

Article 16: Sales to and by Minors



FCTC

WHO FRAMEWORK CONVENTION
ON TOBACCO CONTROL

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NATIONAL INSTITUTE OF CANCER
PREVENTION AND RESEARCH

राष्ट्रीय कैंसर रोकथाम एवं अनुसंधान संस्थान

www.untobaccocontrol.org/kh/smokeless-tobacco/

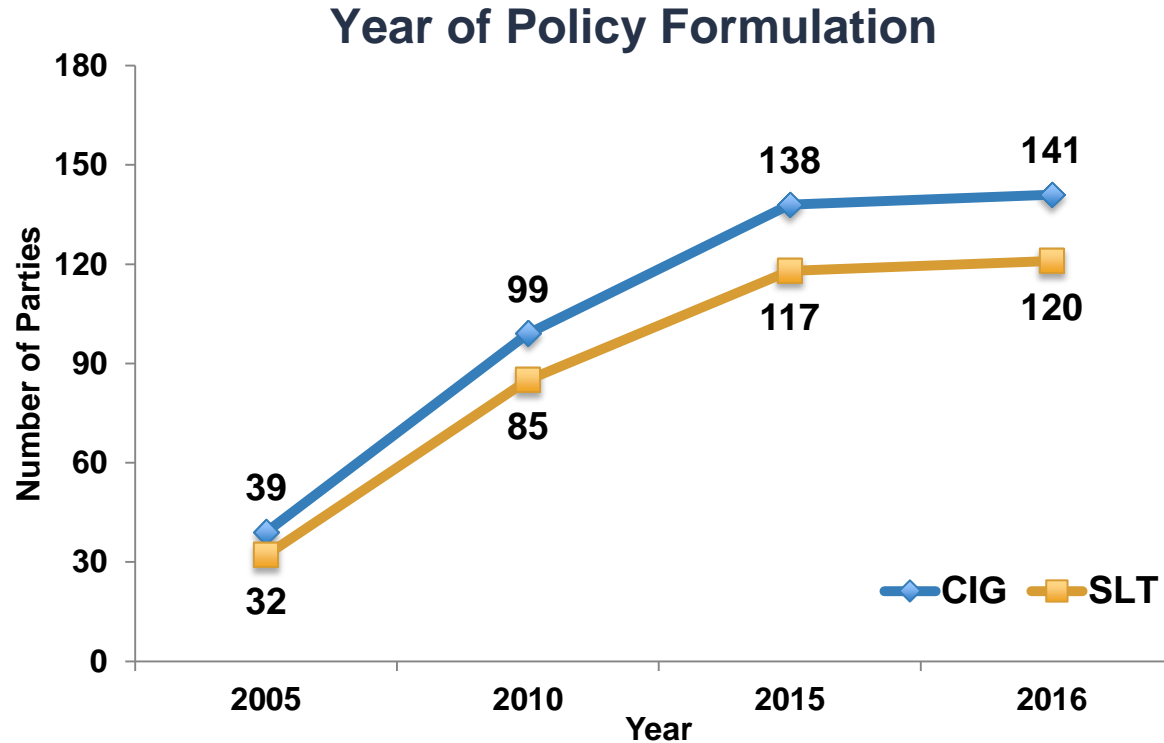
Background

Article 16 pertains to 'Sales to and by Minors'.

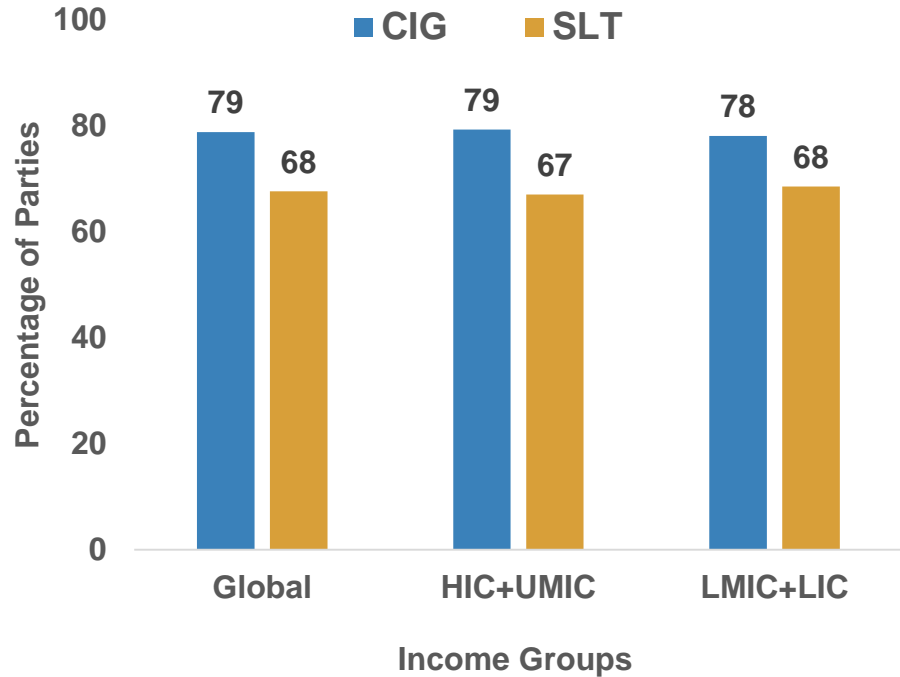
- There is substantial evidence that **tobacco companies** have targeted and continue to target the **youth** market.
- With aggressive **advertising** and **marketing** coupled with glamorized and attractive **packaging** of tobacco products, youth are unduly influenced to use tobacco and hence get **addicted** to it for a lifetime



Key Observations

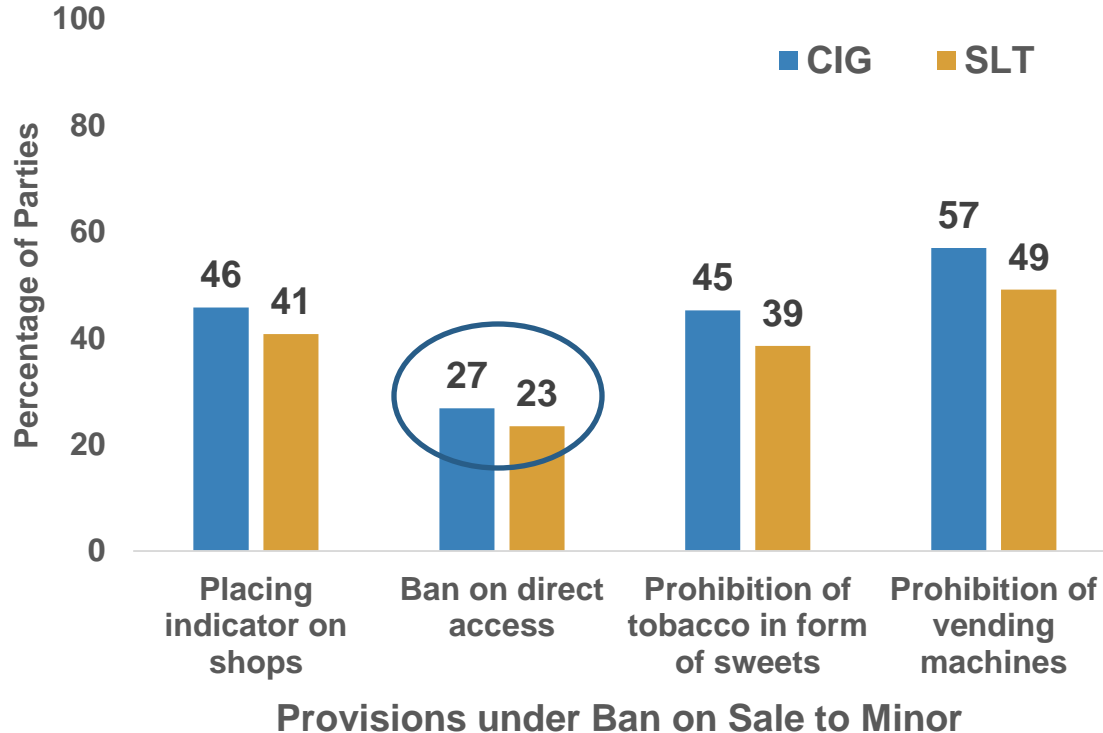


Ban on Sale to Minor (by Income Groups)

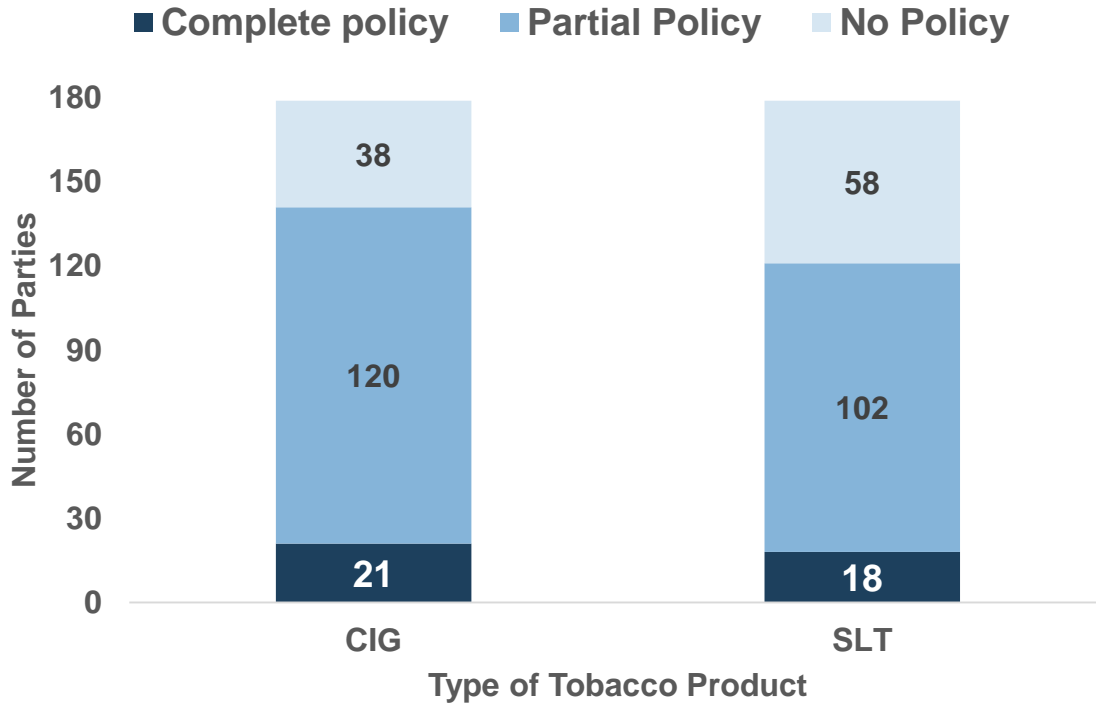


- A total of **141 Parties (79%)** had policy pertaining to Article 16, **120 (68%) Parties** included **SLT** in their policy.
- A total of **130 Parties** specified **18 years** as the minor age (legal age of purchasing tobacco).

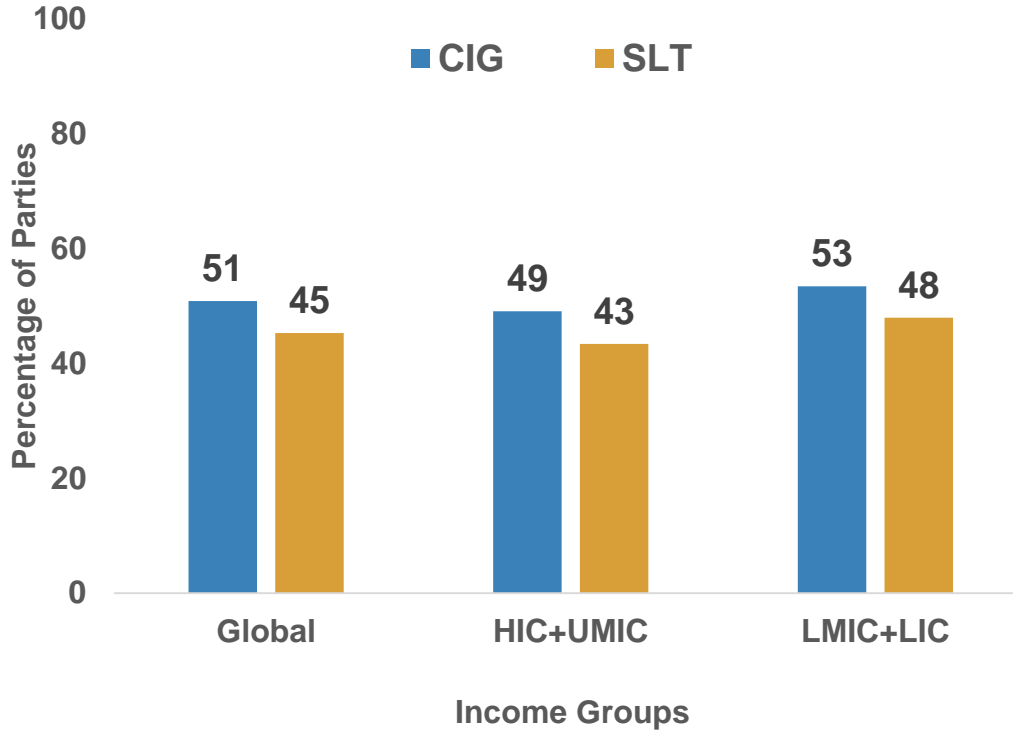
Provisions under Ban on Sale to Minor



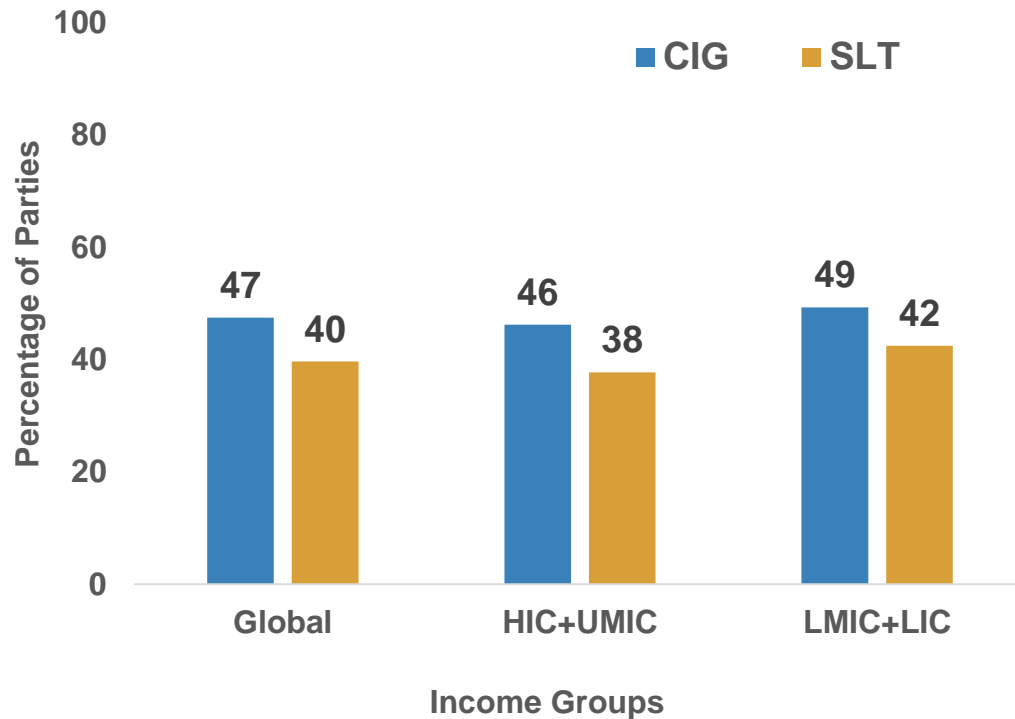
Parties with comprehensive policy as per Article 16



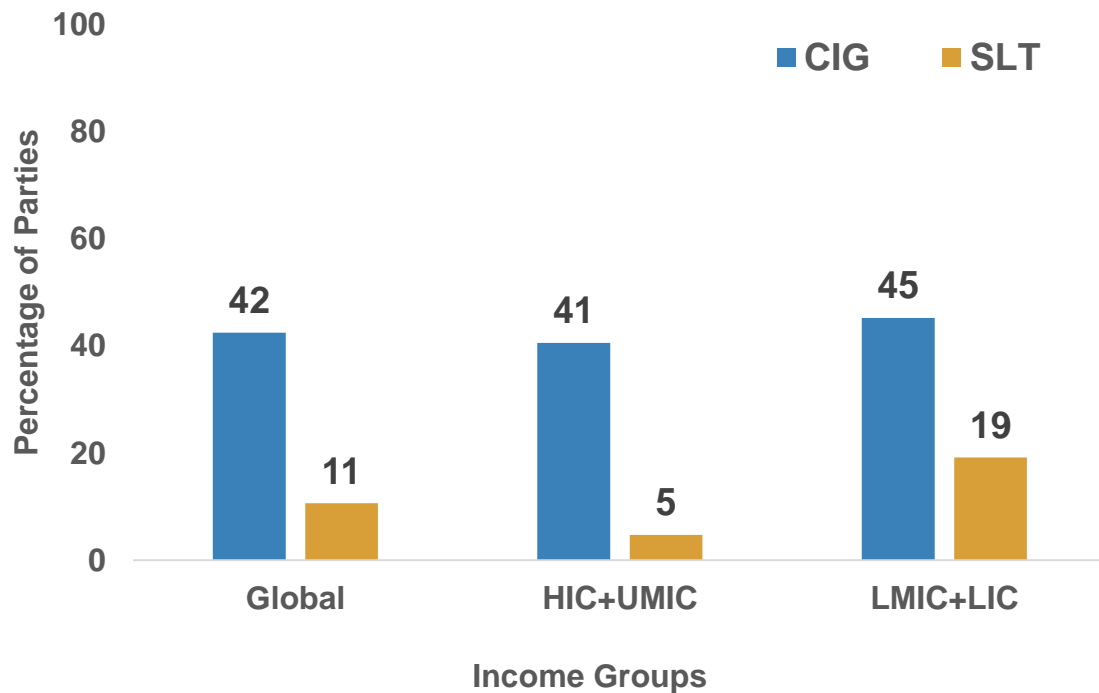
Ban on Sale by Minor (by Income Groups)



Ban on distributing free tobacco products (by Income Groups)



Ban on sale of loose cigarettes/SLT (by Income groups)



Country	Ban of sale to Minor	Sub-provisions under Ban of sale to Minor	Complete / Partial policy in place (SLT)
India	√	P	P
Bangladesh	√	P	P
Myanmar	√	P	P
Pakistan	√	X	X
Congo DR	√	P	P
China	√	X	X
Nepal	√	P	P
Colombia	√	C	C
Madagascar	√	P	P
Malaysia	√	X	X
Germany	√	P	P
Uzbekistan	√	P	P

Country	Ban of sale to Minor	Sub-provisions under Ban of sale to Minor	Complete / Partial policy in place (SLT)
Sri Lanka	√	P	P
Nigeria	√	P	P
South Africa	√	C	C
Afghanistan	√	P	P
Yemen	√	P	P
Thailand	√	P	P
Egypt	√	P	P
Algeria	X	X	X
Philippines	√	C	C
Sweden	√	X	X
Kenya	√	C	C

Partial (P) = at least one provision under Article 16

Complete (C) = Prohibiting Sales to minors as well as all complying with treaty requirements under sales to minor

Non-complying (X)

Not Applicable (N/A)

Indicator of Implementation: GYTS

Country	Adolescent SLT use Prevalence			Subjects (%) who bought Smokeless Tobacco in a store and were NOT refused purchase because of age
	Overall	Males	Females	
India (2009)	12.5%	16.2%	7.2%	56.2
Bangladesh (2013)	5%	6%	2%	86

Source: Global Youth Tobacco Survey

Summary

- **Majority** of Parties have formulated policies on Article 16 for **cigarettes** (79%), with a minor **decline** in proportion of Parties formulating for **Smokeless** products (68%).
- **Most** of the Parties have only **partial** policy in place.
- **No** significant difference among **income** groups.
- Relatively, **less** proportion of Parties have banned sales of SLT **by** minors (45%)
- ‘Ban on **directly accessible** tobacco products’ and ‘Ban on **loose** cigarettes/SLT’ were the **least** notified provisions.
- The **GYTS** only provides data on **cigarettes** and not on **SLT** products, except for **India** and **Bangladesh**. It does not include indicators such as SLT sale **by** minors.

Recommendations

- Parties should consider implementing a **comprehensive ban** on sale of tobacco products **to and by minors** in line with Article 16, and especially, **prohibit all display** of tobacco products and **prohibit sale** of tobacco products in **individual units** and **small packs**.
- Parties should **periodically monitor** minors' access and exposure to tobacco products **including SLT** for better analysis of the problem among youth and to initiate effective policy response thereon. Any **surveillance** system should consider including **SLT use (prevalence)** in the data recording for all Parties
- Parties may consider **licensing of retail sale** of tobacco products to restrict minors' **access** and **exposure** to tobacco products.



THANK YOU

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