

# ENFORCE BANS ON ADVERTISING, PROMOTION & SPONSORSHIP

## ARTICLE 13: Tobacco Advertising, Promotion and Sponsorship (TAPS)

Assoc. Prof. Dr. Maizurah Omar<sup>1</sup>, Noor Afiza Abdul Rani<sup>1</sup>,  
Dr. Balamurugan Tangiisuran<sup>1</sup>

*<sup>1</sup>Clearinghouse for Tobacco Control, National Poison Centre, Universiti Sains Malaysia*

**MINI SYMPOSIUM AND MARKETPLACE: TRANSLATING EVIDENCE  
TOWARDS TOBACCO CONTROL POLICY IN MALAYSIA  
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**Presented by**  
**Dr Balamurugan Tangiisuran**

Clearinghouse for Tobacco Control, National Poison  
Centre  
Universiti sains Malaysia

# ARTICLE 13: Tobacco Advertising, Promotion & Sponsorship

- Article 13 obligates Parties, within 5 years after entry into force of the WHO-FCTC, to implement a comprehensive ban on all forms of TAPS

# ARTICLE 13: Tobacco Advertising, Promotion & Sponsorship

- FCTC recommends a comprehensive ban on TAPS
  - All direct and indirect TAPS without exemption
  - Acts that aim promotion and acts that have or are likely to have promotional effects
  - Promotion and use of tobacco products
  - Commercial communications
  - Contribution of any kind to any event, activity or individual
  - Advertising and promotion of tobacco brand names and all corporate promotion
  - Traditional, media platforms and other new technologies

# Malaysia's progress in implementing Article 13

Malaysia ratified  
WHO FCTC



2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
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## Prohibition on TAPS

- Tobacco product advertisement is allowed in or on a packing containing tobacco product.
- Advertisement at point of sale is permitted



## Prohibition on sale of tobacco product by promotion

- Promote the sale of any tobacco product directly or indirectly is prohibited



## Prohibition on sale of tobacco product by online sale

- No person shall sell or offer for sale any tobacco product online

# CURRENT POLICY

## Status of Ban on TAPs

No	Forms	Ban	Partial	No Ban
1.	Advertising	✓		
2.	Advertising at POS	✓		
3.	Ad via social media	✓		
4.	Promotion	✓		
5.	Sponsorship	✓		
6.	Pack display			X
7.	CSR other than direct sponsorship			X
8.	Cross border		X	

### Current situation

- POS is still visible
- TAPS on various media, online and digital marketing on internet, social media & telecommunication still visible
- Corporate Social Responsibility (CSR) activities on-going
- Cross border TAPS still visible
- Free sample

- **Implementation of Control of Tobacco Product Regulations (CTPR) 2004**
  - Prior to FCTC, the Malaysian Government had enacted the Control of Tobacco Product Regulation (CTPR) 1993
  - Reinforced in 2004 to include the prohibition of TAPS previously not cited under the Regulations

- **Non-comprehensive ban of TAPS**
  - Currently it is permissible to display and promote cigarette packs inside store shelves at point-of-sales (POS)
  - An opportunity for the tobacco companies to exploit TAPS to the fullest





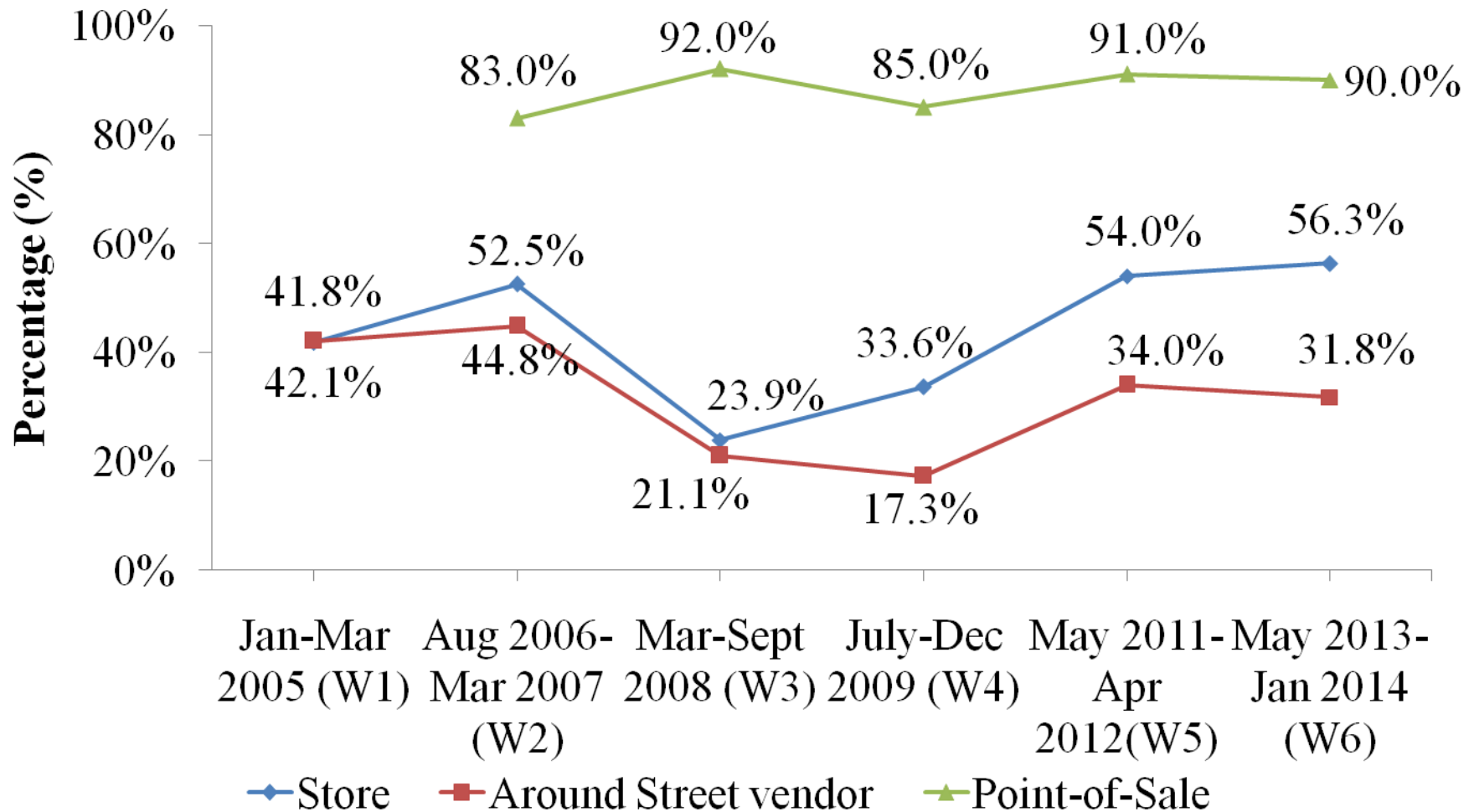
- **Displayed health messages or warnings on TAPS**
  - Pictorial Health Warning (PHW) → limited only to 50% front and 60% back of the cigarette pack
  - Integration of the old and new text warning may also hamper the prominence of the message or affect sighting the new ones

- **Tobacco Industry has shifted their market strategies to internet / social media**
  - Challenges in implementing comprehensive ban are prevalent in internet and digital based communication
  - Also have cigarette brands through various online marketing platforms with an aim to reach the masses particularly the adolescents

- **Corporate Social Responsibility (CSR)**
  - Key strategies employed by the industry to enhance its image and maintain legitimacy in both public and corporate spheres
  - Tobacco industry is seizing this opportunity and using loopholes to continue its TAPS activities

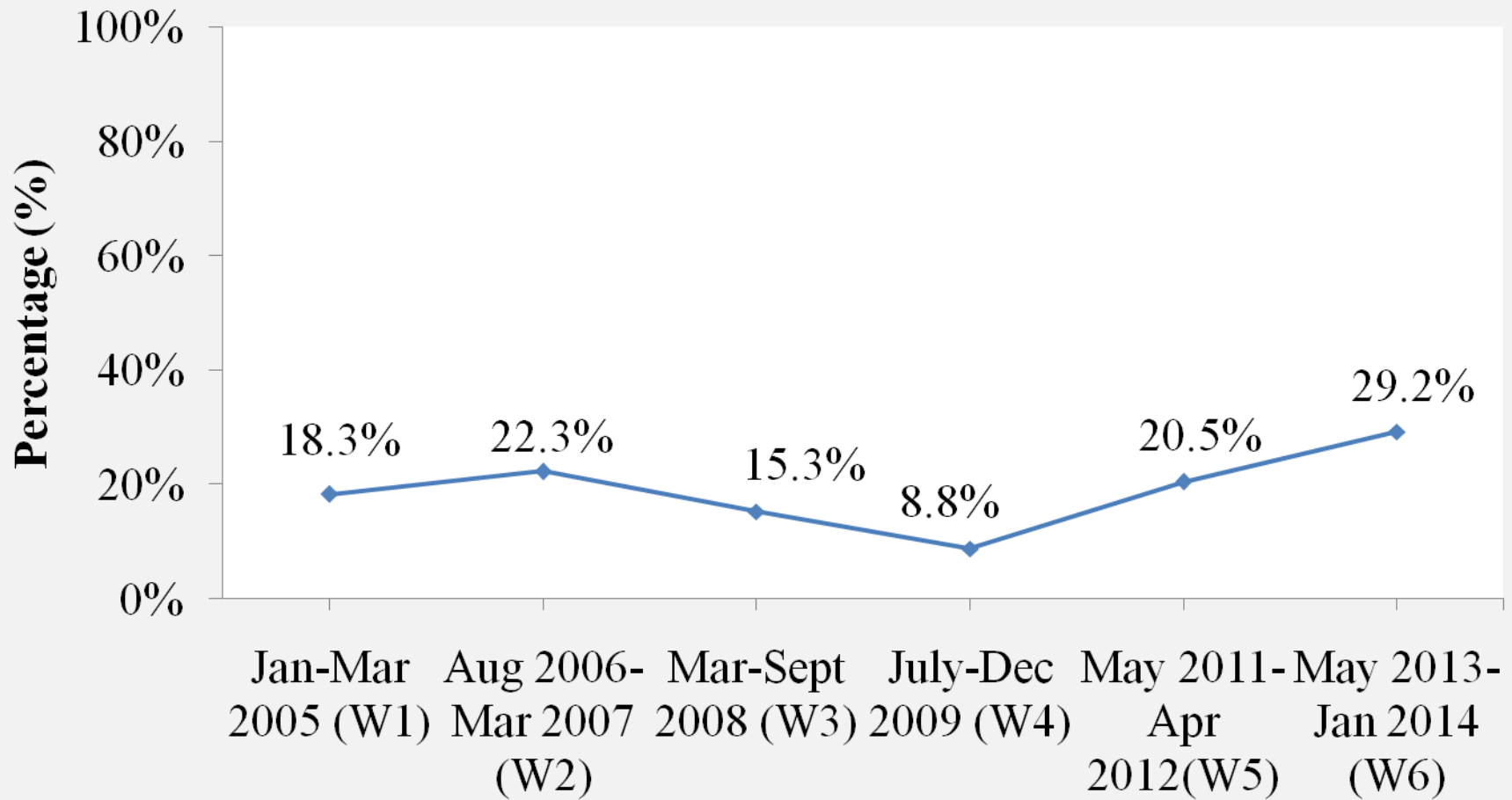
# Evaluation on the Effectiveness on TAPS Ban Policy

## Adult Smokers & Quitters(Yes)



# Tobacco Promotion: Brand Stretching

## Adult Smokers & Quitters(Yes)



- Lack of studies to examine the psychosocial behaviour towards TAPS
- Monitoring tobacco Industry TAPS activities especially online
- Lack of study on Corporate Social Responsibility (CSR)

- 1) Comprehensive banning of TAPS
  - i. Point-of-Sale (POS) advertising and Promotion
  - ii. Corporate Social Responsibility (CSR)
  - iii. Cross-border advertising
  - iv. Introducing plain packaging

- 2) Monitoring and enforcement
  - i. Online TAPS
  - ii. Free samples
  - iii. TAPS in stores and street vendors



# Thank You