



Persatuan Pengguna Pulau Pinang Consumers Association of Penang

檳城消費人協會 பிளாங்கு பயனீட்டாளர் சங்கம்

Websites:
(in English, BM, Chinese,
& Tamil)
www.consumer.org.my

10 Jalan Masjid Negeri, 11600 Pulau Pinang, Malaysia
Tel: 604-8299511 Fax: 604-8298109
email: consumerofpenang@gmail.com

Letter to the Editor

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Tobacco Industry Trying To Derail Tobacco GEG Legislation

Being a strong tobacco control advocate for many decades, the Consumers Association of Penang (CAP) have consistently argued against tobacco use with evidence-based reasons. Hence, we support the Health Ministry (MoH)'s tobacco generational endgame (GEG) legislation as an important effort to denormalise the addictive habit.

The reason people smoke and find it very difficult to quit is because of nicotine addiction resulting from smoking. The top executives of the major US tobacco companies gave sworn testimony before the US Congress in 1994 that they did not believe that nicotine was addictive. It was a barefaced lie because their internal documents told a different story.

For example, in a 1963 internal document, the then Brown & Williamson general counsel/vice-president Addison Yeaman wrote, "We are, then, in the business of selling nicotine, an addictive drug effective in the release of stress mechanisms."

Tobacco industry became more tightly regulated when the World Health Organization (WHO) Framework Convention on Tobacco Control (FCTC) came into force in 2005. Currently there are 182 Parties to the treaty, covering more than 90% of the world population.

In 2013, the British American Tobacco (BAT) started producing e-cigarettes (used interchangeably with vaping products) and labelled them as 'Next Generation Products' (NGPs). The industry subsequently introduced Electronic Nicotine Delivery Systems (ENDS) and Heated Tobacco Products (HTPs) to thwart FCTC's de-normalising smoking and tobacco use. It argued that these devices would be better alternatives for adult smokers who can't or don't want to quit.

However, the industry failed to point out the fact that a smoker requires a certain dose of nicotine to stop his cravings. To achieve that, the smoker is likely to take deeper and longer puffs to compensate for the low nicotine drawn from the aerosol, thereby raising the levels of other chemicals found in the aerosol as well.

Khairy had pointed out that it would cost the government RM8.8 billion by 2030 to treat just three of the major smoking-related diseases – lung cancer, heart disease, and chronic obstructive pulmonary disease (COPD) – as compared to the RM3 billion that the government gets from tobacco product tax revenue. It is an economic liability to the country.

In November 2021, the Universiti Sains Malaysia-based National Poison Centre reported that for three consecutive years it recorded a significant increase in calls related to nicotine poisoning due to vape exposure. Most of the vaping exposure cases PRN received were unintentional and preventable.

Contrary to what Malaysia E-Vaporisers & Tobacco Alternative Association (MEVTA) and Malaysia Retail Electronic Cigarette Association (MRECA) claimed on 21 July, vaping is not safe as it involves inhaling harmful chemicals such as diacetyl (a chemical linked to a serious lung disease), cancer-causing chemicals, volatile organic compounds, and toxic heavy metals such as nickel, tin, and lead.

Whenever there is a threat to the industry, it will use front groups such as non-governmental organisations (NGOs) and trade associations to advance their agenda, often claiming that the introduction of tobacco control measures will affect their business.

Khairy confirmed on 31 July that there were tobacco industry players lobbying against GEG in Parliament. He is correct in saying that the lobbyists are committing an offence under the FCTC because it was explicitly stated in Article 5.3 that “In setting and implementing their public health policies with respect to tobacco control, Parties shall act to protect these policies from commercial and other vested interests of the tobacco industry in accordance with national law”.

On 20 July, Malaysia-Singapore Coffeeshop Proprietors General Association (MSCSPGA) stated that it is disappointed with the bill to ban the sale of cigarette and vape to anyone born after 2005, claiming that the “sales of these products make up significant revenues for our businesses”. We wish to point out that the main business of MSCSPGA is coffee shop business and not in cigarette or vape sale.

Regarding the issue of the sale of illegal cigarettes, it is just like asking the government to legalise the sale of heroin (by the way nicotine is as addictive as heroin or cocaine) so as to prevent people from buying from illegal sources.

Easy access to cigarettes is a persisting problem as there are about 80,000 cigarette retailers comprising coffeeshops, sundry shops, convenient stores, and even *pettikadai* (‘box shops’ by the roadside) in the country. Many of these are within the proximity of educational institutions, places of worship, and parks which they shouldn’t be.

In one of the three concerns of Muda president Syed Saddiq Syed Abdul Rahman, he expressed in mid-July was that it would infringe on people’s liberty to decide which may lead to the banning of alcoholic and sugar-sweetened beverages.

WHO would not recommend alcoholic and sugar-sweetened beverages in plain packaging as it had with tobacco products because “tobacco products are uniquely harmful”. Therefore, Syed Saddiq’s worry that the government may eventually ban alcoholic and sugar-sweetened beverages is unfounded as they are not in the same league as tobacco in terms of overwhelming health risks.

There is no question of the infringement on people’s liberty when a highly toxic and addictive substance such as a tobacco product is concerned. It can also be people’s right to use illegal drugs if the same concern about people’s liberty is applied.

We urge members of Parliament (MPs) to support GEG for the future generations of the country.

Mohideen Abdul Kader
Presidents
Consumers Association of Penang (CAP)