

## Opinion on the Occasion of World No Tobacco Day 2022

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*"Tobacco Vendor Licensing (TVL) is a good strategy for supply reduction to achieve Endgame Tobacco".*

### Introduction

Tobacco being one of the leading causes of all Non-Communicable Diseases including cancer, is considered one of the major public health problems worldwide resulting in 1.4 million deaths in India alone and 7 million deaths in the world yearly.

Indian Council of Medical Research (ICMR) reports that in India, every year almost 1,60,000 people are diagnosed with cancer, 4.5 million develop heart disease and 3.9 million develop chronic obstructive lung disease due to tobacco use. According to the Global Youth Tobacco Survey GYTS 4 released this year [1], nearly one-fifth of students aged 13 - 15 years are using tobacco products in India. It also revealed that 38 percent of cigarettes, 47 percent of bidi and 52 percent of smokeless tobacco users picked up the habit before their 10<sup>th</sup> birthday.

As per the compliance studies conducted in different jurisdictions in India and other countries it has been observed that there is poor knowledge about provisions in Anti-tobacco Acts and the compliance with these provisions in the law.

Improving vendor compliance with tobacco POS laws may reduce student tobacco use. Future studies should test strategies to improve compliance with tobacco POS laws, particularly in low-income and middle-income country settings like urban India [2].

Among the screened areas within all the 11 districts of Delhi 200 WC-PoSs are centered mainly in the South Delhi zone. The majority of them were mobile outlets and did not comply with Section 5 and had advertisements in the form of product displays, banners, danglers, and promotional gifts. None of the WC-PoSs displayed Section 6(a) signage and only a few were even located within 100 yards of educational institutions [3].

A lot of Tobacco Product Waste (TPW) litter and spitting near the Points of sale (POS) which is hazardous to the environment has been noted.

TVL decreases the availability and accessibility of tobacco products particularly to youngsters by decreasing the number of vendors, especially in the vicinity of educational institutes in a jurisdiction ensuring better enforcement, and compliance to the provisions in the law to protect non-smokers from Second Hand Smoke. This decreases its availability to minors and their exposure to advertisements along with better compliance to Pictorial health warnings on tobacco packs including Smokeless tobacco and lesser TPW litter. This will lead to lesser availability of food products with tobacco and more quit attempts [4].

What are the TVL prerequisites:

1. There should be a reasonably high fee levied to get the license for different kinds of vendors like wholesalers, those having a proper tobacco vending shop, and those vending on street/pushcart etc.
2. The Revenue generated may be used to conduct Enforcement drives to check violations.
3. They should abide by all provisions in Cigarettes and Tobacco Products Act - COTPA.
4. They should abide by all provisions Food Safety and Standards Act 2006 regarding the ban on Gutkha and twin packs (pan-masala and tobacco pouch).
5. Should not sell any food item along with Tobacco products.
6. Should abide by provisions in Legal Metrology Act.
7. Should abide by provisions in Juvenile Justice Act.
8. Should abide by provisions in Pollution Control Act regarding TPW.
9. Should not be located within 100 yards of any educational institute.
10. The local government must restrict the number of vendors.
11. Color coding may be given to Tobacco kiosks.
12. The license must be non-transferable.
13. License must be canceled in case of any violations of terms and conditions.

### India scenario

Letter by MOHFW to all states regarding TVL21<sup>st</sup> Sept 2017 [5].

Ministry of Housing and Urban Affairs, Government of India has sent a letter to Principal Secretaries Dept of Local Government of all states and UTs to initiate the process of TVL dated 31st March 2021 [6].

About seventy jurisdictions in various states in India have issued Vendor Licensing notifications to date ranging from the state level, district level and Municipal Corporation level orders.

An example from Jharkhand State: Section 455 (schedule 13 and 187) of Jharkhand Municipality Act, 2011 stipulates distribution, sale, storage, packaging, and processing of any tobacco product is not permissible without a valid license [7].

### Global scenario

In Europe the licensing systems have been adopted in Finland, Hungary, France, Italy and Spain. Finland and Hungary adopted Tobacco licensing with great public support. Hungary reduced the number of stores by 83 per cent from around 42,000 to 7,000 in 2013 and

Finland reduced the number of outlets by 28 percent. Netherland reduced no. of 16,000 outlets to 4,000 in Nov 2020. In France, Italy and Spain, the tobacco sales have been monopolized by their respective national governments [8].

Bangladesh became a member of the WHO Framework Convention on Tobacco Control on February 27, 2005. The Tobacco Control Implementation Guidelines were issued by the Local Government Division of the Ministry of Local Government, Rural Development and Cooperatives for Local Government Institutions. The issued guidelines ensured proper implementation of the Tobacco Control Act by local governments, which included retail license requirements and sales restrictions based on the location, among other measures (Tobacco Vendor Licensing section 8, clause 8.1 - 8.8 under National Policy) [9].

### Conclusion

TVL is one of the good strategies to reduce the supply of Tobacco products and a step toward Endgame Tobacco. It helps in effective monitoring of the tobacco vendors and denormalization of the use of tobacco. It leads to better implementation of anti-tobacco laws against selling tobacco to minors and will lead to a reduced number of vendors. The States and UTs must implement the advice of the Ministries of Health and Family Welfare and the Housing and Urban Development Government of India regarding TVL. The government needs to intermittently start assessing and penalizing the individuals, at the Point of Sale of Tobacco products, who are in non-compliance of the Anti- Tobacco laws to regulate the sale of Tobacco. Through sufficient scrutiny, the regulatory bodies can implement the existing laws and if required make room to make alterations in the existing policies, to help India achieve the ultimate aim of tobacco endgame.

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