

UK RESPONSE – FCTC PROGRESS REPORT

EXPLANATORY NOTE

This note should be read alongside the UK response to the FCTC Reporting Instrument. It sets out additional information and resources where required by the instrument.

1. Origin of the Report

No additional information

2. Demographics

(a) Source – *National Statistics website*

<http://www.statistics.gov.uk/statbase/ssdataset.asp?vlnk=9387&More=Y>

(b) Source – *National Statistics website*

<http://www.statistics.gov.uk/StatBase/Product.asp?vlnk=14238>

3. Tobacco use

(i) Prevalence

(a) Smoking tobacco

Source – *General Household Survey 2005* (Office of National Statistics, published November 2006), Table 1.14

Available at:

<http://www.statistics.gov.uk/StatBase/Product.asp?vlnk=5756>

Note: that data from the *General Household Survey* is for England, Wales and Scotland (i.e. UK excluding Northern Ireland).

Note: that figures for daily smokers are from the definition ‘smoke at least one cigarette per day’. The *General Household Survey* does not record ‘occasional’ smokers.

Note: that ‘cigarettes’ includes manufactured and hand-rolled cigarettes.

Average number of cigarettes per day

Source – *General Household Survey 2005*, Table 1.15

(b) Relevant information not available. A 2006 Eurobarometer survey showed that there is not a measurable level of smokeless tobacco use in the UK. See:

http://ec.europa.eu/health/ph_information/documents/ebs_239_en.pdf

(c) Source - *General Household Survey 2005*, Table 1.10

(d) Source - *Drug Use, Smoking and Drinking among young people in England 2005*

Available at:

<http://www.ic.nhs.uk/pubs/drugsmokedrinkyoungeng2005>

Note: that data for *Drug Use, Smoking and Drinking among young people in England 2005* is for England only.

Note: prevalence data is for people who smoke at least one cigarette per week.

Note: that 'cigarettes' includes manufactured and hand-rolled cigarettes.

(ii) Supply

(a) Data tbc – data will be sent as soon as accurate figures have been sourced

(b) Source – Her Majesty's Revenue and Customs (HMRC), Annex C of Annual Report at:

http://customs.hmrc.gov.uk/channelsPortalWebApp/downloadFile?contentID=HMCE_PROD1_026500

(c) Source – as (b). Data is for financial year 2005/06.

4. Taxation

For details on excise duty rates see:

http://customs.hmrc.gov.uk/channelsPortalWebApp/channelsPortalWebApp.portal?_nfpb=true&_pageLabel=pageExcise_RatesCodesTools&propertyType=document&id=HMCE_PROD1_025386

5. Legislative, executive, administrative and other measures

(i) Core Questions

Price and tax measures to reduce the demand for tobacco

From Her Majesty's Revenue and Customs (HMRC) guidance:

When travelling from the EU to the UK you do not have to pay any tax or duty on goods you have bought in another EU country as long as tax was included in the price when you purchased the items, the items are for your own use, and have been transported to the UK by you. This includes gifts, but does not include any item that is intended to be used as payment or to be resold.

If you bring back large quantities of tobacco, a Customs Officer is more likely to ask about the purposes for which you hold the goods. This will most likely be the case if you appear at the airport with more than:

3200 cigarettes
400 cigarillos
200 cigars
3 kg of smoking tobacco

Please note the following exceptions stand for these EU countries:

From Estonia - 200 cigarettes or 250g of smoking tobacco*
From Bulgaria, Czech Republic, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia or Slovenia - 200 cigarettes*

*No limit of on other tobacco products as long as they are for your own use.

When travelling from outside the EU to the UK you are allowed to bring in the following, provided you travel with the items and do not intend to sell them.

200 cigarettes; or 100 cigarillos; or 50 cigars; or 250g of tobacco

Protection from exposure to tobacco smoke

Comprehensive smokefree legislation will cover the whole of the UK after 1 July 2007. For more information see:

www.smokefreeengland.co.uk
www.clearingtheairscotland.com
www.smokingbanwales.co.uk
www.spacetobreathe.org.uk

All Government and NHS buildings have been completely smokefree since 1 January 2007.

Regulation of tobacco product disclosures

Required to be sent yearly to the Department of Health by the Tobacco Products (Manufacture, Presentation and Sale)(Safety) Regulations 2002.

Illicit trade in tobacco products

Origin of product - Required by the Tobacco Products (Manufacture, Presentation and Sale)(Safety) Regulations 2002.

Domestic market marking – UK Duty Paid stamp required by the Tobacco Product Regulations 2001.

Legislation against illicit trade – see HMRC's 'Tackling Tobacco Smuggling Strategy' at:

http://www.hm-treasury.gov.uk/budget/budget_06/other_documents/bud_bud06_odtobacco.cfm

and the HMRC annual report (p30) at:

http://customs.hmrc.gov.uk/channelsPortalWebApp/downloadFile?contentID=HMCE_PROD1_026500

Licensing or other actions – other actions, around suspension of duty in the supply chain, regulate production and distribution.

Sales to and by minors

The age of sale for tobacco for England and Wales will rise to 18 from 16 on 1 October 2007. Scotland aim to follow on the same date or soon after; Northern Ireland currently have no plans to do so.

The draft Regulations for England and Wales can be found at:

http://www.dh.gov.uk/PolicyAndGuidance/HealthAndSocialCareTopics/Tobacco/TobaccoGeneralInformation/TobaccoGeneralArticle/fs/en?CONTENT_ID=4083845&chk=t4FwbW

Free tobacco product distribution is prohibited under the Tobacco Advertising and Promotion Act 2002, available at:

<http://www.opsi.gov.uk/acts/acts2002/20020036.htm>

The Children and Young Persons (Protection from Tobacco) Act 1991 makes it an offence for any person carrying on a retail business to sell cigarettes to any person other than in pre-packed quantities of 10 or more cigarettes in their original package. It is available at:

http://www.opsi.gov.uk/ACTS/acts1991/Ukpga_19910023_en_1.htm

Penalties against retailers are set out in the above act.

Local authority guidance details recommendations for minimum ages of sale of tobacco by young people.

Liability

All tobacco legislation is backed up by penalties for breaking the law. This may involve compensation, for example, in confiscating profits made smuggling tobacco under the Proceeds of Crime Act 2002, available at:

<http://www.opsi.gov.uk/acts/acts2002/20020029.htm>

(ii) Optional questions

Regulation of the contents of tobacco products

Tobacco product regulation in the EU is set by Directive 2001/37/EC. This has been transposed into UK law in the Tobacco Products (Manufacture, Presentation and Sale)(Safety) Regulations 2002. This sets out that:

- manufacturers must provide product information and relevant toxicological information on products
- cigarettes have a maximum yield of tar (10mg), nicotine (1mg) and carbon monoxide (10mg) per stick

In addition, the Department of Health has a voluntary agreement with tobacco manufacturers on a list of around 600 permitted additives and their concentrations. Under EU rules the UK must allow onto the market any products containing additives not on the voluntary list, if they are on the market in another EU country. This can be found at:

<http://www.advisorybodies.doh.gov.uk/scoth/technicaladvisorygroup/additiveslist.pdf>

Packaging and labelling of tobacco products

These provisions are required by the Tobacco Products (Manufacture, Presentation and Sale)(Safety) Regulations 2002, which transpose European Directive 2001/37/EC.

The UK plans to introduce picture warnings, which are optional under the Directive.

Tobacco advertising, promotion and sponsorship

The Tobacco Advertising and Promotion Act 2002 and related regulations restrict practically all tobacco advertising, promotion and sponsorship in the UK. More details can be found at:

http://www.dh.gov.uk/PolicyAndGuidance/HealthAndSocialCareTopics/Tobacco/TobaccoGeneralInformation/TobaccoGeneralArticle/fs/en?CONTENT_ID=4001512&chk=aGoAto

6. Programmes and plans

For more information on most aspects of the UK's tobacco programme, see:

www.dh.gov.uk/tobacco

7. Technical and financial assistance

No additional information

8. Priorities for implementation

No additional information

9. Additional comments

No additional information

10. Questionnaire feedback

No additional information