

Prohibition of importation, manufacturing and sale of Smokeless Tobacco products



FCTC

WHO FRAMEWORK CONVENTION
ON TOBACCO CONTROL

SECRETARIAT-KNOWLEDGE HUB



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

BACKGROUND

- Over the past decade, the WHO FCTC has served as a powerful tool to initiate, support, and advance national, regional, and global tobacco control efforts.
- In order to sustain the gains made and to ensure continued progress, future efforts will need to address the END GAME STRATEGY
- One of the technical report series of WHO dedicated to Smokeless Tobacco control recommended that the countries that do not have SLT use, should ban it as a preemptive measure
- Various reports, surveys and studies have been conducted from time to time to collect information on ban on sale, import or manufacturing

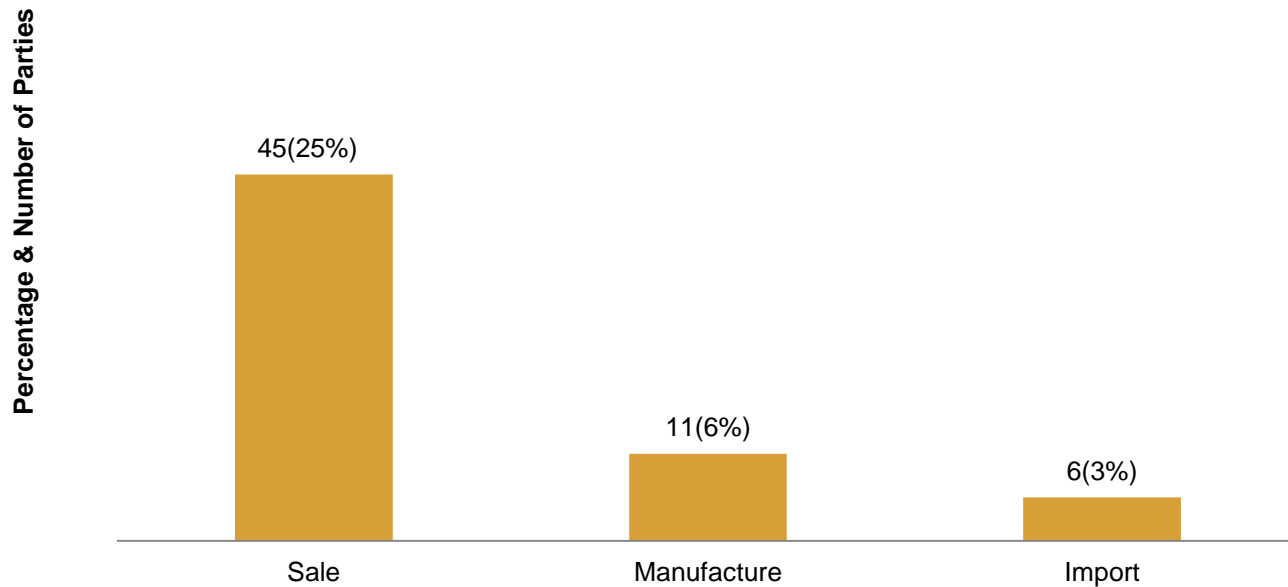


OBJECTIVES

- To ascertain the status of prohibition of importation, sale and manufacturing of smokeless tobacco products in various regions of the World.
- To study the experiences of some countries that have prohibited the sale, import or manufacture of these products.



Prohibition of sale, manufacturing & importation of SLT; global snapshot



Region-wise breakup of prohibition on sale of SLT

SEAR	EMR	WPR	EUR	AFR
Bhutan	Oman	Australia	European Union (except Sweden)	Uganda
Sri Lanka	Bahrain	Fiji	Kazakhstan	
Thailand	Saudi Arabia	New Zealand	Republic of Moldova The former Yugoslav Republic of Macedonia	
India	Qatar	Singapore		
DPR Korea		Vanuatu		

Region-wise breakup of prohibition on manufacturing of SLT

SEAR	EMR	WPR
Bhutan	Bahrain	Australia
India	Saudi Arabia	Singapore
Maldives	United Arab Emirates	
Sri Lanka	Kuwait	
	Qatar	

Region-wise breakup of prohibition on importation of SLT

SEAR	EMR	WPR
Bhutan	Oman	Australia
Sri Lanka		Singapore
Thailand		

KEY FINDINGS

WHO AFRICAN REGION:

- Uganda has banned the sale of all forms of SLT products.
- A number of countries in the Region are now adopting comprehensive tobacco control policies and legislation that cover all tobacco products, including SLT products.
- Since SLT is primarily produced by cottage industry in this region, distribution and marketing of these products often takes place on a local rather than national or international scale



KEY FINDINGS

WHO REGION of the AMERICAS:

- In Brazil, SLT products are allowed for sale if they are registered with the national health regulatory agency, ANVISA. However, since none are registered, SLT products sold in Brazil are practically illegal.
- In the United States, laws have been enacted which include provisions for product registration, warning labels on all products, enforcement of a minimum age of sale, and limits on the amount of nicotine, toxicants, and additives.
- In other countries of the region SLT products have a negligible market share.



KEY FINDINGS

WHO Eastern Mediterranean Region:

- Bahrain, Qatar and Saudi Arabia have banned both the sale & manufacturing of SLT products
- United Arab Emirate and Kuwait have banned the manufacturing of SLT products
- Oman has banned the sale and importation of SLT products



KEY FINDINGS

WHO EUROPEAN REGION :

- With the exception of Sweden, the sale of oral tobacco is prohibited in the European Union (EU) under Article 17 of the [2014 EU Tobacco Products Directive](#) (TPD)
- Some of the EU countries - Albania, Hungary, Finland, Latvia, Lithuania, Slovakia and Czech Republic have prohibited the sale of most forms of Smokeless Tobacco
- A few non-EU countries like Macedonia, Moldova and Kazakhstan have also banned the sale of SLT products



KEY FINDINGS

WHO SOUTH-EAST ASIA REGION :

- Many Parties in the Region have initiated steps to regulate SLT.
- Bhutan and Sri Lanka have banned sale, manufacturing & importation for all SLT products
- Thailand has banned the sale & importation of SLT
- India has banned the sale & manufacturing of commonly used SLT products-Gutka & Pan masala
- Maldives has banned manufacturing of SLT. It is prohibited to plant or grow any type of tobacco plant to any extent in the country.
- DPR Korea has banned the sale of all SLT products



KEY FINDINGS

WHO Western Pacific Region :

- **Singapore** banned the sale of chewing tobacco since 1993. In July 2010, an amendment was passed that expanded the scope of this act to include novel and emerging forms of tobacco products. The import and manufacturing of all forms of SLT products is also banned here now.
- Australia has banned sale, manufacturing and importation of many forms of SLT products.
- New Zealand has banned the sale of most forms of SLT products.
- **Fiji and Vanuatu** have gone ahead and banned the sale of all forms of SLT products.



High burden Country	Prohibition			
	Region	Import	Manufacture	sale
India	SEAR	X	√	√
Bangladesh	SEAR	X	X	X
Myanmar	SEAR	X	X	X
Pakistan	EMR	X	X	X
China	WPR	X	X	X
Nepal	SEAR	X	X	X
Colombia	AMR	X	X	X
Democratic Republic of the Congo	AFR	X	X	X
Malaysia	WPR	X	X	X
Madagascar	AFR	X	X	X
Germany	EUR	X	X	√
Uzbekistan	EUR	X	X	X
Sri Lanka	SEAR	√	√	√
Nigeria	AFR	X	X	X
South Africa	AFR	X	X	X
Afghanistan	EMR	X	X	X
Yemen	EMR	X	X	X
Thailand	SEAR	√	X	√
Egypt	EMR	X	X	X
Algeria	AFR	X	X	X
Philippines	WPR	X	X	X
Sweden	EUR	X	X	X
Kenya	AFR	X	X	X

CASE STUDIES-Thailand

- Thailand was the first country to impose a ban on import of SLT (1992)
- She has a distinctive tobacco control model based on close cooperation between the Ministry of Public Health, the Thai Health Promotion Foundation & NGOs
- As per the latest GATS (2011), current SLT users were 3.2% and former daily SLT users were 16.3%.
- Apart from a ban on sale & import additional strategies include taxation, packaging and labelling, advertising bans and smoke-free public areas.
- However current smokers in Thailand are 24%.



CASE STUDIES-Bhutan

- Tobacco Control Act of Bhutan was enacted by parliament on 16 June 2010. It regulates tobacco and tobacco products, banning the cultivation, harvesting, production, and sale of tobacco and tobacco products in Bhutan.
- The act largely targets smoking in particular, though any form of tobacco is subject to the act.
- SLT use among adults remains high at 19.7% as per the STEPS survey conducted in 2014.
- Among adolescents aged 13 -15 years SLT use increased significantly, from 18.8 % in 2006 to 30.3 % in 2013 as per GYTS.



CASE STUDIES-India

- India invoked food safety laws in 2011 to ban gutka and pan masala containing tobacco, some of the most common forms of SLT used in the country
- A study conducted in seven states and the NCR revealed that most of the users were purchasing tobacco and mixing it with a packet of pan masala with zarda
- Another study done in Tamil Nadu found that even after 3 years of ban, gutka and pan masala products were widely and easily available in the market
- Recently released GATS 2 report, revealed an overall decrease in prevalence of smokeless tobacco use between 2010 and 2016 (from 25.9% to 21.4%)



GAPS & LIMITATIONS

- There is a high degree of tobacco product diversity, and the SLT products are largely homemade or made in small locally owned businesses, posing regulatory challenges.
- The lack of capacity to test for constituents of SLT products in SEAR countries is a major roadblock in implementing the ban on manufacturing and sale of SLT products
- State-ownership of the tobacco industry also poses challenges for the implementation of a ban on manufacturing and sale of tobacco products
- In India, while some states and union territories have been relatively successful in enforcing the ban on gutka, industry is also circumventing these bans by selling pan masala and tobacco in separate pouches.



RECOMMENDATIONS

- Parties should consider using existing legal provisions under food safety, consumer protection, environmental laws, etc. limiting use of SLT.
- Once in force, SLT ban should be effectively monitored and enforced.
- A ban/prohibition should be backed by cost-effective SLT cessation services which should be part of National Tobacco Control programmes and made available to all SLT users who wish to quit.
- Impact assessments and evaluations of SLT-related policy and regulatory practices need to be conducted.
- Tobacco testing laboratories should be established in all high SLT burden countries, testing methods should be standardized.





■ THANKS