

**\*Title:** *Strengthening Indian Tobacco Control Legislation to be Compliant with FCTC through Advocacy and Evidence Based Recommendations*

**\*By:** *Monika Arora and Amit Yadav*

**Report Type:** *Research Study*

**\*Date:** *30-04-2010*

**Published by:** *HRIDAY (Health Related Information Dissemination Amongst Youth)*

**Location:** *New Delhi*

**\*IDRC Project Number:** *104399-015*

**\*IDRC Project Title:** *Strengthening Indian Tobacco Control Legislation to be Compliant with FCTC through Advocacy and Evidence Based Recommendations*

**\*Country/Region:** *India*

**\*Full Name of Research Institution:** *HRIDAY (Health Related Information Dissemination Amongst Youth)*

**\*Address of Research Institution:**

*HRIDAY*

*C-1/52, 3rd Floor*

*Safdarjung Development Area*

*New Delhi, India-110016*

*www.hriday-shan.org*

*Tel No.: 91-11-26850342, 26511840*

*Fax: 91-11-26850331*

**\*Name(s) of Researcher/Members of Research Team:** *Monika Arora, Amit Yadav, Vinay Gupta, Abha Tewari, Gaurang P. Nagar other research support from HRIDAY Team and state partners.*

**\*Contact Information of Researcher/Research Team members:**

*HRIDAY*

*C-1/52, 3rd Floor*

*Safdarjung Development Area*

*New Delhi, India-110016*

*Tel No.: 91-11-26850342, 26511840*

*Fax: 91-11-26850331*

**\*This report is presented as received from project recipient(s). It has not been subjected to peer review or other review processes.**

**\*This work is used with the permission of:** *HRIDAY (name of copyright holder)*

**\*Copyright:** *2010 (year), HRIDAY (name of copyright holder)*

**\*Abstract:**

*Pictorial health warnings on tobacco packages and ban on tobacco advertisement, promotion and sponsorship (TAPS) are scientifically recognized and empirically established measures of tobacco control.*

*This research under this project envisioned to: (1) measure the effectiveness of notified pictorial warnings in India and recommend notification of evidence-based strong warnings and (2) assess the level of enforcement of prohibition on TAPS and the impact and implications its exposure has on youth, adults and other stakeholders.*

*Both qualitative and quantitative design was used for the research. FGDs (n=25) and key informant interviews (n=50) were conducted to assess perceptions about effectiveness of pictorial warnings. An interviewer administered situational analysis (n=5000) and opinion poll (n=3000) were conducted to assess the level of enforcement of TAPS law and its implications. Data collection was carried in five Indian states.*

*Participants felt that pictorial warnings notified in March 2008 were not effective and needed changes in graphics, size, content and messaging, to have desired impact. It was reported that prohibition on TAPS was ineffective as 70% participants noticed violations, where youth reported high exposure to TAPS, compared to adults ( $p<0.05$ ).*

*The study gives an evidence based recommendation for using range of strong and effective pictorial warnings in the next rounds of notifications and imposing a complete ban on TAPS. The study outcomes highlight need for strengthening the Indian tobacco control law to make it compliant with Articles 11 and 13 of FCTC.*

**\*Keywords:**

*FCTC, Indian tobacco control law, pack warnings, tobacco advertisement, policy recommendation, enforcement*

© 2010, HRIDAY (Health Related Information Dissemination Amongst Youth)

**Strengthening Indian Tobacco Control Legislation to be Compliant with FCTC through Advocacy  
and Evidence Based Recommendations**

Final Research Report prepared by  
HRIDAY (Health Related Information Dissemination Amongst Youth)  
Ms. Monika Arora and Amit Yadav

This project was carried out with the support of Research for International Tobacco Control (RITC), an international secretariat housed at the International Development Research Centre in Ottawa, Canada.

New Delhi, 2010

## TABLE OF CONTENTS

• FIGURES AND TABLES	5
• ABSTRACT	6
• INTRODUCTION	7
• OBJECTIVES	11
• METHOD	12
• FINDINGS	15
• DISCUSSION	23
• CONCLUSIONS	28
• RECOMMENDATIONS	39
• REFERENCES	32
• LIST OF APPENDIX TABLES	34
• APPENDICES	46
• APPENDIX-I Guidelines for Focus Group Discussion	
• APPENDIX-II Questionnaire for Key Informant Interview	
• APPENDIX-III Questionnaire for Situational Analysis (Stakeholders)	
• APPENDIX-IV Questionnaire for Situational Analysis (Retailers)	
• APPENDIX-V Questionnaire for Opinion Poll	

## FIGURES AND TABLES

Figure – 1 Pictorial warnings notified in 2006

Figure – 2 Pictorial warnings notified after amendment of COTPA section 7 in 2007

Figure – 3 pictorial warnings notified in March 2008 and in force since May 31, 2009.

Figure – 4 Pictorial warnings notified in March 2010 and to come into force from June 1, 2010.

Table A – List of interviewees for KII

Table B – list of the stakeholders interviewed

Table C – Participants of the opinion poll

## ABSTRACT

Pictorial health warnings on tobacco packages and ban on tobacco advertisement, promotion and sponsorship (TAPS) are scientifically recognized and empirically established measures of tobacco control.

This research under this project envisioned to: (1) measure the effectiveness of notified pictorial warnings in India and recommend notification of evidence-based strong warnings and (2) assess the level of enforcement of prohibition on TAPS and the impact and implications its exposure has on youth, adults and other stakeholders.

Both qualitative and quantitative design was used for the research. FGDs (n=25) and key informant interviews (n=50) were conducted to assess perceptions about effectiveness of pictorial warnings. An interviewer administered situational analysis (n=5000) and opinion poll (n=3000) were conducted to assess the level of enforcement of TAPS law and its implications. Data collection was carried in five Indian states.

Participants felt that pictorial warnings notified in March 2008 were not effective and needed changes in graphics, size, content and messaging, to have desired impact. It was reported that prohibition on TAPS was ineffective as 70% participants noticed violations, where youth reported high exposure to TAPS, compared to adults ( $p < 0.05$ ).

The study gives an evidence based recommendation for using range of strong and effective pictorial warnings in the next rounds of notifications and imposing a complete ban on TAPS. The study outcomes highlight need for strengthening the Indian tobacco control law to make it compliant with Articles 11 and 13 of FCTC.

## INTRODUCTION

Tobacco is the single most preventable cause of disease and death in the world today. It has assumed the dimension of an epidemic resulting in enormous disability, disease and death and still remains the only product that is legally available with the potential to cause harm to everyone exposed to it and kills up to half of those who use it as intended. It is estimated that 5.4 million preventable deaths occur every year globally that is attributable to tobacco use.<sup>1</sup> More than 10% of smokers of the world live in India.<sup>2</sup> India is home to nearly 242 million tobacco users<sup>3</sup> with estimated deaths due to smoking at 1 million every year.<sup>4</sup>

India enacted the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA) with a view to protect public health by prohibiting smoking in public places, banning advertisements of the tobacco products, banning sale of tobacco products to and by minors and near educational institutions, prescribing strong health warnings including pictorial depiction on tobacco products and regulation of tar and nicotine contents of tobacco products. As the development of the Indian Law was concurrent to the international negotiations on the WHO's Framework Convention on Tobacco Control (FCTC), the general intent and strategies for tobacco control under the two instruments are analogous and complementary.

FCTC marks a paradigm shift in regulating tobacco as an addictive substance with equal emphasis on demand reduction as well as issues related to its supply. Keeping in line with FCTC, COTPA envisages protecting non-smoker's right and preventing vulnerable groups including pregnant women, children and young people from being addicted to tobacco use. The law also proposes progressive restrictions, including prohibition of advertisements and display of pictorial warnings to discourage consumption of tobacco products and improve public health.

Although the Indian tobacco control law is quite inclusive, the implementation is found lacking. There is a felt need to strengthen these laws especially to include a comprehensive ban on advertising of all tobacco products in consonance with Article 13 of FCTC and to implement stronger pictorial warnings on tobacco products packages in accordance with Article 11. The two provisions of the FCTC are reproduced below:

### **Pictorial warnings on tobacco products in India**

The Government of India notified strong and effective pictorial warnings with 50% display area on both sides of tobacco products packages in July 2006.<sup>5</sup> These effective pictorial warnings were a result of an earlier RITC supported study conducted by HRIDAY where it field tested and recommended to Ministry of Health and Family Welfare, Government of India, a set of 5 pictorial health warnings. Four out of the five recommended warnings (2 for smoking forms and 2 for smokeless forms) were notified on July 05, 2006 (Fig-1).

---

<sup>1</sup> MPOWER package report WHO, 2008.

<sup>2</sup> MPOWER package report WHO, 2008.

<sup>3</sup> Tobacco Atlas 2009 available at <http://www.tobaccoatlas.org> accessed on 23-03-10.

<sup>4</sup> Jha et al. A Nationally Representative Case-Control Study of Smoking and Death in India. N Engl J Med 2008;358.

<sup>5</sup> Government of India. The Cigarettes and Other Tobacco Products (Packaging and Labeling) Amendment Rules, 2006 dated July 5, 2006.



Figure – 1 Pictorial warnings notified in 2006

These were to be implemented from February 01, 2007. However, immense political and tobacco industry pressure led to the constitution of a Group of Ministers (GoM) to review the public health measure in light of the demands of the industry, in particular, the alleged adverse impact on the employment of bidi workers.<sup>6</sup> Initially, on the directives of the GoM, the implementation date was postponed several times and in July 2007 the deliberation in the GoM led to amendment of COTPA and the requirement of depicting skulls and cross bones was removed from the law and in September 2007 (Fig-2) following new warnings were notified:



Figure – 2 Pictorial warnings notified after amendment of COTPA section 7 in 2007

This did not include the skull and cross bones and the warning with pictorial depiction of a dead body was also taken off.<sup>7</sup> These revised warnings were also dubbed as repulsive by the chair of the GoM, and finally in March 2008, the Government decided to notify a new set of warnings, as recommended by the GoM, which were mild in nature as compared to the earlier ones. The strong pictorial warnings were diluted and the new one covered only 40% of the principal display area of the front panel of a tobacco pack (Fig-3).<sup>8</sup>

<sup>6</sup> Reddy K.S, Arora M. Pictorial health warnings are a must for effective tobacco control. Indian J Med Res 129, May 2009, pp 468-471.

<sup>7</sup> Government of India. The Cigarettes and Other Tobacco Products (Packaging and Labeling) Amendment Rules, 2007 dated September 29, 2007.

<sup>8</sup> Government of India. The Cigarettes and Other Tobacco Products (Packaging and Labeling) Amendment Rules, 2008 dated March 15, 2008.





**Figure – 3 pictorial warnings notified in March 2008 and in force since May 31, 2009.**

In light of these developments, there was a felt need to advocate for evidence based strong pictorial health warnings in line with the FCTC Article 11 and the guidelines later adopted at the Conference of Parties in Durban in November 2008. As the notified Indian warnings did not comply with the FCTC recommendations it is important that efforts are made to strengthen the health warnings by increasing the effectiveness of their packaging and labelling measures, as the warnings are rotational in nature and new set of pictorial warnings are required to be notified after a period of every twelve months. Advocacy efforts need to be stepped up in order to influence the Government to implement the provisions of the law and emphasize that the subsequent notifications providing for the rotation of the pictorial warnings are stronger and effective as compared to the current ones.

While this report was being prepared the Government has notified another pictorial health warning which is used for both smoking and smokeless products (Fig-4)<sup>9</sup> and conveys the same health warnings which might not communicate the various adverse effects of tobacco use on different sections of the population which are most vulnerable to tobacco use, particularly youth and women.



**Figure – 4 Pictorial warnings notified in March 2010 and to come into force from June 1, 2010.**

#### **Advertisement of tobacco products in India**

Comprehensive ban on tobacco advertisement, promotion and sponsorship is vital to bring a reduction in consumption because partial bans do not work. To be effective, bans must be complete and apply to all marketing, advertising and promotion. If only television and radio advertising is blocked, the tobacco industry moves its budgets to magazines, billboards and internet. If all traditional advertising is blocked,

<sup>9</sup> Government of India. The Cigarettes and Other Tobacco Products (Packaging and Labeling) Amendment Rules, 2010 dated March 5, 2010.

the industry converts advertising spending to sponsorship of events such as racing, sports and music festivals.

Tens of billions of dollars are spent yearly on tobacco promotion which increases tobacco sales, consumption, consequent illness, and deaths; it is established that a comprehensive ban cuts consumption by roughly 6% and helps changing the image of tobacco use and protect people, particularly youth, from tobacco industry tactics.<sup>10</sup> Comprehensive advertising bans also amplify effects of other interventions.<sup>11</sup>

Any kind of tobacco advertising “normalizes” tobacco, depicting it as being no different from any other consumer product; the concessions for advertising tobacco ‘in pack’, ‘on pack’ and ‘point of sale’ are no exceptions to it. This in effect makes it difficult for people to understand the hazards of tobacco use and falsely associates tobacco with desirable qualities such as youth, energy, glamour and sex appeal. The industry tactics to advertise tobacco use have resulted in excessive exposure of young children to tobacco advertisements. The latest Global Youth Tobacco Survey 2009 reveals that 74.4% youth surveyed saw pro-cigarette ads on billboards, in the past 30 days while 8.1% were offered free cigarettes by a tobacco company representative.<sup>12</sup>

Though, COTPA prohibits advertising of tobacco products in India it does not prohibit ‘in pack’, ‘on pack’ and ‘point of sale’ advertisements. The tobacco industry is using this loophole in the law to attract people, especially youth to their tobacco products. Scientific studies have established that many children and youth have taken up to smoking after getting influenced by advertisements of tobacco products.<sup>13</sup> Studies in other parts of the world have shown that comprehensive ban on tobacco advertisements have worked in reducing tobacco use. After banning tobacco advertising in four countries, tobacco consumption declined by 9% in Norway, 6.7% in Finland, 5.5% in New Zealand and 4% in Canada. Country like Thailand, Iceland and Ireland ban both advertising as well as display of tobacco products at ‘point of sale’.<sup>14</sup>

### **Aim of the study**

The present study proposed to undertake evidence based research to substantiate and advocate for international best standards to be applied for the Indian tobacco control law in accordance with FCTC, in particular, for implementation of strong and effective pictorial warnings and imposing a comprehensive ban on advertising of tobacco products.

This report describes the results of the study carried out by HRIDAY in five states of India viz. Himachal Pradesh, Rajasthan, Tamil Nadu, Mizoram and Delhi to assess the effectiveness of the pictorial warnings notified in India in March, 2008 (Fig-3) and to gauge the level of implementation of the prohibition on tobacco products advertisements and its impact on youth, adults and other stakeholders.

---

<sup>10</sup> Saffer H, Chaloupka FJ. Tobacco advertising: economic theory and international evidence. Cambridge, Massachusetts: National Bureau of Economic Research, Working Paper No 6958, February 1999.

<sup>11</sup> MPOWER package report WHO, 2008.

<sup>12</sup> WHO, Global Youth Tobacco Survey 2009

<sup>13</sup> Lanza P M, Jacobson P D, Warner K E, Wasserman J, Pollack H A, Berson J, Ahlstrom A. Investing in youth tobacco control: a review of smoking prevention and control strategies. *Tob Control* 2000;**9**:47-63

<sup>14</sup> Jurisdictions that have banned tobacco displays at the point of sale, available at <http://www.smokefreeaction.org.uk/point-of-sale-display.html#jurisdictions> accessed on 25-03-10.

## OBJECTIVES

The overall aim of the proposed research was to generate evidence for supporting advocacy efforts to strengthen Indian Tobacco Control legislation, effective implementation of pictorial health warnings and advertising bans to be compliant with the FCTC mandates.

The study specifically envisioned to:

- Measure the effectiveness of pictorial health warnings notified by the Government of India in March 2008 through qualitative research and advocate that India needs evidence-based strong pictorial health warnings in line with recommendations of FCTC Article 11.
- Use research outcomes to suggest and advocate for stronger and effective pictorial health warnings for the next rounds of warnings on all tobacco packs.
- Conduct policy research to support advocacy efforts aimed at amending the Indian tobacco control law to legislate a comprehensive ban on tobacco advertising, sponsorship and promotion.

### **Study population**

The study population comprised of youth, adults and key stakeholders from these five states covering at least one third of the number of districts in the state. The study was conducted in thirty five districts of five states of India including Delhi. The other four states were representative of the four regions of the country i.e. Himachal Pradesh from the North, Rajasthan from the West, Tamil Nadu from the South and Mizoram from the East.

## METHODS

### Work plan

The one year study (April 2009-March 2010) envisioned to adopt the following work plan to achieve the described objectives:

#### **A. Measure effectiveness of notified health warnings by the Government of India through qualitative research and advocate that India needs evidence based effective pictorial health warnings in line with recommendations of FCTC Article 11.**

*Focus Group Discussions (FGDs):* Overall 25 FGDs comprising of 488 participants were conducted in the five states with following distribution:

- 5 FGD with Govt school students (Boys& Girls)(n=97)
- 5 FGD with Private School Students (Boys& Girls) (n=102)
- 5 FGD with College Students (Boys& Girls) (n=104)
- 5 FGD with Out of School and College youth (Boys& Girls) (n=85)
- 5 FGD with Resident Welfare Association's members (Males & Females) (n=100)

Each FGD comprised of 12-20 participants who were recruited using purposive sampling techniques. The focus groups were drawn to represent the perspectives of youth and adults, males and females and people from different SES. A guideline was designed to help the moderator to carry out the discussions. Each discussion was audio recorded and then transcribed (translated, where needed), immediately after the FGDs, for scientific analysis.

*Key Informant Interviews (KII):* In all 50 interviews were conducted in the five states with following key stakeholders:

State	Key Informants							Total
	Health Department	NGO	Police Department	Municipal Department	Customs & Excise	Medical Officers	Others	
Delhi	3	3	1	1	1	1		10
Rajasthan	3	3	1		1		2	10
Himachal Pradesh	2	3	1	1	1	1	1	10
Mizoram	2	4	1		1	1	1	10
Tamil Nadu	3	3	2	1	1			10
<b>Total</b>	<b>13</b>	<b>16</b>	<b>6</b>	<b>3</b>	<b>5</b>	<b>3</b>	<b>4</b>	<b>50</b>

**Table A – List of interviewees for KII**

Each interview was conducted with prior appointment with the individual. Interviews were audio recorded where permission to record the interview was given. Recordings and interview questionnaire were then transcribed (translated, where needed), immediately after the KIIs, for scientific analysis.

#### **B. Conduct policy research to establish that COTPA needs to be amended in line with FCTC that recommends comprehensive ban on tobacco advertising, sponsorship and promotion.**

*Situational Analysis:* Situational analysis was conducted with following stakeholders including in-charge of retail outlets in each state. An interviewer administered questionnaire was designed to collect data. The data was collected from approximately 1000 respondents per state, who were recruited through stratified random sampling.

Distribution of the participants was as under:

Category of participants	New Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Health & FDA	86	100	100	98	102	486
Police Department	100	100	101	89	95	485
School & College	234	202	201	186	210	1033
Municipality & Panchayat	63	100	100	96	88	447
State Transport	65	51	49	45	37	247
Customs & Excise	5	49	50	61	23	188
Others	247	198	198	225	245	1113
<b>Total</b>	<b>800</b>	<b>800</b>	<b>799</b>	<b>800</b>	<b>800</b>	<b>3999</b>
<b>Retailers (tobacco vendors)</b>	<b>200</b>	<b>200</b>	<b>200</b>	<b>200</b>	<b>200</b>	<b>1000</b>

**Table B – list of the stakeholders interviewed**

*Opinion Poll:* Opinion poll was conducted with following participants in the five states. An interviewer administered questionnaire was developed to gather information through the opinion poll. A representative sample was selected for the opinion polls that were recruited through stratified random sampling.

Distribution of the participants was as under:

Category of participants	New Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Students	298	200	200	229	174	1101
Illiterates	82	100	96	92	97	467
Literates	100	100	102	100	119	521
Drop outs	2	100	101	63	89	355
Working Professionals	118	100	100	107	121	546
<b>Total</b>	<b>600</b>	<b>600</b>	<b>599</b>	<b>591</b>	<b>600</b>	<b>2990</b>

**Table C – Participants of the opinion poll**

## Data Management

The interview questionnaires were printed. Immediately after collection of the raw data in the form of completed questionnaires, log sheets were compiled for individuals and retailers interviewed. This was followed by cleaning of the questionnaires which involved removing stray marks and errors from the questionnaires. The responses were entered, by the data entry staff in the respective modules. The entries were manually checked for errors by randomly selecting a sub sample from the study population.

On the other hand the Interview recordings with KII and the FGDs that were recorded on audio tape were transcribed according to a transcribers' guide. Investigators' observations were recorded as well from the thorough field notes. All observations and recordings were converted into electronic transcripts for analysis.

### **Data collection**

As mentioned above both qualitative and quantitative methods were employed to elicit information on the proposed research objectives. The qualitative research tools included FGDs and key informant interviews while quantitative research included a situational analysis and an opinion poll. Data collection was facilitated by partner NGOs in the four states while for Delhi it was done by HRIDAY.

### **Data analysis**

The qualitative data was analysed by using NVIVO software while the quantitative data was analyzed with the help of SAS 9.1 statistical software.

### **Pilot testing**

All tools and guidelines developed under the project were pilot tested and fine-tuned to identify operational challenges and condense the research approach to make it easier to manage and administer the study in actual setting.

Pilot testing was done by conducting FGD with school students, interviews with key informants, situational analysis with stake holders and retailers and opinion poll with youth and adults. For each component of the study 10% of the sample size for each state was selected for the pilot testing.

On the basis of feedback received all these tools were modified to make them suitable and in line with the laid objectives of the study. Suggestions were incorporated to modify and finalize the framework for the final data collection.

### **Gender and ethical considerations**

The study population was equally representative of male, female and youth and the samples were drawn to comprise a balance of gender, socio- economic status, literacy and age. The project proposal along with the research tools and participants information sheets were reviewed and approved by the Independent Ethics Committee, Mumbai, India for implementation of the project.

## FINDINGS

**A. To Measure the effectiveness of notified health warnings FGDs and KIIs were conducted. A qualitative analysis from the two is presented below:**

### **I. Focus Group Discussions**

The FGD was conducted to measure effectiveness of the notified health warnings. The major findings from the analysis of the discussions is summarised as under:

#### **1. Awareness and need of pictorial warnings**

Most of the participants were not aware of COTPA per se, but almost all of them spoke about the ban on smoking at public places; many of them were also aware of prohibition on sale of tobacco products to and by minors. Some of them also had knowledge about prohibition on sales of any tobacco product within 100 yards of educational institutions.

All participants unanimously agreed that the law was not followed and lack of awareness and callous attitude of the authorities were cited as the reason for this. In Mizoram none of the participants had heard about any law related to tobacco control.

Almost all the participants had noticed some pictures (warnings) on tobacco products, and nearly all were of the opinion that the pictures are not clear. One of the participants from Mizoram said *“I didn’t know that it’s a health warning, I thought that it was just a decoration on a cigarette pack”*.

Several participants opined that a pictorial warning on tobacco products is a good idea but the present pictorial warnings are not able to convey the intended messages. One view was that, *“The scorpion looks like a zodiac sign”*. For other pictorial warnings, responses were *“It looks like a tree”*, *“It looks like a waterfall”*, *“People won’t understand the relationship between tobacco products and lungs”*.

#### **2. Opinion on Government Initiatives**

Overall all the participants appreciated various steps taken by the Government with regard to regulation of tobacco products, but they all insisted on more tough and strict implementation of the laws against tobacco usage. They all opined that the authorities should be made more responsible and awareness should be spread about the ill effects of the usage of tobacco products.

#### **3. Opinion and suggestions on pictures, text, size/area of display**

##### **o Pictures/Graphics**

Majority of the participants raised concern about the quality and clarity of the pictures, and felt that these pictures should be replaced with clear and meaningful pictures, which can be understood by one and all. All participants agreed that there is a need to use pictures which will clearly highlight the *“dangerous effects of tobacco use”*. One of the participants mentioned that, *“These pictures are not clear, not visible too, we need more colourful pictures”*. Some participants felt that the currently notified warnings could be made more effective with some modifications. Some of the suggestions were:

- *“Pictorial warning should depict pictures of throat and should be scary enough that people think twice before buying at least think about it”*. One of the adult participants reported that, *“Only yesterday there was a case in the newspaper that in Mumbai the commissioner has moved the*

*court that he has been smoking since he was 16. Earlier there were no warnings. Otherwise this guy could have been helped. So these pictures must be put. Scary pictures should be shown. E.g. Mouth cancer. So the picture of a diseased person with mouth cancer should be included”.*

- Front should have more pictures for example, ‘before use’ and ‘after use’ pictures of tobacco consumers which reflects the harmful effects of tobacco. The pictures used should clearly depict the harmful effect of tobacco use with picture of the person before he used tobacco and then how he had problems afterwards.
- ‘Live pictures’ or ‘Real Cases’ (testimonials) should be depicted on the packets.
- There were some participants who felt that the notified messages had no meaning they felt that “*The messages don’t mean anything. These are useless graphics.*” The pictures should be such that “*after seeing it the person should feel he will die. Nobody will understand this.*” We should “*have a picture that shows the actual condition of what happens to the patient; that would be more effective.*”

- **Colour**

Nearly all participants were in favour of colourful pictorial warnings as they felt that the coloured pictures would quickly grab attention and make a greater impact. Some participants reported that “*The coloured pictorial warnings can depict the tobacco related diseases in a better way*”. Some of them suggested that colour of the warnings should be bright or dark red. One of the youth said, “*The colour pictures are better than the black and white one. It attracts the person’s vision.*”

- **Text**

Most of the participants reported that the contents and messages are not appropriate since they are unable to make an impact on users as well as non-users. Some participants reported that these messages are indirect and cannot be understood by people. The participants suggested that:

- The messages should be in English and regional languages where the product was sold.
- The text should be in bold so that it is clearly visible.
- Company’s brand names should be in smaller letters compared to the text warnings.
- Catchy messages like “*Zindgi ko dhuen me na udao*” (do not blow away your life in smoke) should be used as tag lines.
- “*Smoking kills*” seems very simple. People won’t take this very seriously, they should be told about how the family members of the tobacco users are affected. This kind of emotional messaging should be given so that people are forced to think about the ill effects of tobacco before they begin consuming tobacco.

- **Size, Area and placement of pictorial warnings**

Several participants noticed that besides the pictures the placement of the pictorial warning was not correct. It was reported that giving it on one side would not serve the purpose, tobacco users would not look at the side where pictorial warning is displayed and the vendors will also display the brand names while hiding the pictorial warnings which is printed only on one side.

Most of the participants felt that the warnings were actually printed on the backside of the packs (law requires it to be published on the front panel of the pack). Therefore, it was suggested that pictorial health warnings must be placed at the front and top panel of the tobacco packs so that every time the consumer opens the packets, they could observe these warnings.

A lot many of the participants pointed out that 40% of the total area for the pictorial warning was too little and should be increased to 50% to 80% of the principal display area and printed on both sides.



The collective opinion was that a pictorial warning is a good medium to convey the adverse effects of tobacco use. Some participants mentioned, if possible these pictures should be on each individual cigarettes near the filter of the cigarettes so that the user is aware of the warning till the last puff.

Some suggested that the opening of the pack should have some skull type pictures or a cross of cigarettes so that the user is reminded to stop using it. One of the participants said *“In my opinion the area of pictorial and health warnings should be increased to 100% on front and 50% on back of the packet and one extra slip should be dropped into the packet showing various ill effects of the tobacco usage.”*

## **II. Key informant Interviews**

KII was conducted to assess the effectiveness of the notified pictorial warnings and to get information on the likely changes that are considered effective by the key informants. The major findings from the analysis were as under:

### ***1. Opinion on warning labels***

In all the states majority of the participants had seen health warnings on one or the other tobacco products and were in favour of putting pictorial warnings on all tobacco products. All of them felt a great need for revising the present pictorial warnings. All of them opined that warnings are not clear and were not able to deliver the right message. Some of the observations were:

- *“They are ineffective and even their colour and presentation is not good. They are weak depictions of the message they try to convey, especially, when they are meant for the illiterate.”*
- One of the officers from Health department reported that, *“I am not sure if even educated people can make sense out of a chest X- ray, leave alone the less educated ones these pictorial warnings are not affective for illiterate population.”*
- According to a Medical Officer these health warnings least served the intended purpose of reducing tobacco consumption in India. According to him *“warnings should be more graphic but at the same time the graphics should look realistic.”*

### ***2. Need for health messages/warnings on tobacco products***

Nearly all participant in all states opined that there is great need of health warnings on tobacco products. Participants felt that pictorial health messages prevent experimentation and warn tobacco users of the ill effects of tobacco use. It was suggested that heir constant depiction motivates tobacco users to think about quitting.

### ***3. Awareness about health consequences of tobacco use***

Interviewee’s were asked to quantify the numbers of tobacco users whom they felt were aware of the health consequences of tobacco use. Respondents from Delhi and Rajasthan felt that the awareness level are quite high (up to 60 %) whereas their counterparts from Mizoram and Tamil Nadu mentioned that very few tobacco users were aware of the health consequences of tobacco use.

### ***4. Influence of health messages/warnings on tobacco users and non-users***

Majority of the respondents opined that to some extent these warnings will influence knowledge and attitude towards tobacco use. It will influence the knowledge of tobacco users about the harmful effects of tobacco use, which the tobacco users otherwise usually ignore. Besides, it is a good initiative for non-users as it can create fear or disgust of using tobacco and reduce chances of their initiation to tobacco use.

Most of the participants were not sure whether these warnings can influence the quit rate but they all were sure that it will reduce the frequency of tobacco use.

### **5. Area for health warnings**

Most of the participants from Delhi thought that the notified warnings covered 40%-50% area of the pack. All of them felt that it should be placed on the front and not on the back of the pack. When a user opens the pack it should be clearly visible. Some others mentioned that at least 50% of both sides of tobacco pack with warnings depicting the adverse effect of tobacco use on different parts of the body, and not just cancer, should be used. Few of them also reported that it should cover full portion (100%) of front panel of the tobacco pack.

While reporting about the pictorial warnings on *gutkha* or *beedi* packs the participants opined that these should be as visible and legible as possible and should be adjusted according to their size and shape. Eighty percent area should be covered as pictorial warnings in *beedis* and *gutkas* packs as well. Warnings should be uniform for all products, whether small or large. Some participants from Himachal Pradesh mentioned that the warnings should cover more than 75% of the principal display area while participants from Rajasthan mentioned that it should be rectangular and at both surfaces (front and back).

### **6. Effectiveness of Pictorial Warnings**

Most of the participants were not satisfied with the text and graphics. Those who were satisfied with the text and graphics felt that the warning with diseased lung was a little better as compared to the other two (chest x-ray and scorpion). It was considered that the warning with a scorpion has no impact and display of such warning was insufficient. None of the respondents were satisfied with the content of the warnings and felt that illiterate person would not perceive the message being conveyed. They all suggested that these warnings should be more colourful with preference to bright colours.

### **7. Suggestions to modify the warnings in next rounds**

Most of the participants felt a strong need to revise existing pictorial warnings. Nearly all participants provided their suggestions for next revision. Some of the key suggestions were:

- **Skull with cross bones** should be depicted as warnings
- Use range of pictorial warnings communicating different health effects of tobacco use that is targeted to different group of population e.g. youth, pregnant women, children
- Use individual risk estimations on the pack.(e.g. one out of every # smoker dies of a tobacco related disease)
- Adverse effects of second hand smoke on children, pregnant women and the effects on reproductive health (impotency) should be highlighted.
- Family oriented messages like a child telling his/her father *“Please leave this habit because this is neither good for me nor for you”* or child in the womb of a mother appealing to his/her father, *“don’t smoke I am feeling suffocated”*
- Use patient’s pictures mainly to help illiterates in rural area, especially on *beedi* bundles.
- *“Stop! Think? But don’t move towards your death.”*
- Warnings like *“Ram Nam Satya Hai”* (chanted during the last rites as per Hindu customary and religious practice) or *“Jeevan Anmol Hai Ise Is Tarah Barbaad Mat Kare”* (life is precious, don’t lose it like this) will do a lot of change in the mentality of the people concerning the usage of tobacco.

## **B. Conduct policy research to establish that COTPA needs to be amended in line with FCTC that recommends comprehensive ban on tobacco advertising, sponsorship and promotion**

To assess the level of implementation of section 5 of the COTPA which prohibits all direct and indirect advertisement and to gauge the implications tobacco advertisements have on youth, adults and other stakeholders a situational analysis was conducted with key stakeholders and tobacco vendors while an opinion poll was conducted with youth and adults in the five selected states under the project. The key research findings from the surveys are presented below.

### **I. Situational analysis with key stakeholders**

Situational analysis was conducted among various stakeholders (n=3999) in the five states to assess the level of enforcement of prohibition on advertisement of tobacco products in India. Seventy four percent respondents were males while 26% were females. The key findings from the survey include:

#### **Awareness about the law**

Annexed Table 1 and 2 reveal that almost 69% of the stakeholders were aware of the provisions of Indian Tobacco Control Law related to prohibition on advertisements of tobacco products. Most of the stakeholders in Himachal Pradesh were aware (81%) while only 60% were aware in Rajasthan. More than 38% of them reported that these provisions were not implemented effectively.

#### **Tobacco advertisements**

As presented in Table 3, responding to the question that whether respondents had ‘seen violations related to advertisements of tobacco products (such as boards of particular brands, oversized boards, banners, leaflets etc. promoting tobacco products) in their area’, sixty percent reported that they have seen violations related to advertisements of tobacco products. These violations were observed highest in Rajasthan (84%).

#### **State and district level Steering Committee to monitor implementation of section 5**

As presented in Table 4, 5 and 6 42% reported that there was a Steering Committee looking at the violations of the ban on advertising at the state level. While only 34% reported that there was a Steering Committee looking at the violations of the advertising provision at the district level.

Overall 13% respondents had reported violations to the committee with 18% from Delhi and 10% from Tamil Nadu.

#### **Indirect advertisement of tobacco products**

As presented in Table 7, 44% stakeholders reported that they have seen indirect advertising of tobacco products. This was reported highest in Rajasthan (80%) while only 19% stakeholders from Tamil Nadu observed such advertisements.

#### **Special display of tobacco products at retail outlets**

Table 8 reveals that most of the stakeholders (73%) observed specially arranged display of tobacco products in shops. Eighty three percent of them thought that this kind of display promotes use of tobacco products (Table-9).

### **Complaint and action taken against advertisement of tobacco products**

As presented in Table 10, only 6% of the stakeholders reported that they were aware of any complaint or action taken against advertisement, promotion or sponsorship of tobacco products in their state.

## **II. Situational analysis with retailers (tobacco vendors)**

Situational analysis was also carried out with retail tobacco vendors (n=1000) in the five states to assess the level of compliance of the law prohibiting tobacco advertisements. The survey points that the concession given to the industry to advertise tobacco products at point of sale was exceedingly misused by the industry to attract young customers. Some of the major findings were as under:

### **Display of tobacco products at retail outlets**

Table 11 shows that 51% retailers used special display for smoked forms and 48% used it for non-smoked forms of tobacco. Such type of arrangement in shops was popular in Mizoram (74% for smoked and 78% for non-smoked forms) and Rajasthan (85% for smoked and 76% for non-smoked form) while in Tamil Nadu very few retailers followed such pattern (22% for smoked and 12% for non-smoked form).

### **Advertisement boards at retail outlets**

Table 12 reveals that nearly 48% retailers had tobacco product advertisement boards/signs placed either in their shop or on window/walls of their shops. Retailers in Rajasthan generally used (76%) advertisement boards/signs while in Tamil Nadu 20% of retailers used it in their shops.

### **Brand Promotion at retail outlets**

Table 13 reiterate tobacco brand promotion at point of sale. In ninety two percent cases these boards promote a single brand of tobacco product and one third of these boards were without health warning label as required by law. Nearly 28% of these boards had other promotional messages as well. In Rajasthan 58% boards had promotional messages whereas, only 6% retailer from Delhi reported this.

### **Tobacco companies promote tobacco products**

As per the study finding, Table 14 reveals that 46.8% retailers had reported that the advertisement boards were provided by tobacco companies. 23.4% reported that the tobacco companies also provide special tobacco product display stands. In Rajasthan 89% retailers said that the boards were provided by tobacco companies.

Table 15 elaborates that 30% retailers had accepted the tobacco companies also provided them other products like t-shirts, caps, bags etc. bearing the logo or brand name of tobacco products.

### **Display of tobacco products at retail outlets**

Table 16 provides a glimpse of how tobacco products are placed at a retail outlet. Fifty six percent of the retailers said that tobacco products were usually placed behind the counter in their shop, 59% reported that these were placed over the counter while 56% reported that it was kept under the counter. **Fifty five percent retailers placed tobacco products near chocolates, candies and other eatables.**

### **Free samples of tobacco products**

Table 17 presents that 35% retailers had reported that free samples of tobacco were provided for offer and 29 % said that free gifts or discount offers were also provided by tobacco companies.

### **Special offers for selling tobacco products**

Table 18 reveals that 27.5% of retailers had said that they were offered special prices by tobacco companies for buying their products. Only a few retailers in Delhi reported this (3%) while in Rajasthan it happened in majority (59%) of the cases.

## **III. Opinion Polls**

Opinion poll was conducted with 2989 individuals including 38% of the respondents were youth of age group 10-19 years while 52% were males and 48% females. Among the respondents 27% were tobacco users. Opinion poll was conducted to assess the impact and implications of exposure to advertisements of tobacco products among youth, adults and other stakeholders in the five states. The main findings of the survey were as under:

### **Tobacco advertisement easily noticeable**

Table 19 and 20 highlight the extent of tobacco advertisement noticed by the respondents and various sources of such advertisements. Thirty three percent of respondents reported to having frequently noticed advertisements or other promotional materials. Youth either male or female had noticed more than adults ( $p < 0.05$ ). Tobacco advertisement was very frequent as most respondents observed it at various places including at tobacco retail shops (80%), around street vendors (69%), in or around schools (51%), in restaurants (55%), at railway stations, bus stops etc. (57%).

### **Tobacco advertisement at retail outlets**

Table 21 reveals that 60% respondents had noticed tobacco advertisement boards at retail shops. Male respondents (69%) had noticed more than females (51%) ( $p < 0.01$ ).

Table 22 reveals that among those who noticed tobacco advertisement boards at retail shops, 76% reported that such board was for specific tobacco brand. Forty four percent respondents observed that such board was with health warning label as required by law while 67% observed that there was more than one board advertising tobacco products at the outlet.

When asked about what according to them was the impact of such board(s) at a retail outlet 55% respondents thought that display of tobacco advertisement boards would increase consumption of tobacco while 21% thought that non-users and ex users will start using tobacco (Table 23).

### **Tobacco sponsorships**

Table 24 and 25 presents what respondents felt about sponsorships by tobacco companies and its impact on tobacco use. The findings revealed that in the last 6 months 19% of the respondents had seen or heard about tobacco companies sponsoring any sports event, music events (14%), fashion shows (16 %) and bravery awards (17%) (a tobacco company used to sponsor bravery awards named after its cigarette brand, now the awards are named after the company's name). Nearly half (48%) of the respondents reported that sponsoring such type of events would increase consumption of tobacco and 19% felt that non-users and ex users will start using tobacco.

### **Promotion of tobacco products**

Table 26 and 27 considers the kind of promotional activities undertaken by tobacco companies and perceived impact of such promotional activities on the respondents. Sixty eight percent respondents felt that tobacco products were displayed attractively on shelves, **49% had observed these products arranged near chocolates or kid's items** and 33% had seen clothing or other items with a tobacco brand name or logo. Nearly two third of the respondents (59%) felt that such kind of promotion of tobacco products would increase consumption of tobacco and 19% observed that non-users and ex users will start using tobacco due to such promotional activities.

### **Tobacco use by celebrities to increase tobacco consumption**

Table 28 and 29 points to the extent celebrities (television, movie, media and public figures and sports stars) were seen using tobacco and its impact on tobacco consumption. Among the surveyed respondents, 62% had seen celebrities using cigarettes or other tobacco products on Cinema, Television, Newspaper or Magazines and 56% felt that this would increase consumption of tobacco while 24% felt that this would induce non-users or ex-users to start using tobacco.

### **Special packaging and misleading descriptors promote tobacco products**

Table 31, 32 and 33 captures the industry tactics to circumvent the ad ban laws by using special packaging, colours and descriptors for tobacco products and thereby advertising and promoting tobacco use. Fifty five percent of the respondents felt that they had seen or heard children, teenagers or adults talking about tobacco products with nomenclature like 'light', 'mild' etc. while 57% respondents had seen or heard them talking about particular shape of pack as their favourite or preferred tobacco product. Most of the respondents (74%) thought that this was a kind of promotional strategy adopted by the tobacco companies to promote their brands through special packs, attractive colours and misleading descriptors. Nearly 60% respondents felt that such promotion of tobacco products would increase consumption of tobacco.

## DISCUSSION

The study primarily envisioned to provide a locally relevant evidence base to support advocacy efforts to strengthen COTPA and to make it compliant with FCTC. The raison d'être for conducting this study with a focus on pictorial warnings and tobacco advertisements is based on the urgency attributed to the compliance with these provisions under FCTC. It is important to note that the obligations, both under Article 11 (Packaging and labelling of tobacco products) and 13 (Tobacco advertising, promotion and sponsorship), are time bound i.e. time is the essence when it comes to implementing these two provisions. FCTC stipulates that within a period of three years after entry into force of FCTC for a Party it shall adopt and implement, in accordance with its national law, effective measures to ensure implementation of Article 11. Similarly, within the period of five years it shall undertake appropriate legislative, executive, administrative and/or other measures to implement Article 13.

India being amongst the initial ratifying countries, FCTC timelines for India for Article 11 completed in February, 2008 while for Article 13 it reached the deadline in February 2010. It enacted COTPA in 2003, and the provisions related to ban on tobacco advertisement came into force since 2004 the one related to pictorial warnings finally took effect from May 31, 2009 (more than a year behind FCTC timeline).

### **I. Effectiveness of notified pictorial health warnings**

The rules framed under COTPA section 7 in March, 2008 notified three pictorial warnings (two for smoking and one for chewing or smokeless forms) to be displayed on all tobacco products sold in India. The very first objective of the study was to assess the effectiveness of these notified warnings. To this effect the research team developed a focus group discussion guidelines and a key informant interviews questionnaire.

Overall 25 Focus Group Discussions (FGDs) comprising of 488 participants were conducted. Besides, 50 interviews were conducted in the five states with key stakeholders from various departments including Health, Police, Customs & Excise, Municipal Corporation, Panchayat, NGOs, medical officers and others.

#### **Current warnings are ineffective**

Though all the participants underscored the need for pictorial warnings, it was found that the notified pictorial warnings were not effective. Among the three notified warnings only the one with diseased lungs was considered to be communicating the intended message for few, while others were considered weak depictions of the message they try to convey. The notified pictorial warnings do not serve the purpose of informing an illiterate in a country where almost one third of the population is illiterate. It is important that pictorial warnings are clear and convey intended messages to all sections of the population. Being ineffective, the notified warnings do not have any effect on the prevalence of tobacco use among various populations. Lack of perceived awareness about the adverse affects of tobacco use among tobacco users can also be attributed to the ineffective warnings.

#### **Stronger pictures and graphics should be introduced**

Quality of the pictures and graphics used in the notified warnings were considered very poor, which calls for re-design and use of pictures and graphics that are effective. Unlike the notified warnings, a health warning against use of tobacco product needs to be repulsive to be able to communicate the perilous nature of the product. They need to be clear, visible and colourful to clearly highlight the "*dangerous effects of tobacco use*". Skull and cross bones seem to best communicate this message against tobacco use. Besides, real life images/pictures of health effects of tobacco use e.g. mouth cancer, throat cancer,

gangrene and the like are more likely to communicate the real danger of tobacco use and prevent uptake and experimentations. Apart from pictures elaborate graphics depicting the ill effects of tobacco use and portraying health messages against tobacco use can be used however, the graphics should look realistic.

### **Colour and text of warnings**

The notified pictorial warnings were considered ineffective for being black and white (the one with chest x-ray and scorpion). From the results of the focus groups it is evident that coloured warnings communicate better as they attract the vision of the person looking at them and leave a greater impact. However, such colours should be in contrast to that of the tobacco product pack for clear visibility of the warnings. Apart from a good quality picture with good colour resolutions it is important that text messages used convey the magnitude and gravity of ill effects caused by tobacco use. The text warning messages that are currently used i.e. *“tobacco kills”* *“smoking kills”* and *“tobacco causes cancer”* are lame and are looked as a mere statement of fact which does not elude any emotional or behavioural response. The very purpose of these warnings goes in vain.

The text messages should be designed to appeal the emotions and feelings of the consumers of tobacco products. Furthermore, clear and bold text is easily read and has greater reach and recall value. Therefore, the text messages concerning family, children, new born babies, pregnant women, youthful age, career and profession should be used with appropriate pictures and graphics in the warnings.

To inform tobacco users about the full range, likelihood, and severity of tobacco related disease multiple pictorial health warnings that are rotational in nature needs to be notified. Countries notifying range of rotational pictorial health warnings are shown to be effective in communicating the health risks of tobacco use (Canada notified 16, Thailand 9, Brazil 9 set of pictorial warnings).<sup>15</sup>

India is a multilingual country with use of different languages in different states; there are 22 official languages in the country. It is important that the text messages are printed in all of these 22 languages and the tobacco product being sold in a particular state or region has the warning in the language generally used in that state/region.

### **Size, area and placement of warnings**

Large, comprehensive warnings on cigarette packages are more likely to be noticed and rated as effective by smokers.<sup>16</sup> It is amply clear from study results that pack warning covering 40% of the tobacco pack is not effective and the size of the warning needs to be increased (participants suggested warnings should cover at least 50 to 80% area of the pack) and the warnings should appear on both sides of the pack. The intent of having a pictorial warning on tobacco pack is that a tobacco user is exposed to the warnings every time he/she opens the pack.<sup>17</sup> One side only warnings reduce this probability by half.

As outlined in the FCTC guidelines on Article 11 the study results also suggest that pictorial warnings should be on both the front and back (or on all main faces if there are more than two) of each unit of tobacco pack and at the top of the principal display areas to increase the visibility, effectiveness and impact of the warnings.

---

<sup>15</sup> Health warnings with pictures, available at <http://www.smoke-free.ca/warnings/default.htm> accessed on 15-03-10

<sup>16</sup> Hammond D, Fong G.T, Borland R, Cummings K.M, McNeill A, Driezen P. Text and Graphic Warnings on Cigarette Packages Findings from the International Tobacco Control Four Country Study. *Am J Prev Med* 2007;32(3).

<sup>17</sup> Pack-a-day smokers are potentially exposed to the warning labels over 7,300 times per year.



Considering that in India a number of tobacco products including *beedi*, *gutkha*, *zarda*, *Khaini* etc., besides cigarettes, are used in abundance; having pictorial warnings with appropriate size, covering large enough areas and aptly placed warnings are a must.

Observations from both focus group discussions and key informant interviews is consistent with other research findings and reiterate the importance of large and comprehensive pictorial health warnings as stipulated under the FCTC and guidelines adopted for implementation of Article 11.

## **II. Implementation of ban on tobacco advertisement and its implication**

In principle section 5 of COTPA stipulates a complete prohibition of tobacco advertising. However, it allows 'in pack', 'on pack' and 'point of sale' advertisements. Besides, the rules framed are not comprehensive and remain wanting. Further, absence of effective provisions to prevent indirect/surrogate advertisements, brand extensions, product placements and promotion in cinema and print media remains a cause of concern. The present study envisioned to gauge the level of implementation on the ban on tobacco advertisement and compliance with rules by tobacco vendors. A situational analysis was conducted with various stakeholders including enforcement authorities, NGOs and retailer (separate questionnaire was used for retailers). Opinion poll was conducted with general public youth and adults to assess the implication of the prevalent tobacco advertisement.

The preamble to the Indian tobacco control law acknowledges that '*it is expedient to prohibit the advertisement of tobacco products*'. As per the requirements under the law no person can advertise, promote or sponsor tobacco products. However, there are two exceptions where the law does not apply i.e.: 'In and on' the pack of a tobacco product and 'Point of sale' where tobacco product are offered for distribution or sale.

The rules framed in this regard in 2004 required that advertisement boards measuring 90cm by 60cm may be displayed with 25% area of the board having health warning, "*tobacco kills*" or "*tobacco causes cancer*." However, the '*number of such boards could not exceed two*' at one point of sale. The rules were amended in 2005 and the measurements of the advertisement boards were reduced to 60cm by 45cm for each board. During this study severe violations of the law and rules were observed and reported.

### **Excessive advertisement at 'point of sale'**

It is observed that there is excessive display of tobacco product advertisements at point of sale. Results from across the study population have pointed to this fact. 47% retailers admitted having placed advertisement boards, nearly 60% stakeholders had observed advertisements while this percentage among youth and adults, as per the opinion poll was 80%. The result underscores that the loophole under the law is amply exploited by the tobacco industry to advertise its product. Most of the vendors displayed more than one board of advertisement at their outlets, mostly promoting a single brand of tobacco product.

Apart from the advertisement boards, the retail outlets per se are converted into a big advertisement billboard of tobacco products. The special display of tobacco products at point of sale is as good as an enticing advertisement. Though the revised regulations required that no person should display tobacco products in such a way that they are visible, the study points that almost all the shops had visibly displayed tobacco products. Besides, these advertisement boards are placed by tobacco vendors in violation of the regulations, which requires that a health warning (either "*tobacco kills*" or "*tobacco causes cancer*") must cover one third of the area of such advertisement board. The respondents across the study felt that most of the advertisement boards did not had the health warnings as prescribed by the law.

## **‘In pack’ and ‘on pack’ advertisements**

Owing to the legal concession provided to the tobacco industry it is allowed to use the tobacco product packages as the means of advertising their products. Though the FCTC and rules framed under COTPA for implementing pictorial health warnings prohibit misleading descriptors or any message that may be contrary to the health warnings, the tobacco industry continues to advertise their product through misleading representations about the quality, taste, flavour, shape, size and colour of the products. These strategies of the industry are pre-designed to target children, youth and women. This is another industry tactic to make best use of the gap in the law to promote tobacco use.

## **Promoting tobacco products: the tactics used**

The tobacco industry uses multiple stratagems to promote tobacco products. It not only provides the point of sale advertisement boards to the vendors, but also provides them other incentives, including cash benefits, to put up such boards at the retail shop. Tobacco companies provide products like t-shirts, caps, bags etc. bearing the logo or brand name of their tobacco products. Besides, they also provide free samples to the retail vendors for offer to customers. Free coupons inside tobacco products are also provided with assured gifts on every purchase. Tobacco companies also distribute tobacco products at special prices or give special offers to the vendors for selling tobacco products in addition to other exclusive and assured gifts for them.

## **Sponsorship by tobacco industry**

Though there is an express ban on sponsorships promoting tobacco products under COTPA, respondents to the opinion poll felt that the tobacco industry was engaged in sponsorships. Use of surrogate advertisements and brand extensions and sponsorship thereof provides room for tobacco companies to get associated with and sponsor sports, music, festival, fashion and other events and their broadcast through media and entertainment channels. Various studies have revealed that youth are most vulnerable to such associations promoted by the industry.<sup>18</sup> The study data substantiates this continuous targeting of vulnerable population by the industry.

## **Depiction or use of tobacco products by celebrities**

It is long debated to have a policy that completely bans depiction of tobacco use by celebrities, particularly in cinema and television.<sup>19</sup> MoHFW framed rules under section 5 of the COTPA in 2005, which imposed prohibition on such depictions, however, the rules were challenged before the Courts on the ground of it being an infringement of the fundamental right to expression (creative liberty) enshrined under Article 19 (1) (a) of the Constitution of India. The matter lies undecided before the Supreme Court of India. It is important, though, to note that most of the respondents had seen celebrities using tobacco and felt that it was promoting tobacco use. The role models, that these celebrities are, need to understand their social responsibility as well and should not contribute to social misery by claiming creative liberty.

## **Implementation of the law**

Though not complete, the law provides for restrictions on tobacco advertisements and regulates the statutory concessions thereof. However, the study reveals that there is lack of enforcement of the law.

---

<sup>18</sup> Sargent J D, Gibson J, Heatherton T F. Comparing the effects of entertainment media and tobacco marketing on youth smoking. *Tobacco Control* 2009;18:47–53

<sup>19</sup> Sargent JD, Dalton MA, Beach ML, Mott LA, Tickle JJ, Ahrens MB, Heatherton TF. Viewing tobacco use in movies: does it shape attitudes that mediate adolescent smoking? *Am J Prev Med.* 2002 Apr;22(3):137-45.

Stakeholders interviewed, mostly enforcement officials themselves, have observed indirect advertisements which is abundantly prevalent in absence of clarity in the law and lax enforcement.

It is important to note that Government of India has directed every state in the country to form a steering committee, at state and district levels, to take cognizance of tobacco advertisements. However, most of the stakeholders were not aware of such committees at the state or district level. Furthermore, very few complaints are made to the committees and instances of *suo motu* cognizance by the committees are negligible.

## CONCLUSIONS

The Indian tobacco control law is not free from weaknesses and ambiguities, including on pictorial health warnings and regulation of ban on tobacco advertisements. It remains short of being a comprehensive tobacco control legislation wanting effective implementation.

Lack of administrative and executive action was evident in implementing both the provisions studied under this project. The notified pictorial warnings were uniformly considered to be ineffective in communicating the intended messages while the text, graphic, colour, size, placement of the warnings need to be in compliance with Article 11 of FCTC and the guidelines adopted to implement them. The pictorial warnings notified in March 2008, needed drastic modifications to match FCTC mandates and international best practices in tobacco packaging and labelling.

Though, the Government of India have notified, in March 2010, new set of specified health warnings which has a pictorial depiction of diseased/pre-cancerous condition of a mouth, the evidence generated through this study could be used in modifying the future rotations of the health warnings. The government should select multiple pictures, graphics or images that are accompanied with different text messages informing the about the various adverse effects of tobacco use. Such images and messages should cover the multiple tobacco induced disease and disabilities, especially those related to pregnant women, children and youth. Adverse impacts of second hand smoke also need to be told through these messages and pictorial warnings.

On the other hand, national and international studies have suggested that tobacco advertisement contributes to increase in tobacco consumption and a complete ban on tobacco advertisement helps in reducing tobacco use. The ban on direct and indirect advertisement under COTPA has lead to a huge increase in surrogate advertising and brand extensions of tobacco products in India. The research results from this study identify the industry tactics used to advertise tobacco products and how people feel that it contributes to promoting tobacco use.

The concession under the law that exempts '*in and on pack*' promotions and '*point of sale*' advertisements of tobacco products have largely been used by the tobacco industry to increase its customer base, particularly among youth, children and women. The advertisement boards, abundantly visible display of tobacco products, specially crafted wall designs with particular colours and layout those are associated with particular tobacco product/brand surround every tobacco vendors shop; making such point of sale a permanent billboard promoting all kinds of tobacco products.

Apart from abusing the legal concessions, the study reveals that the industry also circumvents the provisions by sponsoring events, offering free gifts and coupons with assured gifts to promote brands of tobacco products. Celebrities as well contribute to promotion of tobacco use by depicting tobacco use in public, particularly on screen in cinemas and television. It is essential that state and district level steering committees are constituted, where not in place and made effectively functional in states where they exist, to take effective action against tobacco advertisements.

The results underscore the need to strengthen COTPA to bridge the gaps in the law that are used by the tobacco industry to promote its hazardous product. The rules providing for pictorial warnings, in the next rounds, should be comprehensive, strong, effective and field tested. In addition, the exceptions provided under the law, conceding big room for advertisement of tobacco products, should be removed from the law and the regulations amended accordingly to provide for a stringent regime imposing a comprehensive ban on advertisements of tobacco products in line with Article 13 of the FCTC and the guidelines adopted therein.

## RECOMMENDATIONS

The major recommendations based on the study results are enumerated below:

Relating to implementation of strong and effective pictorial health warnings that are compliant to FCTC Article 11:

**a. Amendment of the law to make it compliant with FCTC**

It is suggested that COTPA should be amended to include and incorporate the provisions of FCTC Article 11. Regulations should be framed in accordance with the guidelines adopted at the third session of the Conference of Parties held at Durban, South Africa, in November 2008. Depiction of skull and cross bones as pictorial warnings was suggested by the study participants and therefore, it is suggested that section 7 of COTPA be amended and provision restored to *status quo ante*.

**b. Awareness and implementation of the law**

Lack of awareness among enforcement officers contributes to sporadic or no implementation of the law, therefore, it is important to inform and make the enforcement authorities aware of their roles and responsibilities in implementing the provisions of COTPA in general and section 5 and 7 in particular.

**c. Warnings should cover more area and should be on both sides of the pack**

Giving warnings on one side would not serve the purpose, the tobacco user would not look at the side where pictorial warning is displayed and the vendors will also display the brand name while hiding the pictorial warning which is printed only on one side. The study suggests that 40% of the total area for the pictorial warning is too little. This needs to be increased to 50% to 80% of the principal display area and should be printed on both sides of a tobacco product pack.

**d. More colours and local language should be used in designing the warnings**

The study shows that coloured pictures quickly grab attention and make a greater impact; therefore, the pictures, images or graphics used in warnings should be clear, visible and more colourful. The colours used should be in contrast to that of used on tobacco product pack to de-glamorise the attractive packing of such products. Considering the linguistic diversity of the country, language of the text messages used with the warnings should be in the language of the place where the product is sold.

**e. Multiple messages should be used to communicate myriad of ill-effects of tobacco use**

The study reveals that using one health message does not serve the purpose of health warnings. The notified messages are too plain and obvious to be noticed. It is thus suggested to use a range of multiple pictorial warnings with appropriate health warning messages that communicate the numerous health hazards of tobacco use. Specific messages and pictorial warnings communicating adverse impact of *Second Hand Smoke* should also be notified.

**f. Skull and cross bones along with real pictures and graphics should be used for pictorial warnings**

It is evident from the study that to communicate the real threat of tobacco use skull and cross bones should be used. Besides, there is a need to use pictures which clearly highlight the dangerous effects of tobacco use, to this effect *'live pictures'* or *'real Cases'* (testimonials of patients) should be depicted on the packets. Large pictures of throat cancer, mouth cancer, gangrene, impotency, effect of second hand smoke on pregnant women and new born babies and other such bold and effective warnings should be notified.

Recommendations relating to implementation of prohibition on advertisement of tobacco products as outlined under Article 13 of FCTC:

**a. Amend the law to make it compliant with FCTC Article 13**

Section 5 of COTPA should be amended to provide for a comprehensive ban on all forms of direct and indirect advertisements. Considering the excessive misuses of the concessions under the law and it being in conflict with FCTC Article 11.4.a. the exceptions of *'in pack'*, *'on pack'* and *'point of sale'* advertisement should be annulled and withdrawn. Such advertisement also undermines the intent of pictorial warnings on tobacco products packages.

**b. Complete ban on brand stretching and surrogate advertisements**

Currently it is found that almost all tobacco products have their identical non-tobacco brand extensions which are extensively advertised as surrogates for the tobacco products. Children, youth and women are targeted attributing, youth, women empowerment, style, glamour etc to these surrogates for tobacco advertisements. Such brand extensions and their advertisements are not in conformity with the letter and spirit of COTPA and in particular section 5 of the law. Therefore, based on the study results it is suggested to impose a complete prohibition on brand extension of tobacco products in larger public health interest.

**c. Prohibit display of tobacco products at point of sale**

Specially designed display of tobacco products at point of sale is a kind of tobacco promotion and therefore should be prohibited. Though, there is a rule framed to this effect, its implementation is yet to be notified by the Government. The rule should be enforced with immediate effect.

**d. Prohibit depiction of tobacco use in cinema and television**

Study revealed that depiction of tobacco use by celebrities promotes tobacco use and therefore, it is suggested that there should be a complete ban on depiction of tobacco use in cinema and television and other sources of communications.

**e. Constitute state and district level steering committees to enforce the law**

The Government of India ordered for the constitution of state and district level steering committee in each state and district of the country. However, the study points that people are yet unaware of such committees' existence in their state or districts. Constitution of a state and a district level steering committee to prevent tobacco advertisements and take cognizance and

action against violations is a must to curb the promotion of tobacco use. Regular monitoring of implementation of the law would also be easier with the constitution of such committees.

**f. Capacity building of law enforcers and NGOs**

The study has sufficiently revealed that there is urgent need to sensitize the law enforcement authorities responsible for implementation of the tobacco control law in the country. As recommended under the FCTC NGOs should be engaged in implementing the provisions of the law and their capacity needs to be built to support the government's tobacco control initiatives.

**g. Replication of the study in a comprehensive report**

The present study was conducted only in five states of the country with only two provisions of the FCTC under consideration. A larger study is, therefore, recommended to assess level of implementation of FCTC in India taking all the major provisions under the Indian tobacco control law as a comprehensive report of India's compliance with the FCTC mandate.

## REFERENCES

1. Experts seek stricter implementation of the treatise for tobacco control. Available at, <http://www.expressindia.com/latest-news/Experts-seek-stricter-implementation-of-the-treatise-for-tobacco-control/262830/>.
2. Global Youth Tobacco Survey 2009 WHO, 2009.
3. Government of India. The Cigarettes and Other Tobacco Products (Prohibition of Advertisements and Regulations of Trade and Commerce, Production, Supply and Distribution) Act, 2003.
4. Government of India. The Cigarettes and Other Tobacco Products (Packaging and Labeling) Amendment Rules, 2010 dated March 5, 2010.
5. Government of India. The Cigarettes and Other Tobacco Products (Packaging and Labeling) Amendment Rules, 2009 dated May 3, 2009.
6. Government of India. The Cigarettes and Other Tobacco Products (Packaging and Labeling) Amendment Rules, 2008 dated March 15, 2008.
7. Government of India. The Cigarettes and Other Tobacco Products (Packaging and Labeling) Amendment Rules, 2007 dated September 29, 2007.
8. Government of India. The Cigarettes and Other Tobacco Products (Packaging and Labeling) Amendment Rules, 2006 dated July 5, 2006.
9. Government of India. The Cigarettes and Other Tobacco Products (Prohibition of Advertisements and Regulations of Trade and Commerce, Production, Supply and Distribution)(Amendment) Rules, 2005 dated May 31, 2005.
10. Government of India. The Cigarettes and Other Tobacco Products (Prohibition of Advertisements and Regulations of Trade and Commerce, Production, Supply and Distribution) Amendment Rules, 2006 dated October 20, 2006.
11. Guidelines for the implementation of Article 11 and 13 of the FCTC, adopted by the WHO FCTC Conference of Parties at its third session held in Durban, November 2008. Available at, <http://www.who.int/fctc/guidelines/>
12. Hammond D, Fong G T, McNeill A Borland R, Cummings K M. Effectiveness of cigarette warning labels in informing smokers about the risks of smoking: findings from the International Tobacco Control (ITC) Four Country Survey. *Tob Control*. 2006 Jun;15 Suppl 3:iii19-25.
13. Hammond D, Fong G.T, Borland R, Cummings K.M, McNeill A, Driezen P. Text and Graphic Warnings on Cigarette Packages Findings from the International Tobacco Control Four Country Study. *Am J Prev Med* 2007;32(3).
14. Hammond D, Fong G T, McNeill A, Borland R, Cummings K M. Effectiveness of cigarette warning labels in informing smokers about the risks of smoking: findings from the International Tobacco Control (ITC) Four Country Survey. *Tobacco Control* 2006;15(Suppl III):iii19–iii25.
15. Hammond D, McDonald PW, Fong G T, Brown KS, Cameron R. The Impact of Cigarette Warning Labels and Smoke-free Bylaws on Smoking Cessation Evidence from Former Smokers. *Can J Public Health*. 2004May-Jun; 95(3):201-4.
16. Jha et al. A Nationally Representative Case–Control Study of Smoking and Death in India. *N Engl J Med* 2008;358.
17. Jurisdictions that have banned tobacco displays at the point of sale, available at <http://www.smokefreeaction.org.uk/point-of-sale-display.html#jurisdictions> Health warnings with pictures, available at <http://www.smoke-free.ca/warnings/default.htm>
18. Lantza P M, Jacobsona P D, Warnera K E, Wassermanb J, Pollacka H A, Bersona J, Ahlstrom A. Investing in youth tobacco control: a review of smoking prevention and control strategies. *Tob Control* 2000;9:47-63



19. Many Indians want pictorial warnings on tobacco products. Available at, <http://www.expressindia.com/latest-news/Many-Indians-want-pictorial-warnings-on-tobacco-products/420750/>
20. MPOWER package report WHO, 2008.
21. Reddy K.S, Arora M. Pictorial health warnings are a must for effective tobacco control. *Indian J Med Res* 129, May 2009, pp 468-471.
22. Saffer H, Chaloupka FJ. Tobacco advertising: economic theory and international evidence. Cambridge, Massachusetts: National Bureau of Economic Research, Working Paper No 6958, February 1999.
23. Sargent JD, Dalton MA, Beach ML, Mott LA, Tickle JJ, Ahrens MB, Heatherton TF. Viewing tobacco use in movies: does it shape attitudes that mediate adolescent smoking? *Am J Prev Med.* 2002 Apr;22(3):137-45.
24. Sargent J D, Gibson J, Heatherton T F. Comparing the effects of entertainment media and tobacco marketing on youth smoking. *Tobacco Control* 2009;18:47-53
25. Tobacco Atlas 2009 available at <http://www.tobaccoatlas.org> accessed on 23-03-10.
26. WHO's Framework convention on Tobacco Control (WHO 2003)

## List of Appendix Tables

**Table – 1: Awareness about prohibition on advertisements of tobacco products**

	Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Yes	568 71.00	649 81.13	563 70.46	482 60.25	488 61.08	2750 68.78
No	221 27.63	122 15.25	135 16.90	238 29.75	103 12.89	819 20.49
Don't know	11 1.38	29 3.63	101 12.64	80 10.00	208 26.03	429 10.73
Total	800	800	799	800	799	3998

**Table – 2: Effective implementation of ad ban provisions of COTPA (n=2750)**

	Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Yes	219 38.56	419 64.66	340 60.50	356 74.01	204 41.89	1538 56.01
No	324 57.04	215 33.18	169 30.07	106 22.04	233 47.84	1047 38.13
Don't know	25 4.40	14 2.16	53 9.43	19 3.95	50 10.27	161 5.86
Total	568	648	562	481	487	2746

**Table – 3 Observed violations of ad ban law (Section 5 COTPA)**

	Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Yes	443 55.38	509 63.63	425 53.19	673 84.13	336 42.11	2386 59.69
No	335 41.88	258 32.25	218 27.28	107 13.38	360 45.11	1278 31.97
Don't know	22 2.75	33 4.13	156 19.52	20 2.50	102 12.78	333 8.33
Total	800	800	799	800	798	3997

**Table – 4 Information about the Steering Committee at state level**

	Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Yes	200 25.00	248 31.00	535 66.96	466 58.25	233 29.20	1682 42.08
No	335 41.88	288 36.00	24 3.00	152 19.00	139 17.42	938 23.47
Don't know	265 33.13	264 33.00	240 30.04	182 22.75	426 53.38	1377 34.45
Total	800	800	799	800	798	3997

**Table – 5 Information about the Steering Committee at district level**

	Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Yes	167 20.88	212 26.50	328 41.05	454 56.75	195 24.56	1356 33.96
No	351 43.88	291 36.38	156 19.52	162 20.25	146 18.39	1106 27.70
Don't know	282 35.25	297 37.13	315 39.42	184 23.00	453 57.05	1531 38.34
Total	800	800	799	800	794	3993

**Table – 6 Reporting of violations to the Steering Committees**

	Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Yes	36 17.82	39 14.66	56 10.49	61 12.84	24 9.80	216 12.54
No	165 81.68	186 69.92	341 63.86	389 81.89	189 77.14	1270 73.75
Don't know	1 0.50	41 15.41	137 25.66	25 5.26	32 13.06	236 13.70
Total	202	266	534	475	245	1722

**Table – 7 Observed indirect advertisements of tobacco products**

	Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Yes	309 38.63	241 30.13	402 50.31	636 79.50	155 19.40	1743 43.60
No	457 57.13	455 56.88	243 30.41	130 16.25	474 59.32	1759 44.00
Don't know	34 4.25	104 13.00	154 19.27	34 4.25	170 21.28	496 12.41
Total	800	800	799	800	799	3998

**Table – 8 Reported special displays of tobacco products**

	Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Yes	473 59.13	672 84.00	609 76.22	713 89.13	457 57.27	2924 73.15
No	327 40.88	128 16.00	190 23.78	87 10.88	341 42.73	1073 26.85
Total	800	800	799	800	798	3997

**Table – 9 Special displays promote tobacco use**

	Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Yes	403 85.93	627 94.29	336 55.72	669 93.83	363 83.45	2398 83.12
No	66 14.07	38 5.71	267 44.28	44 6.17	72 16.55	487 16.88
Total	469	665	603	713	435	2885

**Table – 10 Awareness about the complaint or action taken against tobacco advertisement**

	Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Yes	40 5.00	56 7.00	28 3.50	79 9.88	33 4.17	236 5.91
No	668 83.50	676 84.50	417 52.19	570 71.25	341 43.11	2672 66.97
Don't know	92 11.50	68 8.50	354 44.31	151 18.88	417 52.72	1082 27.12
Total	800	800	799	800	791	3990

**Table – 11 Reported special displays of tobacco products**

	Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Smoked forms of tobacco	78 39.00	74 37.00	148 74.00	170 85.00	44 22.00	514 51.40
Non-smoked forms of tobacco	79 39.50	66 33.00	156 78.00	152 76.00	24 12.00	477 47.70

**Table – 12 Placement of tobacco advertisement boards/signs/posters at retail outlet**

	Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Yes	127 63.50	72 36.00	87 43.50	152 76.00	39 19.50	477 47.70
No	73 36.50	121 60.50	101 50.50	47 23.50	156 78.00	498 49.80
Don't know	0 0.00	7 3.50	12 6.00	1 0.50	5 2.50	25 2.50
Total	200	200	200	200	200	1000

**Table – 13 Brand promotions through advertisement board/sign at retail outlets**

	Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Promotes a single brand of tobacco product	127 100.00	52 71.23	81 93.10	147 97.35	30 78.95	437 91.81
Is illuminated/back-lit	39 30.71	26 36.11	38 44.71	104 68.42	11 28.21	218 45.89
Bears warning label which is legible	86 67.72	49 67.12	22 25.29	138 91.39	24 58.54	319 66.60

**Table – 14 Tobacco Companies provide advertisement materials**

Materials provided	Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Advertisement boards	110 55.00	75 37.50	59 29.50	178 89.00	46 23.00	468 46.80
Illuminated boards	52 26.00	36 18.00	12 6.00	129 64.50	7 3.50	236 23.60
Discount leaflets	24 12.00	11 5.50	48 24.00	135 67.50	4 2.00	222 22.20
Special tobacco product display stands	56 28.00	21 10.50	20 10.00	120 60.00	17 8.50	234 23.40

**Table – 15 Promotional products are provided by tobacco companies**

	Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Yes	23 11.50	64 32.00	68 34.00	148 74.00	5 2.50	308 30.80
No	177 88.50	122 61.00	113 56.50	43 21.50	178 89.00	633 63.30
Don't know	0 0.00	14 7.00	19 9.50	9 4.50	17 8.50	59 5.90
Total	200	200	200	200	200	1000

**Table – 16 Place of display for tobacco products at a retail outlet**

	Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Behind the counter	146 73.00	114 57.00	48 24.00	174 87.00	81 40.70	563 56.36
Over the counter	128 64.00	77 38.50	137 68.50	174 87.00	72 36.00	588 58.80
Under the counter	147 73.50	84 42.00	122 61.00	155 77.50	54 27.00	562 56.20
Near chocolates, candies and other eatables	61 30.50	63 31.50	146 73.00	124 62.00	32 16.00	426 55.10

**Table – 17 Distribution of free sample of tobacco products**

	Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Free samples of tobacco for offer	55 27.50	56 28.00	88 44.00	133 66.50	20 10.00	352 35.20
Special offers on tobacco products	19 9.50	61 30.50	38 19.00	181 90.50	16 8.00	315 31.50
Free gifts or discount offers on tobacco products	5 2.50	85 42.50	44 22.00	147 73.50	7 3.50	288 28.80
Competitions linked to use of tobacco products	9 4.50	23 11.50	1 0.50	124 62.00	3 1.51	160 16.0

**Table – 18 Special prices/offers for retail outlet/staff**

	Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Yes	5 2.50	44 22.00	93 46.50	118 59.00	15 7.50	275 27.50
No	195 97.50	147 73.50	101 50.50	54 27.00	171 85.50	668 66.80
Don't know	0 0.00	9 4.50	6 3.00	28 14.00	14 7.00	57 5.70
Total	200	200	200	200	200	1000

**Table – 19 Tobacco advertisement noticed by respondents**

	Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Never	108 18.00	226 37.67	202 33.72	44 7.45	172 28.71	752
Rarely	349 58.17	224 37.33	298 49.75	156 26.40	233 38.90	1260 42.15
frequently	143 23.83	150 25.00	99 16.53	391 66.16	194 32.39	977 32.69
Total	600	600	599	591	599	2989

**Table – 20 Places where tobacco advertisements were noticed in last six month**

Source of advertisement	Yes		No		Don't know	
	N	%	N	%	N	%
On Television	1097	48.56	1100	48.69	62	2.74
On Radio	616	27.37	1425	63.31	210	9.33
On Billboards	829	36.89	1107	49.27	311	13.84
In Newspapers or magazines	948	42.25	1040	46.35	256	11.41
In Cinema halls	641	28.49	1288	57.24	321	14.27
In Shops	1801	80.12	334	14.86	113	5.03
With or around street vendors	1547	68.88	490	21.82	209	9.31
At workplaces	1067	47.49	908	40.41	272	12.11
In Public transport vehicles	1067	47.49	908	40.41	272	12.11
At Railway Stations, Bus Stops, Stadiums, Hospitals	1285	57.21	770	34.28	191	8.50
In Restaurants, cafes, bars or disco theques	1224	54.52	836	37.24	185	8.24
In or around schools	1136	50.58	779	34.68	331	14.74



**Table – 21 Presence of advertisement boards at retail shops**

	Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Yes	229 46.64	264 70.97	295 74.31	387 71.27	182 40.99	1357 60.39
No	237 48.27	88 23.66	50 12.59	108 19.89	196 44.14	679 30.22
Don't know	25 5.09	20 5.38	52 13.10	48 8.84	66 14.86	211 9.39
Total	491	372	397	543	444	2247

**Table – 22 Compliance with statutory requirements**

Requirement as per COTPA rules	Yes		No		Don't know	
	N	%	N	%	N	%
Was there more than one board	930	66.57	369	26.41	98	7.02
Was it for specific brands of tobacco products	1062	76.40	162	11.65	166	11.94
Was the size of the board larger than 60cm x 45cm	292	21.04	309	22.26	787	56.70
Was it with health warning labels	609	43.78	417	29.98	365	26.24
Was the warning labels less than 20cm x 15cm	192	13.79	292	20.98	908	65.23
Was it illuminated or back lit	488	35.06	459	32.97	445	31.97

**Table – 23 perceived impacts of tobacco advertisement boards**

Perceived impact	Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Will increase consumption	296 49.33	422 70.33	334 55.76	385 65.14	209 34.89	1646 55.07
Will decrease consumption	1 0.17	21 3.50	38 6.34	20 3.38	141 23.54	221 7.39
Non-users or ex-users will start consuming	264 44.00	105 17.50	90 15.03	82 13.87	86 14.36	627 20.98
No effect	30 5.00	35 5.83	87 14.52	62 10.49	30 5.01	244 8.16
Don't know	9 1.50	17 2.83	50 8.35	42 7.11	133 22.20	251 8.40
Total	600	600	599	591	599	2989

**Table – 24 Sponsorships by tobacco companies noticed in last six months**

Kind of sponsorships	Yes		No		Don't know	
	N	%	N	%	N	%
Sports events	558	18.66	1642	54.92	790	26.42
Musical events	414	13.85	1692	56.59	884	29.57
Fashion shows	482	16.12	1528	51.10	980	32.78
Cultural/religious events	342	11.44	1646	55.05	1002	33.51
Bravery awards	410	13.71	1548	51.77	1032	34.52
Charity events	163	5.45	1713	57.29	1114	37.26
Educational activities	177	5.92	1842	61.61	971	32.47
Any other events	281	9.40	1375	45.99	1334	44.62

**Table – 25 Perceived impact of sponsorship by tobacco companies on tobacco use**

Perceived impact	Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Will increase consumption	240 40.00	402 67.00	290 48.41	293 49.58	202 33.67	1427 47.73
Will decrease consumption	2 0.33	11 1.83	24 4.01	26 4.40	102 17.00	165 5.52
Non-users or ex-users will start consuming	134 22.33	112 18.67	74 12.35	174 29.44	85 14.17	579 19.36
No effect	73 12.17	37 6.17	152 25.38	52 8.80	39 6.50	353 11.81
Don't know	151 25.17	38 6.33	59 9.85	46 7.78	172 28.67	466 15.59
Total	600	600	599	591	600	2990

**Table – 26 Promotion of tobacco products noticed in last six months**

Kinds of promotional activities noticed	Yes		No		Don't know	
	N	%	N	%	N	%
Free samples of tobacco being offered	928	31.04	1407	47.06	655	21.91
Special offers on tobacco products	841	28.13	1453	48.60	696	23.28
Free gifts or discount offers on tobacco products	615	20.57	1529	51.14	846	28.29
Clothing or other items with a tobacco brand name or logo	992	33.18	1252	41.87	746	24.95
Competitions linked to tobacco	250	8.36	1930	64.55	810	27.09
Leaflets promoting tobacco being distributed	409	13.68	1729	57.83	852	28.49
Tobacco products arranged near cash counters or chocolates or kids' items	1467	49.06	926	30.97	597	19.97
Tobacco products displayed attractively on shelves or as hanging strips	2019	67.53	560	18.73	411	13.75
Any sweets, snacks, toys or any other objects that is in the form of tobacco products which appeal to minors is sold	1238	41.40	1058	35.38	694	23.21

**Table – 27 Perceived impacts of promotional activities**

Perceived impact	Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Will increase consumption	440 73.33	437 72.83	362 60.43	320 54.15	209 34.83	1768 59.13
Will decrease consumption	2 0.33	9 1.50	20 3.34	44 7.45	105 17.50	180 6.02
Non-users or ex-users will start consuming	140 23.33	114 19.00	83 13.86	117 19.80	98 16.33	552 18.46
No effect	14 2.33	21 3.50	79 13.19	68 11.51	18 3.00	200 6.69
Don't know	4 0.67	19 3.17	55 9.18	42 7.11	170 28.33	290 9.70
Total	600	600	599	591	600	2990

**Table – 28 Depiction of tobacco use by celebrities noticed in last six months**

	Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Yes	279 46.50	333 55.50	515 85.98	453 76.65	274 45.67	1854 62.01
No	319 53.17	244 40.67	67 11.19	94 15.91	214 35.67	938 31.37
Don't know	2 0.33	23 3.83	17 2.84	44 7.45	112 18.67	198 6.62
Total	600	600	599	591	600	2990

**Table – 29 perceived impacts of depiction of tobacco use by celebrities**

Perceived impacts	Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Will increase consumption	442 73.67	416 69.33	263 43.91	288 48.73	264 44.00	1673 55.95
Will decrease consumption	1 0.17	6 1.00	19 3.17	22 3.72	84 14.00	132 4.41
Non-users or ex-users will start consuming	131 21.83	119 19.83	226 37.73	161 27.24	86 14.33	723 24.18
No effect	21 3.50	32 5.33	40 6.68	86 14.55	12 2.00	191 6.39
Don't know	5 0.83	27 4.50	51 8.51	34 5.75	154 25.67	271 9.06
Total	600	600	599	591	600	2990

**Table – 30 Special packaging, colour and descriptors seen or heard in last six months**

Children, teenagers, young adults or adults exposed to	Yes		No		Don't know	
	N	%	N	%	N	%
Talking about or asking for brands of tobacco products bearing nomenclature such as “lights”, “mild”, “smooth” etc. which are printed on cigarette and other tobacco product packs	1628	54.45	805	26.92	557	18.63
Talking about or asking for particular brand of cigarettes which is for particular generation	1349	45.12	987	33.01	654	21.87
Talking about or asking for particular color of cigarette packs which is meant for particular sex e.g. white packs for females and red packs for males.	439	14.68	1574	52.64	977	32.68
Talking about or asking for particular shape of cigarettes or other tobacco product packs which are their favourite	1704	56.99	692	23.14	594	19.87

**Table – 31 Use of special packaging, colour and descriptors promotes tobacco products**

	Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Yes	528 88.00	468 78.00	394 65.78	477 80.71	266 44.33	2133 71.34
No	61 10.17	100 16.67	120 20.03	66 11.17	173 28.83	520 17.39
Don't know	11 1.83	32 5.33	85 14.19	48 8.12	161 26.83	337 11.27
Total	600	600	599	591	600	2990

**Table – 32 Perceived impacts of using attractive colours, descriptors or shape and size packaging**

Perceived impact	Delhi	Himachal Pradesh	Mizoram	Rajasthan	Tamil Nadu	Total
Will increase consumption	500 83.33	372 62.00	324 54.09	342 57.87	252 42.00	1790 59.87
Will decrease consumption	0 0.00	6 1.00	17 2.84	26 4.40	73 12.17	122 4.08
Non-users or ex-users will start consuming	90 15.00	141 23.50	159 26.54	106 17.94	92 15.33	588 19.67
No effect	9 1.50	55 9.17	48 8.01	76 12.86	15 2.50	203 6.79
Don't know	1 0.17	26 4.33	51 8.51	41 6.94	168 28.00	287 9.60
Total	600	600	599	591	600	2990

**Appendix-I**

**Measuring effectiveness and advocating evidence based pictorial health warnings in line with the recommendations of FCTC**

**Focus Group Discussions (FGD) Guidelines:**

- Have you heard about various provisions of Indian Tobacco Control Act? .  
**Probe:**
  - Ban on smoking in public places
  - Ban on advertising, sponsorship and promotion of tobacco products
  - Prohibition of sale of tobacco products to and by minors
  - Specified health warnings on tobacco proucts
  
- In your opinion when was the last time the tobacco control Act was in News  
  
**Probe:** About recent ruling of Supreme Court regarding pictorial health warnings, If yes, ask about details, if no provide details
  
- Have you actually seen these pictorial warnings? Share your experiences\*
  
- According to you, is it a positive initiative taken by Government of India to curb growing tobacco menace?
  
- Do you think such pictorial warnings are helpful in spreading awareness about ill effects of tobacco?  
**Probe:** How effective these warnings are for literate and illiterate, young and old, smokers and non-smokers?  
**Probe:** How pictorial warnings influence knowledge about diseases, Secondhand Smoke, Quit rates, motivation to quit, information about quitting, content of tobacco smoke and feelings (fear and/or disgust)?
  
- Give us your opinion about the currently notified three pictorial health messages on tobacco products  
**Probe:**
  - Graphics & Colour Scheme of these pictures
  - Content and messages with the warnings
  - Placement of warnings on a tobacco products
  - Percentage area covered by the warnings on tobacco packages
  - Effectiveness of the messages
  - Effectiveness of the pictures
  - Delivery of intended health messages

- In your opinion is there any scope of improvement in these pictorial health messages. Please describe

**Probe:**

- Improvement in content and design
  - Additional information that can be put up in the warnings such as numbers of quitlines, numbers of Tobacco Cessation Centers etc.
- Any other suggestions regarding these pictorial health messages.

\* Moderator should carry empty boxes of tobacco products (cigarette, bidi, gutkha etc.) to show the participants in order to get the detailed information.

## Appendix-II

### Key Informant Interviews

**Measuring effectiveness of currently notified pictorial warnings and advocating evidence based pictorial health warnings in line with the recommendations of FCTC**

#### **Section A: Details of the Interviewee:**

Occupation:-----

Age: -----years

Sex: Male  Female

Date: 11/1/10

Place:

Interview start Time:

End Time:

Information collected here shall be strictly confidential and will be used only for the purposes of this research study. The information will be used for publishing the results of this study and individual identity will not be revealed in any of the publications resulting from this study.

#### **Section B: Questions to be included:**

1. Do you know about the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003?
  - What are some of the provisions of COTPA 2003?
2. Do you know about any packaging and labelling requirement for tobacco products?
  - If yes, tell us your opinion about packaging and labelling of tobacco products?
  - Have you seen any warning labels on tobacco products?
  - Do all tobacco products have warnings on them?
3. Do you think there is a need for health messages/warnings on tobacco products?
  - Tell us some of the health consequences of using tobacco products?
  - Do you think all tobacco users are aware about all the health consequences of use of tobacco products?
  - Which health consequences you think would work best as pack warnings on tobacco products?



4. What benefits according to you health messages/warnings would have for tobacco users and non-users?
  - Do you think health messages/warnings can influence the knowledge of tobacco users and non-users about health risks of using tobacco and contents of tobacco products?
  - Do you think health messages/warnings will influence the quit rate among users of tobacco products and motivate them to quit?
  - Do you think health messages/warnings can influence non-smokers too?
  
5. What area of the pack should a health message cover?
  - Are you aware of the currently notified area of the pack to be covered by the health warnings?
  - What do you think should be the ideal size of the health warning and which surfaces should be involved?
  - What do you think should be done in case of tobacco products other than cigarettes such as gutkha, bidi, chewing tobacco whose packaging is of different shape and size?
  - What are your ideas about including health warnings inside tobacco packets too? Where exactly should they be and how big?
  
6. Health Ministry has notified following three pictorial warnings for smoking and smokeless form of tobacco products. These warnings are to cover 40% of the principal display area of the packages:
  - What is the first thought that comes to your mind on observing these warnings?
  - Do you think these warnings are effective?
  - Do you think they convey the intended messages to all tobacco users (literate or illiterate)
  - Do you think they convey all the health consequences of using tobacco products?
  - Are you satisfied with the text and graphics of these pictorial warnings?
  - Are you satisfied with the content of these pictorial warnings?
  - Are you satisfied with the color scheme of these pictorial warnings?
  - What messages you think would best convey the adverse impact of tobacco use?
  - Do you think 40% of the principal display area of the front panel of the pack is enough for the health warning on tobacco products?
  
7. The notified pictorial warnings are rotational and need to be revised within a year:
  - Do you think any changes are required in these pictures and their text to convey the intended messages to all?

- What do you feel these changes should be?
- Do you think other health messages can be included in the next round? What messages do you suggest

### Appendix-III

#### SITUATIONAL ANALYSIS FOR STAKEHOLDERS

**Policy research to establish that COTPA needs to be amended in line with FCTC that recommends comprehensive ban on tobacco advertising, sponsorship and promotion**

#### Section A: Details of the Interviewee:

Occupation: \_\_\_\_\_

Age: \_\_\_\_\_ years

Sex: Male  Female

Date:

Place:

Information collected here shall be strictly confidential and will be used only for the purposes of this research study. Collected information will be used for publishing the results of this study and individual identity will not be revealed in any of the publications resulting from this study.

#### Section B: Questions to be included:

1. Are you aware of the provisions of Indian Tobacco Control Laws related to prohibition on advertisements of tobacco products?
  - a. Yes → Go to Q. 1a
  - b. No → Go to Q. 2
  - c. Don't know → Go to Q. 2
  
- 1a. Do you think these provisions related to tobacco advertising are effectively implemented in your area?
  - a. Yes
  - b. No
  - c. Don't know
  
2. Have you seen violations related to advertisements of tobacco products (such as boards of particular brands, oversized boards, banners, leaflets etc. promoting tobacco products) in your area?
  - a. Yes → Go to Q. 2a
  - b. No → Go to Q. 3
  - c. Don't Know → Go to Q. 3

2a. At which places, the violations are seen most often?

	Yes	No	Don't Know
a. On Television	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. On Radio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. On Billboards	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. In Newspapers or magazines	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. In Cinema halls	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. In Shops	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. With or around street vendors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. At workplaces	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. In Public transport vehicles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j. At Railway Stations, Bus Stops, Stadiums, Hospitals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
k. In Restaurants, cafes, bars or disco theques	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
l. In or around schools	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. Is there a Steering Committee looking at the violations of the advertising provision, in your **State**?

- a. Yes
- b. No
- c. Don't know

4. Is there a Steering Committee looking at the violations of the advertising provision, in your **District**?

- a. Yes
- b. No
- c. Don't know

5. If *Yes* to Q. 3 and/or Q. 4, have you ever reported any tobacco advertising law violation to the committee?

- a. Yes
- b. No
- c. Don't know

6. Have you seen any indirect advertising of tobacco products (brand extension/surrogate advertising) such as clothes, cosmetics, non-tobacco pan masala manufactured by tobacco companies or T-shirts, pens, caps, bags etc. bearing logos of tobacco companies in your area?

- a. Yes
- b. No
- c. Don't know

7. Have you seen specially arranged display of tobacco products in shops?

- Yes
- No

7a. If yes: do you think this kind of display promotes use of tobacco products?

Yes

No

8. Are you aware of any complaint or action taken against advertisement, promotion or sponsorship of tobacco products in your area?

a. Yes → Go to Q. 8a

b. No → Go to Q. 9

c. Don't know → Go to Q. 9

8a. If Yes, please provide details:

---

---

---

---

9. What measures do you suggest for a comprehensive ban on tobacco advertising, sponsorship and promotion?

---

---

---

---

10. To conclude, please mention, do you consume tobacco products?

a. Yes

b. No

c. Don't want to answer

## Appendix-IV

### Situational Analysis for Retailers

**Policy research to establish that COTPA needs to be amended in line with FCTC that recommends comprehensive ban on tobacco advertising, sponsorship and promotion**

#### Section A: Details of the Interviewee:

Occupation: \_\_\_\_\_

Age: \_\_\_\_\_ years

Sex: Male  Female

Date:

Place:

Information collected here shall be strictly confidential and will be used only for the purposes of this research study. Collected information will be used for publishing the results of this study and individual identity will not be revealed in any of the publications resulting from this study.

#### Section B: Questions to be included:

1. Are tobacco products arranged in your shop in following ways?

	Yes	No	Don't Know
a. Cigarettes/Bidis arranged in shelves	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Gutkha strips hanging in shops	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- c. Any other special arrangement (please specify)\_\_\_\_\_

2. Do you use any special displays with different colors and brand names for:

	Yes	No	Don't Know
a) Smoked forms of tobacco	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Non-smoked forms of tobacco	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. Have you placed any tobacco product advertisement boards/signs/posters in your shop or on windows/walls of your shop?
- a. Yes → Go to Q. 3a
  - b. No → Go to Q. 6
  - c. Don't Know → Go to Q. 6

3a. If yes:

Number of board/ signs/ poster	Size

4. The advertisement board/sign that you have placed:

	Yes	No	Don't Know
a. Promotes a single brand of tobacco product	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is illuminated/back-lit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Bears warning label which is legible	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5. Did these advertisement boards/signs bear any other promotional messages such as discounts, special offers, sponsorship of sports/musical events etc. by tobacco companies?

- a. Yes
- b. No
- c. Don't Know

6. Do tobacco companies provide you materials such as:

	Yes	No	Don't Know
a. Advertisement boards	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Illuminated boards	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Discount leaflets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Special tobacco product display stands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

e. Others (please specify) \_\_\_\_\_

7. Where tobacco products are usually placed in your shop?

	Yes	No	Don't Know
a. Behind the counter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Over the counter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Under the counter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Near chocolates, candies and other eatables	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

e. Others (please specify): \_\_\_\_\_

8. Are there any other products (such as t-shirts, caps, pens, bags, etc.) bearing the logo or brand name of any tobacco product or company provided to you by tobacco companies?
- a. Yes
  - b. No
  - c. Don't Know

9. Do tobacco companies provide you any of the following?

	Yes	No	Don't Know
a. Free samples of tobacco for offer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Special offers on tobacco products	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Free gifts or discount offers on tobacco products	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Competitions linked to use of tobacco products	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

10. Are you or any of your staff offered special prices or offers by tobacco companies on buying their products?
- a. Yes
  - b. No
  - c. Don't Know

11. Is any particular brand of tobacco product in more demand?

- a. Yes → Go to Q. 11a
- b. No → Go to Q. 12
- c. Don't Know → Go to Q. 12

11a. If Yes, please specify:

Brand Name	Youth/adult/aged	Male/Female	Color of pack

12. To conclude, please mention, do you use tobacco products?

- a. Yes
- b. No
- c. Don't want to answer



**Appendix-V**  
**OPINION POLL**

**Policy research to establish that COTPA needs to be amended in line with FCTC that recommends comprehensive ban on tobacco advertising, sponsorship and promotion**

**Section A: Details of the Interviewee:**

Occupation: \_\_\_\_\_

Age: \_\_\_\_\_ years

Sex: Male  Female

Date:

Place:

Information collected here shall be strictly confidential and will be used only for the purposes of this research study. Collected information will be used for publishing the results of this study and individual identity will not be revealed in any of the publications resulting from this study.

**Section B: Questions to be included:**

1. In the last 6 months, how often have you noticed any advertisements or other promotional materials (such as banners, leaflets, boards etc.) that are designed to encourage use of tobacco products (such as cigarette, bidi, gutkha etc.)?
  - a) Never → Go to Q. 4
  - b) Rarely
  - c) Frequently

2. In the last 6 months, have you observed advertisement of tobacco products in any of the following places?

	Yes	No	Don't Know
a) On Television	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) On Radio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) On Billboards	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) In Newspapers or magazines	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) In Cinema halls	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) In Shops	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) With or around street vendors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) At workplaces	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) In Public transport vehicles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j) At Railway Stations, Bus Stops, Stadiums, Hospitals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
k) In Restaurants, cafes, bars or disco theques	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
l) In or around schools	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. In the last 6 months, have you noticed tobacco advertisement boards at retail shops where tobacco products are sold?

- a) Yes → Go to Q 3a
- b) No → Go to Q. 4
- c) Don't Know → Go to Q. 4

3a. If yes:

	Yes	No	Don't Know
a) Was there more than one board	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Was it for specific brands of tobacco products	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Was the size of the board larger than 60cm x 45cm	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Was it with health warning labels	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Was the warning labels less than 20cm x 15cm	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Was it illuminated or back lit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. What impact do you think such tobacco advertisement boards will have on tobacco use by general public?

- a) Will increase consumption
- b) Will decrease consumption
- c) Non-users or ex-users will start consuming
- d) No effect
- e) Don't know

5. In the last 6 months, have you seen or heard tobacco companies sponsoring any:

	Yes	No	Don't Know
a) Sports events	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Musical events	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Fashion shows	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Cultural/religious events	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Bravery awards	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Charity events	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Educational activities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Any other events	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. What impact do you think sponsorship of such events by tobacco companies will have on tobacco use by general public?

- a) Will increase consumption
- b) Will decrease consumption
- c) Non-users or ex-users will start consuming
- d) No effect
- e) Don't know

7. In the last 6 months, have you seen or heard about any of the following type of tobacco promotion?

	Yes	No	Don't Know
a) Free samples of tobacco being offered	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Special offers on tobacco products	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Free gifts or discount offers on tobacco products	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Clothing or other items with a tobacco brand name or logo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Competitions linked to tobacco	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Leaflets promoting tobacco being distributed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Tobacco products arranged near cash counters or chocolates or kids' items	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Tobacco products displayed attractively on shelves or as hanging strips	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Any sweets, snacks, toys or any other objects that is in the form of tobacco products which appeal to minors is sold	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8. What impact do you think such promotion of tobacco products will have on tobacco use by general public?

- a) Will increase consumption
- b) Will decrease consumption
- c) Non-users or ex-users will start consuming
- d) No effect
- e) Don't know

9. In the last 6 months, have you seen display or use of cigarettes or other tobacco products by celebrities on cinema, television, newspapers or magazines?

- a) Yes
- b) No
- c) Don't Know

10. Do you think display or use of cigarettes or other tobacco products by celebrities on cinema, television, newspapers or magazines is a kind of advertising or promotion of tobacco products?

- a) Yes
- b) No
- c) Don't Know

11. What impact do you think use or display of tobacco products by celebrities will have on tobacco use by general public?

- a) will increase consumption
- b) will decrease consumption
- c) Non-users or ex-users will start consuming
- d) No effect
- e) Don't know

12. In the last 6 months, have you seen or heard children, teenagers, young adults or adults

	Yes	No	Don't Know
a) Talking about or asking for brands of tobacco products bearing nomenclature such as "lights", "mild", "smooth" etc. which are printed on cigarette and other tobacco product packs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Talking about or asking for particular brand of cigarettes which is for particular generation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Talking about or asking for particular color of cigarette packs which is meant for particular sex e.g. white packs for females and red packs for males.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Talking about or asking for particular shape of cigarettes or other tobacco product packs which are their favorite	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

13. Do you think this is a kind of advertising or promotion of tobacco products by the tobacco companies through tobacco packs?

- a) Yes
- b) No
- c) Don't Know

14. What impact do you think using attractive colors, descriptors or shape and size of tobacco packs or tobacco products will have on tobacco use by general public?

- a) Will increase consumption
- b) Will decrease consumption
- c) Non-users or ex-users will start consuming
- d) No effect
- e) Don't know

15. To conclude, please tell us if you use tobacco products?

- a) Yes
- b) No
- c) Don't want to answer