

Ministry of Health Proposals for a Smokefree Aotearoa 2025 Action Plan

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For more information please contact:
Jane Murray
NMDHB Public Health Service
Email: jane.murray@nmdhb.govt.nz
Phone: (03) 543 7805

Submitter details

1. Nelson Marlborough Health (Nelson Marlborough District Health Board) (NMH) is a key organisation involved in the health and wellbeing of the people within Te Tau Ihu o Te Waka a Maui. NMH appreciates the opportunity to comment from a public health perspective on the *Proposals for a Smokefree Aotearoa 2025 Action Plan*
2. NMH makes this submission in recognition of its responsibilities to improve, promote and protect the health of people and communities under the New Zealand Public Health and Disability Act 2000 and the Health Act 1956.
3. NMH does not have any commercial interests and this submission does not contain any commercially sensitive information.

General Comment

4. NMH notes that New Zealand has signed up to the World Health Organisation's Framework Convention on Tobacco Control. The objective of this Convention is to *"protect present and future generations from the devastating health, social, environmental and economic consequences of tobacco consumption and exposure to tobacco smoke by providing a framework for tobacco control measures to be implemented by the Parties at the national, regional and international levels in order to reduce continually and substantially the prevalence of tobacco use and exposure to tobacco smoke."* NMH recommends that the Action Plan makes specific reference to Convention's objective, guiding principles and general obligations.

Consultation questions

The Ministry of Health is seeking comments on the following.

Focus area 1: Strengthen the tobacco control system

- a. *What would effective Māori governance of the tobacco control system look like? Please give reasons.?*

The NMH Stop Smoking Service is a mainstream service, and as such is guided by leaders from kaupapa Māori services regarding the structure, composition and role of effective Māori governance within the wider tobacco control system. NMH strongly advocates for Māori to be the decision-makers in this process and for wider investment in kaupapa Māori services.

- b. *What action are you aware of in your community that supports Smokefree 2025?*

NMH is aware of and directly involved with the delivery of comprehensive, collaborative actions that support Smokefree 2025. This includes but is not limited to:

- engagement in national and regional Smokefree health promotion and advocacy networks;
- provision of district-wide smoking cessation support for individuals, hapū māmā and their partners, whānau and workplaces;
- advocacy and support for the development of Smokefree policies within all local and district Councils;
- Smokefree / Auahi Kore marketing and promotion at community events;
- collaboration with local and national NGOs as well as regional mental health and addictions services;
- outreach to district-wide schools and colleges;
- related monitoring and surveillance by our district-wide enforcement officers.

In addition, the Public Health Service has been working closely with Nelson City Council to develop a Smokefree Outdoor Policy. Marlborough District Council has also been advancing work in this field. The Fresh Air Project was undertaken in 2017/2018 to promote Smokefree Outdoor Dining Areas.

- c. *What is needed to strengthen community action for a Smokefree 2025? Please give reasons.*

The wider Smokefree / tobacco control sector requires a greater level of resourcing in order to:

- further develop, diversify and strengthen our Smokefree workforce;
- build community capacity to enhance delivery of national and local tobacco control activities;
- support delivery of / complement delivery of national social marketing campaigns;
- strengthen the delivery of holistic stop smoking services
- include promotion of Smokefree Outdoor Areas that cover
 - all playgrounds, parks, sportsgrounds and reserves
 - all walkways and cycleways

- beaches
- central business districts
- outdoor hospitality areas
- all government (local and centrally) funded, or publicly owned organisations, including tertiary education and health facility campuses and grounds, bus stops and airports
- public land within 100 metres of school and pre-school entrances.

d. *What do you think the priorities are for research, evaluation, monitoring and reporting? Please give reasons.*

NMH supports ongoing research, evaluation, monitoring and reporting on the following:

1. The impact of vaping and the long-term use of e-cigarettes and the effectiveness of vaping as a smoking-cessation aid in the New Zealand context.

This is needed to ensure that any new risks are identified and recommendations to consumers and regulatory bodies can be updated accordingly. Additional analysis on the effectiveness of vaping as a smoking cessation aid in New Zealand and the ability of clients to progress to a smoke-free and vape-free status over time is important for understanding the utility of vaping in the smoke-free strategy.

2. The lives and experiences of young Māori women and rangitahi who smoke and how to support them to quit to inform future prevention and intervention activities.

This is needed to support maintain and strengthen recent innovations and more holistic ways of working with and supporting young Māori women and rangitahi who smoke or vape.

3. Best practice social marketing and mass media campaigns to reduce smoking and vaping initiation amongst rangatahi and to complement promotion of / access to on-the-ground stop smoking services

This research could be used to reestablish the momentum of earlier campaigns, which had a demonstrable impact on the reduction of smoking initiation amongst rangatahi, and to promote wider awareness of and access to local stop smoking services.

e. *What else do you think is needed to strengthen New Zealand's tobacco control system? Please give reasons.*

It is interesting to note that this consultation has remained relatively silent on the creation of Smokefree outdoor areas. Smokefree Outdoor Areas have grown in prevalence in many

regions over the past ten years with many public health units working closely with Councils to create Smokefree outdoor areas.

The key Smokefree areas that Councils have adopted over recent years are:

1. events (71%)
2. council Buildings (68.25%)
3. green spaces (43%)
4. transport Hubs (38%)
5. CBD/Civic Spaces (30%)

NMH and Nelson City Council have worked together on a Smokefree Outdoor Policy for our region and we would like to see this type of policy rolled out nationally. The objectives of this policy are to:

1. improve health and wellbeing by reducing exposure to second-hand smoke in public spaces
2. reduce smoking behaviour in public so that the visibility of smoking behaviour, particularly in the presence of children, is reduced
3. increase public awareness and public support for Smokefree places across the region
4. enhance and protect the environment through a reduction in second-hand smoke, cigarette litter and fire risk
5. increase participation and pride in place, with increased recreational use of Smokefree space especially by children
6. foster public empowerment / cultural shift where smokers feel supported by their community to stop smoking

Smokefree Policies offer a wide range of benefits:

1. Health benefits: Limit the exposure to second-hand smoke especially children and those adults with asthma or other chronic conditions
2. Environmental benefits: Cigarette butts, which are toxic, account for 78% of all littered items in New Zealand. Cigarette butts are a fire risk. As a result of climate change, the number of

severe fire weather days in New Zealand will increase, therefore restrictions in outdoor smoking areas could contribute to a reduction in fire risk.

Our Smokefree Public Policy will encourage the public to refrain from smoking in the following places:

1. all playgrounds, parks, sportsgrounds and reserves
2. all walkways and cycleways
3. beaches
4. all bus stops
5. Central Business District

In Nelson, most of our cafes are within the Central Business District. However, in the roll out for a national approach, NMH recommends that Smokefree outdoor hospitality sites are also included.

Local Government New Zealand has been asking for national legislation for Smokefree outdoor hospitality areas since 2015. Smokefree outdoor hospitality areas provides a place where non-smokers, in particular hospitality workers, are not exposed to second hand smoke and also helps smokers who wish to quit by reducing exposure and opportunity to smoke in social settings. When Nelson Marlborough ran the Fresh Air project, we found that 95.8% of people supported Smokefree outdoor dining and 73.5% said that they were more likely to visit outdoor dining areas if they are Smokefree.

It is worth noting that substantial time and resource has been invested by Public Health Units and local Councils to create localised policies. The Smokefree Maps clearly indicate that the majority of Councils are continuing to adopt a range of Smokefree Policies but there can be a lack of consistency between bordering areas, and this creates confusion. It is now time for a national approach to be taken.

NMH recommends that Smokefree Outdoor Areas are adopted for the following areas: All playgrounds, parks, sportsgrounds and reserves, All walkways and cycleways, Beaches, Central Business District, Outdoor hospitality areas, All government (local and centrally) funded, or publicly owned organisations should implement Smokefree policies for all their grounds: This includes tertiary education and health facility campuses and grounds, bus stops and airports. Public land within 100 metres of school and pre-school entrances should also be smokefree.

Focus area 2: Make smoked tobacco products less available

- a). Do you support the establishment of a licencing system for all retailers of tobacco and vaping products (in addition to specialist vaping retailers)?

☒ Yes

Please give reasons:

NMH supports the establishment of a licencing system for all retailers of tobacco and vaping products. This is an essential part of reducing harm to those who smoke and / or vape as well as those who are trying to quit. It is a bold step towards reducing the ubiquity of tobacco and vaping retailers and combatting the sale and distribution of illicit tobacco products and ensuring compliance with legislation such as age restrictions on purchasing. It should be noted that a licensing system must be accompanied by additional measures in order to create a significant reduction in tobacco retailer

numbers. NMH supports the following operating conditions for licensed retailers where tobacco could be sold:

- staff training in stop smoking support
- annual reporting requirements

NMH supports a licensing fee to cover the costs of monitoring, enforcement, education and training of tobacco and vape retailers.

NMH supports a regulatory body being set up (or extend regulatory powers to an existing agency) to manage the market as has been established for vaping retailers (the Vaping Authority).

b). *Do you support reducing the retail availability of smoked tobacco products by significantly reducing the number of retailers based on population size and density?*

☒ Yes

Please give reasons:

NMH supports the reduction of retail availability of smoked tobacco products and expanding this to include limitations on the retail availability of vaping devices by reducing the number of retailers based on population size and density. This is an essential part of denormalising tobacco; reducing inter-generational harm to those living in vulnerable communities, which traditionally have a higher number tobacco outlets; reducing youth uptake; and making it easier for current smokers to quit. NMH supports a specific focus on retail reductions in urban and suburban areas, particularly in the most socially deprived communities, along with increased smoking cessation support in rural areas. Ideally this would help mitigate any potential inequities for smokers in rural communities, who bear the "full cost" of obtaining tobacco due to lower outlet density. NMH also advocates against the renewal or transfer of licences from "old" retailers (sellers) to "new" retailers (buyers), so that all establishments are required to comply with the existing legislative requirements.

NMH support the following:

- Reducing the number of retail outlets to around 5% of the current number (i.e., from around 6000 to 300).
- Reducing tobacco retail outlets based on population size and density.
- A set a maximum number of licenses to be issued nationally
- Introducing a cap of no more than one tobacco retailer in an area of 10,000 residents.
- No tobacco retailers are permitted within 1-km of a school
- A sinking lid on licenses, whereby a license cannot carry across with the sale, relocation or change of ownership of an existing licensed retailer.
- No tobacco retailer is within a 4 km radius of another specialist tobacco retailer.
- Dairies/convenience stores, petrol stations, liquor outlets and supermarkets stop selling tobacco within 12-months

- All tobacco retailers, other than licenced 'age restricted' stores, stop selling tobacco by a set date as previously done through the introduction of Smokefree bars and Smokefree prisons.
- c). Do you support reducing the retail availability of tobacco by restricting sales to a limited number of specific store types (eg, specialist R18 stores and/or pharmacies)?

☒ Yes

Please give reasons:

Commercial profit from tobacco sales provides continued incentive for retailers to promote and sell this harmful product. We support the idea of Government owned specialist retailers with no commercial interest in tobacco sales. This Government owned model would reduce the current need for profitability and would allow the full mark up on tobacco to be transferred back to tobacco control interventions. The government model would also reduce administration costs due to not requiring licencing applications.

- d) Do you support introducing a Smokefree generation policy?

☒ Yes

Please give reasons:

NMH supports the introduction of a Smokefree generation policy. This an exciting opportunity to support long-term planning and resourcing; to reduce the supply of "new" smokers; to phase out the legal sale of smoked tobacco products; and to re-energise and sustain commitment by governments (over multiple electoral cycles), the public and our communities to denormalise smoking, reduce youth uptake and increase awareness of and access to cessation support

Minimum-age laws for sale of tobacco products send a misleading message that there is a 'safe age' for smoking, and establish the cigarette as 'a badge of coming of age, a symbol of the onset of maturity'

A Smokefree generation policy would ensure the long-term success of the Smokefree 2025 Action Plan, since it would drastically decrease the creation of 'replacement smokers' and hence ensure that smoking prevalence remains minimal after the goal has been achieved. It is important however that this does not lead to the criminalisation of tobacco smokers especially in light of the inequities present in smoking uptake and access to smoking cessation therapies.

Focus area 3: Make smoked tobacco products less addictive and less appealing

- a). Do you support reducing the nicotine in smoked tobacco products to very low levels?

☒ Yes ☐ No

Please give reasons:

NMH supports the reduction of nicotine in smoked tobacco products and its aim to decrease smokers' exposure to / dependence on nicotine. Ideally this will help prevent rangatahi from becoming addicted to smoking and make it easier for people who are trying to stop smoking. NMH recommends increased support for the promotion and capacity of local and national

stop smoking services, so that smokers are aware of and able to access appropriate support to manage nicotine cravings and withdrawal.

- b). Do you support prohibiting filters in smoked tobacco products?

☒ Yes

NMH supports this action, which is an important step towards the reduction of plastic pollution and protection of te Mana o te Wai – the integrated and holistic wellbeing of our waterways. The prohibition of filters could also help to disrupt the common misperception that they make cigarettes “safer”. Cigarette butts release toxins into the soil and water, and can take up to 25 years to biodegrade. The non-biodegradability of cigarette butts has a negative impact on the environment and results in additional costs to council waste disposal programmes.

While designing filters from alternative, less environmentally harmful, components may seem an appropriate compromise, this measure would likely further mislead smokers. For example, it would encourage them to view discarded butts as harmless, even though toxic chemicals would still be leached into the environment.

Please give reasons:

- c). Do you support allowing the Government to prohibit tobacco product innovations through regulations?

☒ Yes ☐ No

Please give reasons:

NMH supports the Government in prohibiting tobacco product innovations. Regulation plays a critical role in supporting safe, evidence-based innovation.

Prohibiting the use of filters will also remove product innovations such as capsules or ‘crush balls’ that can contain flavoured beads which when popped change the taste of the cigarette. While most capsule variants offer menthol or mint flavours, fruit flavours are increasingly common, as have cigarettes with two differently flavoured capsules in the same filter. NMH supports prohibiting all and any product innovation.

Focus area 4: Make tobacco products less affordable

- a). Do you support setting a minimum price for all tobacco products?

☒ Yes

Please give reasons:

NMH supports setting a minimum price for all tobacco products. This would help to establish a high minimum price and prevent discounting tactics. It would also provide some control over tobacco industry strategies designed to manipulate prices and help small retailers by preventing unfair business practices.

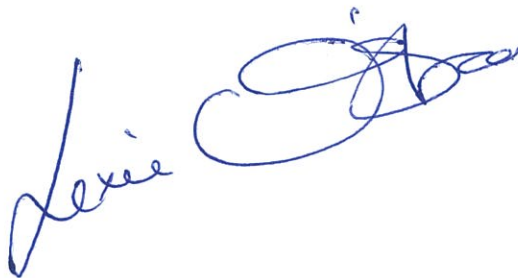
Final questions

- a). Of all the issues raised in this discussion document, what would you prioritise to include in the action plan? Please give reasons.
- Inclusion of the Smokefree Outdoor areas that include: All playgrounds, parks, sportsgrounds and reserves, All walkways and cycleways, Beaches, Central Business District, Outdoor hospitality areas, All government (local and centrally) funded, or publically owned organisations, Smokefree for all their grounds, Public land within 100 metres of school and pre-school entrances
 - Increased resourcing of stop smoking services and professional development opportunities / networking / career pathways for cessation practitioners, so that delivery of high quality stop smoking support is nationally consistent, responsive, sustainable, equitable and readily available
 - Improve access to other types of cessation products e.g. vapes, mouth strips, nasal spray,
 - Monitoring the integration of Stop Smoking Services with health improvement practitioners in primary care and other mental health and addiction services.
 - Increased resourcing of Enforcement and Compliance services and professional development opportunities/networking so that delivery of the enforcement and compliance role is consistent, responsive, sustainable, equitable and readily available.
- b). Do you have any other comments on this discussion document?
- Smokefree Outdoor areas should also be included within the Action Plan.

Conclusion

NMH thanks the *Ministry of Health* for the opportunity to comment on the *Smokefree Aotearoa 2025 Action Plan*

Yours sincerely



Lexie O'Shea
Chief Executive
lexie.oshea@nmdhb.govt.nz