

# Point of Sale and Vending Machines Bans

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# Outline

- Point of Sale Bans and Vending Machines
- The WHO FCTC
- The Current S.A Law
- The Control of Tobacco Products and Electronic Delivery Systems Bill
- The rationale for implementing Pos and Vending Machine bans



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**NB: The Point of Sale Advertising is at eye-level for kids (3 year olds and above)**



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# Why Pos Display Matters to TI

Displaying tobacco products at point-of-sale (PoS) has become one of the most important remaining tools for TI to communicate with current and potential customers.

Showcase their products and communicate with consumers,

Increase consumption among current users,

Attract new consumers,

Encourage former customers to resume tobacco use,

Price discount promotions attract attention, increase consumer interest, and cue action to the purchase.

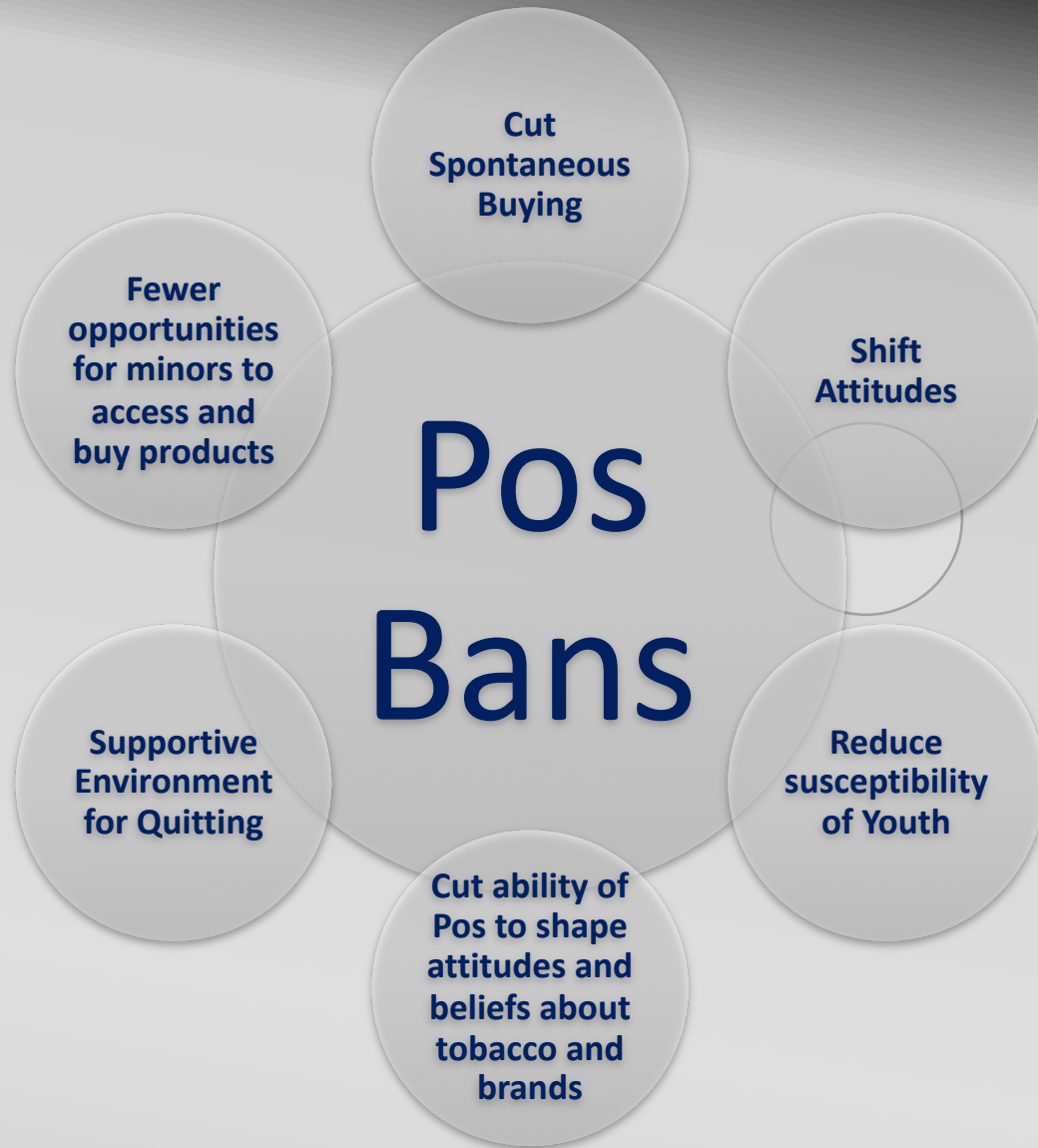
Tobacco displays encourage spontaneous purchases.



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# Denormalize tobacco products and its use

“the evidence shows that selling cigarettes alongside sweets and crisps makes them seem like a normal, everyday product rather than a deadly and addictive drug.”

Source: Jane Kirby, "Tobacco Firms Drop Law Challenge", *Press Association*, 22 December 2011  
accessed through [https://www.tobaccotactics.org/index.php/Display\\_Ban#cite\\_note-5](https://www.tobaccotactics.org/index.php/Display_Ban#cite_note-5)



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# WHO FCTC Article 16

- Each Party shall adopt and implement effective measures to prohibit the sales of tobacco products to persons under the age of 18.
- Banning the sale of tobacco products in any manner which is accessible.
- Ensuring that **tobacco vending machines are not accessible** and do not promote tobacco products to minors.



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# WHO FCTC Article 13

- Comprehensive ban on tobacco products
- Display of tobacco products at Pos is advertising and promotion. It is key in promoting tobacco use, stimulating impulse purchases, giving impressions that tobacco use is socially acceptable and making it harder to quit.
- A total ban on any display and on the visibility of tobacco products at points of sale, including fixed retail outlets and street vendors. With textual listing of products and their prices only.
- Vending machines should be banned because they constitute by a means of advertising or promotion.



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# Current S.A Position on Pos and Vending Machines

- Law prohibits tobacco advertising or promotion.
- The law permits a retailer to indicate the availability of tobacco products and their prices by means of signs at the point of sale that
  - do not exceed one square metre in size; and
  - are placed within one metre of the point of sale.
- In practice, TI has **USED** multiple signs within shops indicting the availability different equalling to advertisement.
- To comply with FCTC Art. 13 only one textual listing of products and prices, of limited size should be allowed.



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# Current S.A Position on Pos and Vending Machines

- The law prohibits the display that enables customers to handle the product prior to purchase.
- But, does not prohibit the visibility of products behind the counter.

## VENDING MACHINES

- In designated smoking areas, vending machines are allowed.



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# The Control of Tobacco Products and Electronic Delivery Systems Bill

- A retailer or wholesaler who sells the relevant product may not display that product but may make it available to consumers upon request if the requestor is over the age of 18years.
- No person shall place or cause to be placed an automated vending machine containing a relevant product in or on any place or premises; .



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COUNTRY	POS	VENDING MACHINES	
TOGO	Prohibited; A text-only price list of available products is permitted at points of sale.	Prohibits self-service mechanisms	
ENGLAND	<b>Allowed in Special Tobacconist shops</b>	Prohibited	
ETHIOPIA	Banned The law products in retail shops to be behind or under the counter customers should not see or grasp the product. A black and white price list are made available.	<b>Allowed – law doesn't address</b>	
UGANDA	Prohibited	Banned	
KENYA	Prohibits display that permits a person to handle the tobacco product before paying for it thereby requiring that products held behind the counter.	Banned	
NEW ZEALAND	Prohibited	<b>Access to vending machines is limited to staff on the premises where the machine is located.</b>	



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<b>MAURITIUS</b>	Prohibited - <b>except in duty-free shops at the airports</b>	<b>Banned</b>
NAMIBIA	Banned	<b>Restricted to places in which persons under the age of 18 years old cannot access the machines.</b>

Source: <https://www.tobaccocontrolaws.org/legislation>



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# Evidence on Effectiveness of Pos Bans

- Exposure to POS tobacco displays = associated with impulse tobacco purchasing among adult smokers and smoking susceptibility among never smoking youth.
- Higher brand awareness
- The interviewees felt that having the products out of sight reduced appeal (73%) and build perceptions that it was not ok to smoke (83%).

Ford A, Mackintosh A M, Moodie C, Hastings G, Bauld L. The impact of a tobacco point-of-sale display ban on youth in the United Kingdom: findings from a repeat cross-sectional survey pre-, mid- and post-implementation. Tobacco Induced Diseases. 2018;16(1):539. doi:10.18332/tid/84517.



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# Evidence on Effectiveness of Pos Bans

- Impulse purchases – Australian study suggested that over 25% of smokers purchased cigarettes at least sometimes on **impulse as a result of seeing** the display, and that over 1/3 of recent quitters or those trying to quit experienced **an urge to buy** cigarettes after seeing Pos displays. (1)
- USA study found that displays **increased tobacco sales** by 12–28% (2)
- **Tempting** smokers who are trying to quit (3)

- (1) Wakefield M, Germain D, Henriksen L. The effect of retail cigarette pack displays on impulse purchase. *Addiction* 2008;103(2):322–8.
- (2) Carter OB, Mills BW, Donovan RJ. The effect of retail cigarette pack displays on unplanned purchases: results from immediate post purchase interviews. *Tob Control* 2009;18(3):218–21.
- (3) Germain D, McCarthy M, Wakefield M. Smoker sensitivity to retail tobacco displays and quitting: a cohort study. *Addiction* 2010;105(1):159–63.



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# Evidence on Effectiveness of Pos Bans

- Data from the Global Youth Tobacco Survey of 130 countries found that **Pos bans** were significantly associated with a **reduction in experimental smoking in young people** of both genders (1)
  - After Pos Bans the impulse purchasing was lower in countries with the ban than those without (2)
  - Significant reductions in initiation, experimental and regular smoking, and attempted purchase of cigarettes (3)
1. Shang C, Huang J, Li Q, Chaloupka FJ. The association between point-of-sale advertising bans and youth experimental smoking: findings from the Global Youth Tobacco Survey (GYTS). AIMS Public Health 2015;2(4):832-44.
  2. Li L, Borland R, Fong GT, Thrasher JF, Hammond D, Cummings KM. Impact of point-of-sale tobacco display bans: findings from the International Tobacco Control Four Country Survey. Health Educ Res. 2013;28(5):898-910.
  3. Edwards R, Ajmal A, Healey B, Hoek J. Impact of removing point-of-sale tobacco displays: data from a New Zealand youth survey. Tob Control 2016; doi:10.1136/tobaccocontrol-2015-052764.



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# Evidence on Effectiveness of Pos Bans

- Banning POS retail displays shows promise as an additional tool to prevent relapse.
- Fleischer NL, Lozano P, Wu Y, *et al*/Disentangling the roles of point-of-sale ban, tobacco retailer density and proximity on cessation and relapse among a cohort of smokers: findings from ITC Canada Survey *Tobacco Control* 2019; **28**:81-87.



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# Industry Response to Pos Bans

- POS ban will increase cigarette smuggling and counterfeit.
- In UK and Ireland - In 2011 BAT admitted funding a high profile campaign by the National Federation of Retail Newsagents; which argued that A ban would put thousands of small shopkeepers out of business.
- S.A - A Pos ban will lower cigarette prices = increase in consumption
- Costs will be incurred by retailers, impacting their profitability and reducing employment  
ESP Small retailers
- A point of sale ban will increase illicit trade.
- EKasi Entrepreneurship Movement - the proposed ban on the display of tobacco products at wholesale and retail level would destroy township and informal businesses. "The point-of-sale regulations must be removed entirely, and the ban on confectionery and toys that in some ways resemble tobacco products must also be removed,"

[https://www.tobaccotactics.org/index.php?title=South\\_Africa:\\_Industry\\_Interference\\_with\\_the\\_Control\\_of\\_Tobacco\\_Products\\_and\\_Electronic\\_Delivery\\_Systems\\_Bill#Point-of-Sale\\_Display\\_Ban](https://www.tobaccotactics.org/index.php?title=South_Africa:_Industry_Interference_with_the_Control_of_Tobacco_Products_and_Electronic_Delivery_Systems_Bill#Point-of-Sale_Display_Ban)

Source:

[https://www.tobaccotactics.org/index.php?title=Philip\\_Morris%27\\_PR\\_Campaign\\_Against\\_the\\_Display\\_Ban](https://www.tobaccotactics.org/index.php?title=Philip_Morris%27_PR_Campaign_Against_the_Display_Ban)



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# Effectiveness of Vending Machine bans

- Does away with challenges in Controlling under Age access to relevant Products
- Denormalize smoking, create quit or enabling environment
- Undermines advertising effects as Vending machines constitutes advertising and promotion.
- In Portugal vending machines' age control systems were easily unlocked by asking for an ID card from an older friend, Adolescents reported that vendors rarely ask for the ID card to confirm the buyers' age.

Teresa Leã et al Adolescents' smoking environment under weak tobacco control: A mixed methods study for Portugal Volume 204, 1 November 2019, 107566

<https://doi.org/10.1016/j.drugalcdep.2019.107566>



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# Strengthening the Regulatory system – to cater for electronic devices

- The Tobacco Bill defines relevant product as including "devices used in connection with tobacco products and electronic delivery system such as pipes, water pipes and electronic devices, and components of those products.
- The Bill will deal with shortcomings of the current regulatory environment that does not cater for e-cigarettes and other tobacco alternative products.
- Increased availability of e-cigarettes is linked to higher consumption.
- The number of convenience-type stores selling and displaying e-cigarettes is increasing rapid in S.A

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# Electronic Devices Pos Displays and Children

- Preventing smoking among adolescents is of special interest, because smoking starts during this phase of life and about two thirds of young smokers will continue to smoke in adulthood.
- A study found an association between recalling e-cigarette POS displays and use of, and intention to use, e-cigarettes amongst the youth.
- Adolescents who recalled seeing e-cigarettes were more likely to have tried an e-cigarette or more likely to intend to try them.

Catherine Best et al 'Relationship between e-cigarette point of sale recall and e-cigarette use in secondary school children: a cross-sectional study' BMC Public Health volume 16, Article number: 310 (2016)



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# Electronic Devices Pos Displays and Adults

Exposure to e-cigarette advertising was associated with using an e-cigarette for cigarette smoking cessation.

May direct smokers towards an unproven cessation aid (e-cigarettes); leading to dual use in some cases.

Malas M, van der Tempel J, Schwartz R, et al. Electronic cigarettes for smoking cessation: a systematic review. Nicotine Tob Res. 2016;pii:ntw119.



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# Electronic Devices Pos Displays and Adults

- Due to a combination of health claims and smoking-related imagery used in marketing e-cigarettes a study found that 49.7% of current cigarette smokers would consult the internet or product packaging to get information about e-cigarettes before going to a healthcare professional.
- Wackowski OA, Bover Manderski MT, Delnevo CD. Smokers' sources of e-cigarette awareness and risk information. Prev Med Rep. 2015;2:906-910.



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# Electronic Devices Pos Displays and Cessation

E-cigarette marketing increases the use of conventional cigarettes and is likely to undermine cessation attempts and success.

Maloney EK, Cappella JN. Does Vaping in E-Cigarette Advertisements Affect Tobacco Smoking Urge, Intentions, and Perceptions in Daily, Intermittent, and Former Smokers? *Health Commun.* 2016;31(1):129-138.

A study on former adult smokers found exposure to e-cigarette ads reminded them of smoking, increased the desire to smoke, and were less likely to be confident that they could abstain from cigarette smoking compared with those not exposed.

Durkin SJ, Bayly M, Wakefield MA. Can e-cigarette ads undermine former smokers? An experimental study. *Tob Regul Sci* 2016;2(3), 263-277

Mantey, Dale S et al. "Exposure to Point-of-Sale Marketing of Cigarettes and E-Cigarettes as Predictors of Smoking Cessation Behaviors." *Nicotine & tobacco research : official journal of the Society for Research on Nicotine and Tobacco* vol. 21,2 (2019): 212-219. doi:10.1093/ntr/ntx246

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# WATER PIPES and IQOS- TOBACCO PRODUCTS

- IQOS and their related HEETS (HeatSticks) are visible around S.A malls and placed near youth-oriented and prominent locations.
- Pushing the bounds of Tobacco Regulation
- Water Pipes or Shisha have gained popularity and its sale is not well regulated.



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# Thank You



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