeless tobacco⁸. We made a number of recommendations including the need to understand how snus might be perceived and used in different EU countries and whether it might be an effective cessation aid. Our strongest recommendation was for the EU to ensure that snus should only become available under tightly regulated conditions that prohibit the tobacco industry from making any claims or promotion. If research indicated that it could have a role in smoking cessation (outside of Sweden), snus could be made available on prescription. This should be in the context of making the most harmful form of nicotine – smoked tobacco- the least accessible, affordable and attractive and the least harmful – medicinal nicotine- the most available and affordable⁹.

Price of tobacco products and the fight against the illegal tobacco trade

In early 2007, the SFP planned a meeting with DG Taxud to discuss tax and smuggling issues. In addition, The SFP responded to a consultation on proposals to amend the EU tobacco tax directive. We made a number of recommendations including the need to increase tax on hand-rolled tobacco.

In June 2007, the SFP together with FCA organized a lunch debate in the European Parliament on the FCTC and the need for a smuggling protocol. Fourteen MEPs were present at this event. A lively discussion followed the presentations by WHO, FCA and OLAF. The impact of the event was evident in the a number of amendments that were subsequently tabled to an EP report on the EC Green Paper on smokefree places.

Health Inequalities and Cross Horizontal European Issues

The SFP responded to a number of consultations issued by the European Commission in 2007. On health and health inequalities issues, the SFP responded to consultations

⁷ To read the statement, please click here:

http://www.smokefreepartnership.eu/IMG/pdf/The_Leuven_Consensus.pdf

⁸ http://ec.europa.eu/health/ph_risk/committees/04_scenihhr/scenihhr_cons_06_en.htm

⁹ The Leuven Consensus www.smokefreepartnership.eu/IMG/pdf/The_Leuven_Consensus.pdf

on the Health Strategy and on Future Challenges. Regarding governance, the SFP responded to the Green paper on Access to Documents.

Framework Convention on Tobacco Control

The international tobacco control treaty, the Framework Convention on Tobacco Control (FCTC) is going from strength to strength. As of February 2008 there are 152 Parties to the Convention, representing more than 80% of the world population. Issues of particular importance for Europe include the development of protocols on tobacco smuggling and cross-border advertising, as well as guidelines on product regulation and secondhand smoke.

The SFP attended the Second Conference of the Parties (COP) in July where substantial progress was made on these issues. Specifically, the COP formally adopted strong guidelines on protection from secondhand smoke and set up a body to start negotiating a protocol on illicit trade. It is envisaged that this protocol will be adopted at the fourth COP in 2010. Draft guidelines are now being developed on tobacco packaging and labelling, and tobacco advertising to be presented at the third COP in 2008. All these will bring significant benefit to tobacco control at European and national level.

SFP Information and media work

The SFP continues to offer comment and information to journalists. In addition to offering a reaction to tobacco news stories at European level, we pro-actively issued 7 press releases which received considerable coverage at European and national level. Over the past year, over 500 articles were read every month on the SFP website.

The SFP would like to thank Archie Turnbull, who retired this year, and Fiona Godfrey and Sylviane Ratte, who will leave the SFP Board in 2008, for their major contribution to tobacco control and the work of the Smoke Free Partnership.

Board members 2006-2007

Fiona Godfrey ERS

Jean King Cancer Research UK

Sylvianne Ratte INCa

Archie Turnbull ERS

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