



**National Council of  
Women of New Zealand**

Te Kaunihera  
Wahine O Aotearoa

National Office  
Level 4 Central House  
26 Brandon Street  
PO Box 25-498  
Wellington 6146  
(04)473 76 23  
office@ncwnz.org.nz  
www.ncwnz.org.nz

27 March 2014

S14.06

**Submission to the Health Select Committee on the Smoke-free Environments  
(Tobacco Plain Packaging) Amendment Bill 186**

The National Council of Women of New Zealand (NCWNZ) is an umbrella organisation representing 30 organisations affiliated at national level and a further 40 organisations affiliated at branch level. It has 22 branches throughout the country attended by representatives of these organisations, as well as individual members. NCWNZ's function is to represent and promote the interests of New Zealand women through research, discussion and action. This submission has been prepared by the NCWNZ Health Standing Committee and the Parliamentary Watch Committee after consultation with the membership of NCWNZ.

**Introduction:**

National Council of Women of New Zealand (NCWNZ) has been concerned about the effects of smoking tobacco since 1927. Most of the Resolutions relate to the advertising or promotion of smoking.

In 1972 we passed a Resolution that states: "That in view of the proven link between cigarette smoking and lung cancer, the Minister of Health be asked to introduce legislation similar to that being considered in Canada, which will prohibit all advertising and promotion of cigarettes and will require that all cigarette packages carry the warning that cigarette smoking is dangerous to health." (19.4.3)

We have been pleased to see that this has also become part of New Zealand Law, and believe that this move has made some contribution to a reduction in smoking.

In a submission to the Ministry of Health in 2012 NCWNZ commented that members were divided on the value of plain packaging although it was felt that attractive packaging might encourage younger smokers. We supported the use of graphic pictures of the harm caused by smoking but perhaps this has not had as much affect as we would have hoped.

**Comments on specific Clauses:**

**Clause 17 New section 39A Regulations for plain packaging.**

This Bill asks us to consider a further restriction which will require plain paper packaging as defined in regulations which have yet to be published. Clause 17 contains a detailed list of areas

to be covered by regulation but without the specifics it is difficult to determine how effective or far reaching these measures would be.

Lacking this information the majority of our members were concerned that this move might provide a precedent for controlling other products which are deemed harmful, including high-caffeinated drinks, and high sugar foods. However, while recognising this possibility, a substantial number of members felt plain packaging to be a positive move because of the known dangers to health. Members who felt that tobacco control was worth the risk of breaching intellectual property rights commented that this measure could reduce smoking rates and provide valuable health benefits.

There was concern that the Government might face substantial legal costs if the tobacco industry challenged this move. A majority of our members were aware of the legal argument taking place in Australia and felt that it would be better to wait till that position was resolved. However a smaller group believed that any legal action the government may have to face on this issue would be worth it. A minority felt that the money used for a court case would be more effectively spent on positive promotion of smoking prevention and cessation. They placed emphasis on cost, peer pressure and social acceptability as the main limiting factors to the use of tobacco products and concluded that the existing packaging, and the requirement to keep tobacco products out of sight, as well as the prohibition of sponsorship and advertising was having a good effect.

**Clause 11 Section 32 (Labelling and health messages for tobacco products) sub clause 2, (1) (a) (ii)**

**And**

**Clause 12, 2, (1) (a) (ii)**

These clauses require that a list of harmful constituents of the product must be displayed for both tobacco products and herbal smoking products. NCWNZ would strongly support this requirement. New Zealand consumers have become accustomed to checking constituents and it is very desirable that this information be available on packaging of these particular products, but the information needs to be expressed in a way which would easily understood.

**General Comments:**

1. Concern has been expressed in some quarters that the reduced sales of tobacco products resulting from plain packaging will affect the profits of small businesses. However, we are advised that in Palmerston North there is a very successful dairy which has a policy of selling no tobacco products as well as no legal highs. This policy seems likely to have contributed towards its success.
2. A concern was raised about the possibility of creating or increasing an illegal market for cigarettes in New Zealand, as this has allegedly been an issue in Australia following their plain packaging legislation.
3. We understand that so far Australia has not seen a dramatic reduction in tobacco sales following the introduction of plain packaging.

**Conclusion:**

National Council of Women of New Zealand members support measures that will reduce smoking rates, especially those that will deter young people from smoking in the first place. Instituting plain packaging is one measure that could be part of a broad range of measures to reducing smoking rates and the uptake of smoking in New Zealand, but there was considerable scepticism that plain packaging would affect existing smokers.

The following quote reflects a number of comments made by current smokers:

*My brother is a long-time heavy smoker. I asked him to share his view. He stated: "From a smoker's point of view, the packaging has very little to do with my choice of brand. It's a comfort thing. You find a brand you like and generally never switch. But I will say that branded packets add to the subset of the smoking culture. You identify different types of smokers by the brand they smoke. So I guess if all packets looked the same it would affect that a bit."*

Members were unsure whether new smokers would find plain packaging a deterrent.

A big consideration for endorsing this Bill would be the possibility of savings to our health system, the reduction of smoking related disease and the possibility of saving lives, but our membership was divided as to whether this would be a proven result of plain packaging of tobacco products.

Barbara Arnold  
National President

Gina Giordani  
Health Standing Committee