

Tobacco Advertisement and Promotional Bans in

Lebanon, 2002

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The Situation in Lebanon

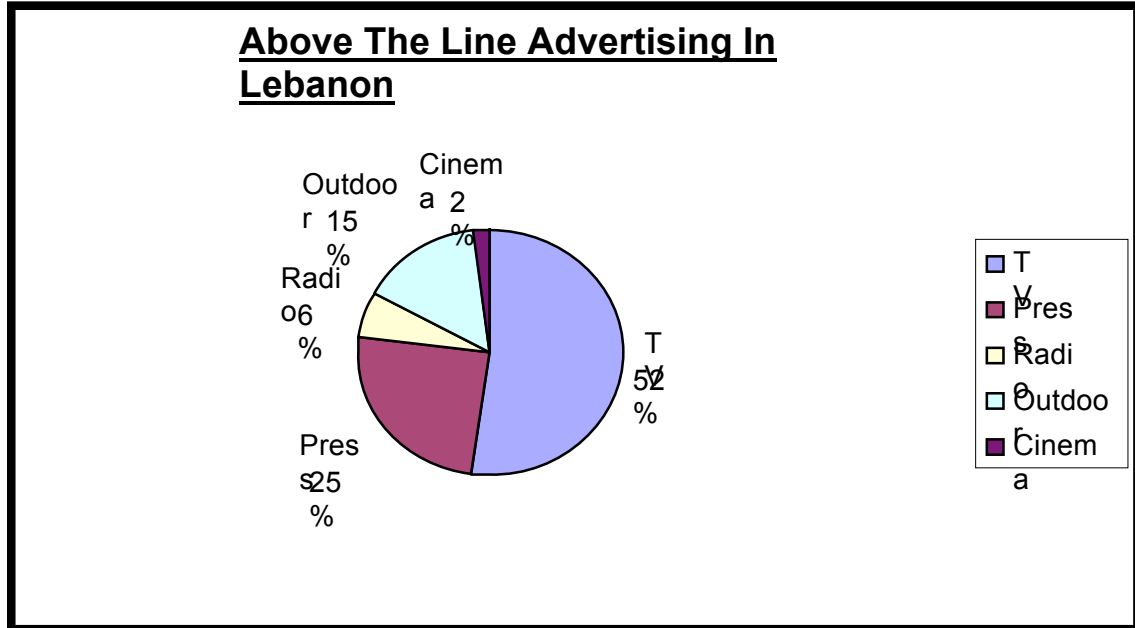
The tobacco epidemic is a global problem. The situation in Lebanon however is especially troubling, reaffirming the trend that smoking and its related diseases are actually on the rise in low to middle-income countries. The country has one of the highest rates of cigarette smoking in the world, ranking fourth in cigarette consumption as a fraction of GDP. Currently, 56% of adults in Lebanon are smokers¹, with 46.7% percent of thirteen to eighteen year-olds being smokers of one form or another of tobacco. It is important to note that half of these teenagers wish they could quit smoking². The Lebanese Ministry of Public Health estimates that each year in Lebanon around four thousand people die of smoking-related diseases. In addition, approximately 8 thousand new cases of cancers and cardiovascular problems related to smoking are diagnosed each year. It has been hypothesized that the financial impact this has on the Lebanese economy amounts to roughly \$400 million each year¹. Clearly, smoking is taking its toll on the Lebanese.

The situation is made worse by Lebanon's advertising and promotional restrictions on tobacco products, or lack thereof. Today, all other Arab countries have exercised a comprehensive ban on all types of tobacco advertisement. Lebanon has not only failed to do so. Its government has done very little to implement or demand even moderated promotional restrictions, with the exception of some laws that will be discussed. The National Tobacco Control Program at the World Health Organization in Lebanon is working with the Ministry of Public Health to ensure that the rampant tobacco advertisement in the country is curbed. Currently, around \$100 million are spent yearly (yr.2000) on above-the-line advertisement in Lebanon. Below-the-line advertisement, while not monitored, is estimated at around \$50 to \$60 million annually. Furthermore, around \$15 million are spent on local tobacco advertisement yearly¹. This constitutes the fifth largest expenditure on any product's advertising in Lebanon.

Overall above-the-line-advertising in Lebanon breaks down as the following: TV takes 52 percent, the press takes 25% (dailies 13.5%, weeklies 3%, monthlies 8% and others 0.5%), radio 6%, outdoor ads 15%, and the cinema take 2% (year 2000). One must recognize the enormous role the advertising sector plays in employing Lebanese people and stimulating the national economy. It encompasses about 19 agencies, 33 FM radio stations, 5 TV stations, and countless magazines and newspapers, no to mention the

booming outdoor sector¹. Tobacco companies are quick to use this argument of social benefit to protect their role in the country. See Table 1 below.

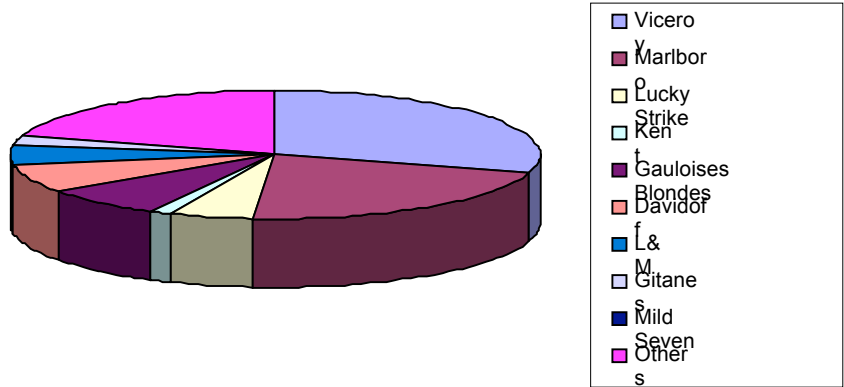
TABLE 1



The tobacco companies' respective advertisement expenditures were approximately the following in the year 2000: Viceroy leads with 29.7% of the advertising expenditure, and Marlboro follows closely behind at 21.8%. Lucky Strike has 5%, Kent has 1.2%, Gauloises Blondes 7.5%, Davidoff 7.2%, L&M 5%, Gitanes 2.2%, and Mild Seven 0.14%.¹ See table 2 below.

TABLE 2

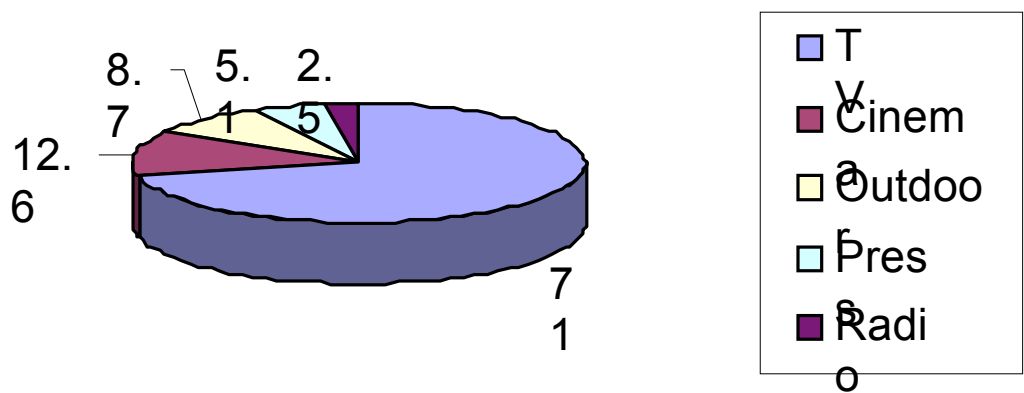
Brand Advertising Expenditure



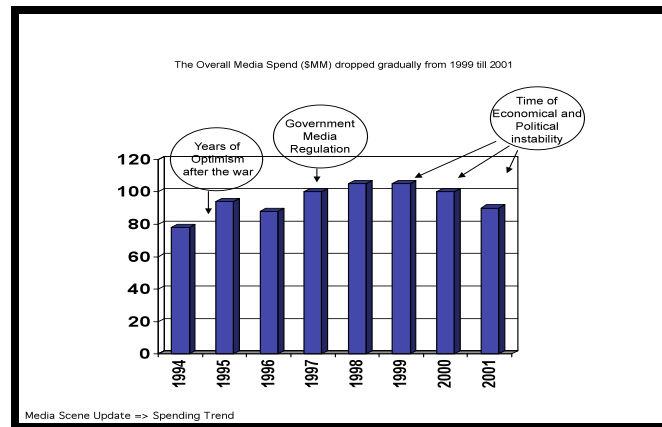
The above expenditures are allocated as follows: 71% was spent on TV advertisement, 12.6% on cinema advertisement, and 8.7 percent on billboard advertisement in the year 2000. The press took 5.1%, and radio took 2.5%¹. See Table 3 below.

TABLE 3

Tobacco Advertisement



More detailed description of expenditures is contained in the enclosed document provided by H&C Leo Burnett, Philip Morris' advertising partner in Lebanon.



This essay discusses the measures that the Lebanese government has taken in collaboration with the World Health Organization to help limit the nearly chaotic freedom that tobacco companies in Lebanon have had to advertise, market and distribute their products with total disregard for the interests of public health. The laws drafted will be reviewed along with their subsequent impact and effect on different sectors of Lebanese society. Mainly though the essay will observe and report recent media trends in tobacco advertisement in the country and their link with advertisement and promotional bans.

Interventions and Restrictions

The main measure that has been taken to curb cigarette advertisement in Lebanon was the law drafted by the Ministry of Public Health in 1995. This law explicitly stated that all tobacco products contain a health warning of certain content and size. The content must include the following sentence:

“THE MINISTRY OF PUBLIC HEALTH CAUTIONS THAT SMOKING CAUSES DANGEROUS AND DEADLY DISEASES”

As rule, this warning label must be legible and readable to the naked eye. Also, it must cover at least 15 percent of the package area. Another adaptation of this law was passed for television advertisements. According to this law, this same warning must be aired for the entire length of the commercial. Another section in this same law imposes a complete ban on all samples of tobacco products to people less than 18 years of age. Also, free distribution of samples and similar ‘gifts’ from tobacco companies have been outlawed under this decision. This includes the sale of cigarettes et al in vending machines. This law was passed on January 12, 1995³.

Another important decree involving anti-tobacco efforts does not involve advertisement, but is significant enough to be mentioned as part of a national tobacco control effort. Ministerial decision number 1/213 issued on February 3, 1993 prohibits smoking in hospitals, infirmaries, pharmacies, elevators, theaters, health clubs, public transport and all educational institutions³.

While this is practically the only legal measure taken to restrict tobacco advertisement in Lebanon, several other provisions have been adapted with the same end in mind. Some health institutions and hospitals have voluntarily launched public information initiatives and health education plans urging people to avoid smoking and helping smokers to kick the habit.

The World Health Organization continues to push for a comprehensive ban on tobacco advertisement similar to that imposed in all other Arab countries. Also, efforts are made to limit sponsorship activities by tobacco companies, particularly in the world of sports. Also the organization urges the government to pass laws requiring the explicit statement of product contents and ingredients on packages, as well as a law limiting maximum tar and nicotine yield from tobacco products, which is conspicuous by its absence⁴.

Basically, above-the-line advertisement has only been affected through the requirement of adequate health warnings on packages and printed ads and during advertisements on television. The issue of limiting below-the-line advertisement has not been tackled yet.

Restrictions were not the only measures taken to curb the tobacco epidemic in Lebanon. On World No Tobacco Day, the WHO took a number of measures to raise public awareness on tobacco, its effect, and the possibility of quitting. Briefly, these included a press conference held on that day that hosted several key Lebanese celebrities and officials. These people gave speeches that discouraged smoking and encouraged addicts to quit. Universities were also the sight of such campaigns. Students held activities against smoking. One such example is a group of students at the Lebanese American University that offered ice cream to anyone who traded in two cigarettes.

Another measure taken against tobacco sales is the increase in taxes imposed by the government. However, this has proven to be counterproductive: while official cigarette sales have fallen since the new taxes, consumption has actually *risen*, due to the rampant smuggling and inefficient implementation of the related laws¹. Smuggled cigarettes are available to anyone who desires them in Lebanon. Interestingly though, Lebanon is the only country in which this phenomenon has been observed.

Implementation

Generally, Lebanon suffers from a relatively lax imposition of its laws and provisions. Government has not proven that it has taken sufficient measures to ensure implementations of the laws it has passed regarding tobacco advertisement in Lebanon. A prominent advertising executive said in an interview with one of the WHO staff: “The Lebanese government has not been efficient or strict in imposing these laws. [Some tobacco companies] have blatantly violated the health warning requirement.” Another executive at the regional office of British American Tobacco was asked whether advertising for tobacco was higher than usual in Lebanon. His answer was: “Yes, because of the lack of laws.

A more accurate picture would be the National Tobacco Control Program of the World Health Organization paying sharp attention to advertisements and promotions by tobacco companies in Lebanon in order to ensure the implementation of the relatively few governmental measures that have been taken. Thus, the WHO has had to play a greater part than usual in ensuring the implementation of these laws and measures in order to compensate for the relative lack of involvement on the government’s part. Collaboration with the Ministry of Public Health has given the WHO the means to report and rectify any violations made by said companies.

Of course, it is a foregone conclusion that all organizations interested in public health were advocates and sometimes even the source of ideas such as the laws passed by the Lebanese government in 1993 and 1995. It goes without saying that the tobacco companies were probably not pleased with increased restrictions (or rather decreased freedom) on advertisement of their products. However, probably because they were aware of the much more difficult position their counterparts in neighboring countries had to endure when it came to tobacco promotion, they did not openly voice opinions against the laws passed.

Success (or Failure) of Interventions

The level of compliance with the few laws adapted by government has varied. On the one hand, some companies such as Japan Tobacco International and Philip Morris have followed the laws concerning health and warning labels, as well as voluntarily suggested to restrict their own advertisement. These companies have basically complied with the advertising and promotional bans mentioned. However, other companies have not been so cooperative. Altadis, a French company that owns the popular Gitanes and Gauloises brands, recently ran a huge billboard advertisement. On this advert, the required warning does appear. However, it does not cover 15% of the area of the billboard, and the writing inside the label is barely legible from a distance anyhow. In another case of violations, British American Tobacco gave out free samples of its product Kent in front of the

American University of Beirut campus. Not only are free samples to minors illegal in Lebanon, but also these packages themselves contained no health warning labels whatsoever. The World Health Organization was able to take legal action against BAT and succeeded. Under much pressure, British American Tobacco has volunteered to end all TV advertisement of its products in Lebanon by March 2003. Currently, the WHO is taking legal action Altadis for its billboard violations and will seek compensation for these violations.

Other laws, such as the ban of cigarette sales to minors however are blatantly violated. Salesmen, shop owners, and restaurants have shown total disregard for this law in general. This is partly due to a profit motive to make money from all sales, and partly due to an atmosphere of general lawlessness and indifference to the law in Lebanon. Another law that not consistently respected is that which bans all smoking in public buildings. Health clubs and hospitals have generally imposed this rule, as have some schools. However, most people still smoke in public transport, including taxis (in which many drivers smoke) and buses. Due to a lack of documentation and awareness as well as a socially receptive attitude towards smoking in the country, it would seem that the measures taken by the government to draft and impose said restrictions and bans have not decreased the prevalence of smoking. However, it seems these restrictions would be more effective if used in conjunction with other more comprehensive laws and if the Lebanese government made serious efforts to ensure their implementations.

Currently, political and economic issues have prevented the government from taking more serious steps to curb the tobacco epidemic.

The Interventions' Effect

There has been a change – in fact, an overall decline in tobacco advertisement in Lebanon. Spending on advertisement peaked at \$105 million in 1999 and has fallen to \$90 million in the year 2001. More importantly, however, is the effect in the type of promotional efforts tobacco companies are using. There has been a marked shift from TV to print and outdoor advertising in Lebanon. In 1999, outdoor advertisement rose to \$27 million, with TV advertisement falling to \$40 million⁵.

Tobacco companies have reacted to restrictions in an interesting way. Mainly, we observe a shift in spending from above-the-line advertisement to below-the-line advertising. Sponsorship of events such as the Marlboro Rally of Lebanon and parties held under the theme of Winston are important ways for companies to increase brand exposure. A senior executive at Bates Levant, a major advertising agency commented on the advertisement the company does for British American Tobacco: “In 1975 we observed that cigarette advertisement was around 75% above-the-line. This shows an emphasis on TV and radio. However, perhaps because of pressures, some companies have volunteered to decrease such advertisement. As a result, above-the-line advertisement has fallen to only 35% of expenditure, whereas we have witnessed a shift

to below-the-line sponsorship, which has risen from 25% in 1975 to 65% today.” Perhaps tobacco companies feel that such advertisement is more subtle and is bound to attract less negative attention from government and NGO’s, despite the fact that it is just as harmful in encouraging people to smoke. More worrisome is the sale of cigarettes to minors. Tobacco companies have claimed that it discourages such sales. In fact, it was tobacco companies that launched a nationwide sticker campaign prohibiting vendors to sell tobacco to minors. These stickers displayed (in Arabic) a message telling minors that smoking was not an option for them, and burdening adults with complete responsibility for the decision to smoke. However, the WHO argues that such measures only serve to encourage youth smoking through portraying smoking as a forbidden, ‘adult’ activity. It is an established fact that teenagers tend to have a contemptuous view of authority and are actually motivated to do something once it becomes illegal, or disallowed. Also, cigarette companies have had no reservations about advertising their products near schools. One giant billboard for Gauloises cigarettes is shown covering the entire side length of a building near the Jesuit School in Beirut. In addition, this advertisement did not contain the warning space specified by the Ministry of Public Health. Universities have not been spared either, as the Kent incident at the American University proves. When students were asked a series of questions, it was found that 71.2% had seen cigarette advertisements in the past 30 days².

Conclusion

The laws passed in Lebanon restricting sale and advertisement of tobacco products are, in principle, a huge step towards curbing the tobacco epidemic in Lebanon. However, these laws are useless without the means and more importantly the will to implement these laws consistently and fairly. The Lebanese government has outlawed tobacco sale to minors, yet have done little to ensure that vendors abide by this ban. They have also forbidden smoking in many public places. Yet people continue to smoke in government institutions and public transport, not to mention some hospitals. The general lesson to be learned here is that legislative action is not enough in itself. Although the laws passed such as the health-warning requirement have helped raise awareness about the dangers of smoking, the social acceptability that smoking enjoys in Lebanon nearly negates these positive effects. It seems that on the topic of advertisement, the only countries that have benefited from related restrictions have been those to issue a comprehensive ban on all tobacco advertisement, above and below-the-line. Lebanon needs such a restriction if we wish to decrease smoking prevalence and the negative impact of the ubiquitous tobacco ads in Lebanon. More importantly, Lebanon needs to make sure its government is making earnest efforts to implement these advertisement bans. So far, this burden has fallen mainly on the WHO. While the WHO works in collaboration with the Ministry of Public health to combat smoking, it is not reasonable to assume the former has the legal and effective means to make sure the government’s laws are enforced. If tobacco companies feel the heat of government vigilance in fighting smoking, violations will be extremely rare, if at all.

However, the laws passed and the recent efforts by the government to raise public awareness have put pressure on tobacco companies to socially improve their image. As a result, most companies have volunteered to stop TV advertisements altogether by the middle of 2003. This represents a huge step in limiting the freedoms that these companies have exercised in mass media in Lebanon. Another step is the ban on distribution of free samples to all people. Because the teens are the years that 80% of smokers begin the habit, it is important to note that this ban decreases their exposure to cigarettes at parties, clubs etc where tobacco companies are most likely to distribute their products. With the exception of the Kent incident at the American University of Beirut (a violation that was immediately rectified), it seems that this law has been implemented and respected. Perhaps this is because, unlike vendors selling to minors, it is the tobacco companies themselves who have to answer to such violations. We also have noticed that the major companies are the companies that have complied best with the laws, perhaps fearing the bad publicity that a scandal would bring them. Other smaller, less global companies such as Altadis have not been as compliant, and have not participated in the voluntary agreement to end TV advertisement among BAT, Philip Morris, and Japan Tobacco International.

All these steps represent an improvement in struggle to minimize the impact of smoking on Lebanon's population. However, documentation on the current prevalence and health and economic impact in Lebanon is scarce at best. There is no way to accurately follow trends and opinions in Lebanon with regards to smoking. Minimal facts are available with respect to consumption rates, quitting, and youth smoking. It is thus difficult to determine the effect of each anti-tobacco measurement taken through advertising. Particularly, the advertising sector in Lebanon is rather chaotic and not very well documented. Tobacco companies themselves probably possess all the information needed to study cause and effect of advertising and sales trends. However, they have not been eager to disclose this information. The people involved in this sector were cooperative on a personal level, but hard data is still hard to find in Lebanon concerning these issues.

Theoretically, Lebanon has taken major steps to reduce the impact of smoking. The laws concerning advertising are minor but reasonably effective. The laws banning smoking in many places are also a victory for non-smokers everywhere who want access to clean air when they are in public. The ban of free samples has decreased teen exposure to cigarettes. Most important, however, is the law banning the sale of cigarettes to minors. However, I hold the opinion that all these laws, and the last one in particular, are effectively useless without stricter and more comprehensive measures to ensure compliance by vendors and tobacco companies. A law is nothing but an idea, a statement. The cynicism of salesmen who sell cigarettes to children as well as the occasional indifference of the Lebanese government with regard to the implementation of its own laws represent major obstacles in the road to a more smoke-free society. Surely a slight increase in efforts to implement these bans and restrictions would be extremely effective in turning the ideas behind these laws into a concrete reality.

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