



## NATIONAL COUNCIL OF WOMEN OF NEW ZEALAND

TE KAUNIHERA WAHINE O AOTEAROA

### Oral submission to the Health Select Committee on the NCWNZ Submission on the Smoke-Free Environments (Tobacco Plain Packaging) Amendment Bill S 14:06 made by Jean Fuller and Wendy Zemanek on 16.4.14

**Health Select Committee:** Chairperson :[Hutchison, Paul](#): National Party, Hunua ; Deputy-Chairperson :[Yang, Jian](#): National Party, List ; [Ardern, Shane](#): National Party, Taranaki-King Country ; [Foster-Bell, Paul](#): National Party, List ; [Hague, Kevin](#): Green Party, List ; [King, Annette](#): Labour Party, Rongotai ; [Lees-Galloway, Iain](#): Labour Party, Palmerston North ; [Simpson, Scott](#): National Party, Coromandel ; [Stewart, Barbara](#): NZ First, List ; [Williams, Poto](#): Labour Party, Christchurch East

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Good morning. My name is **Jean Fuller** and my colleague is **Wendy Zemanek**. We are both members of the Parliamentary Watch Committee of the National Council of Women of New Zealand (NCWNZ). This submission has been prepared from a background of policy decisions and consultation with the members of our organisation.

The National Council of Women of New Zealand is strongly committed to reducing smoking and mitigating the harm that it causes not only to smokers but also to families and work colleagues. We have supported moves to discourage smoking for over 87 years.

#### Introduction

When the Health Department sent out a discussion document in 2012 our members had mixed views on the use of plain packaging for tobacco products but in general they supported the idea. Now we have a Bill which begins the process of making this mandatory and some concerns have arisen.

**Clause 17 Regulations for Plain packaging** As we stated in our written submission much is going to depend on the Regulations which are still to come. While we appreciate the view that highly specific legislation is difficult and often becomes obsolete, yet without knowing the details it becomes hard to judge whether this will be a successful move or not. Member opinions ranged from strong support to others who felt this would achieve nothing.

Of particular concern is the stated determination of the tobacco industry to fight this move. Members were generally not happy with the thought of time and money being spent on a lengthy legal case. There was considerable support for New Zealand to wait until the Australian case had been decided.

This was further encouraged by anecdotal information from Australia that the plain packaging law which they have introduced is not having significant effects in reducing smoking.

We have also heard that a black market has developed in Australia and, of course these products do not contain the warnings that must appear on legitimate packets, nor do they provide the tax take that might be used to mitigate their harm. We acknowledge that the report *Illicit Tobacco in Australia*, KPMG Report, Oct 2013, which supported these views, was commissioned by Tobacco Companies, and that there is criticism of both the methodology and the timing of the Report so soon after the passing of the Plain Packaging law.

Members also thought that since packets in New Zealand are not displayed in shops plain packaging might be redundant. One member wondered whether the use of plain paper would lower the cost to manufacturers and thus reduce the price of the product.

Members who smoke or live with smokers generally agreed that any change to packaging would not affect an established buyer. If this is true then we are mainly targeting people who are starting smoking – that is the younger members of our population. There was agreement that colourful packaging could encourage young people to start smoking but much of the colour actually comes from the pictures of the harm caused by smoking. If these pictures do not deter people from starting to smoke we wonder if the drab plain paper background will do more. Members saw more positive results arising from peer pressure and social acceptability. Higher costs, no smoking zones and the prohibition of tobacco sponsorship were all seen as effective. Nevertheless there is a cautious acceptance that there is value in any move to discourage people from starting to smoke.

However, **Clause 11 Section 32 and Clause 12** which require a list of harmful ingredients to be displayed not only on recognised tobacco products, but also on herbal smoking products, deal with an issue which National Council of Women would strongly support. Too often there is a misguided belief that herbal products are harmless and we see this as a significant step forward.

Although we have some reservations about the effectiveness of this Bill we endorse any moves to reduce the health and social costs that arise from smoking both tobacco and herbal products.  
Thank You.

Jean Fuller.

Questions/Comments.

**Annette King** paid NCWNZ a lengthy compliment for the work it does in making submissions, and in particular for our continued interest in the problems arising from tobacco smoking. The Chair commented that he had been unaware of our long history of concern.

**Paul Hutchison** picked up on our comments about herbal smoking products. This seemed to be a new item for their consideration but unfortunately we had no more information from members which would have allowed us to take the matter further.

**Paul Foster-Bell** made a joking comment about the black/yellow colours of a mock up of a cigarette packet which had been strategically placed in the front seat of the public section. He assumed that we were Wellington people and that we would similarly object to the use of these “Wellington” colours. In fact the purpose of the visual aid was not clear.

Jean Fuller  
17.4.14.