

Senate Economics Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Budget Estimates, 31 May to 2 June 2005

Question: Bud 66

Topic: ACCC – Ban on Smokeless Cigarettes

Hansard Page: E79

Senator Allison asked:

Senator ALLISON—I understand that, in 1989, smokeless cigarettes were banned for that reason. Is that correct?

Mr Ridgway—There was a ban on smokeless cigarettes, as I understand it, in the broad. I would have to check the details of that. Indeed that ban was undertaken prior to the function moving to the ACCC.

Senator ALLISON—Does that make a difference?

Mr Ridgway—Only insofar as I do not have the immediate rationale for that ban at my fingertips.

Senator ALLISON—Perhaps you could take that on notice, Mr Ridgway. Mr Samuel, do you have any comments to make about what the ACCC might do about fruity and sweet flavoured cigarettes?

Answer:

Chewing tobacco and snuffs intended for oral use were banned in 1989 for the following two reasons.

Firstly, the International Agency for Research on Cancer concluded, in its 1985 monograph (Volume 37, September 1985) on the Evaluation of the Carcinogenic Risk of Chemicals to Humans, that:

- there was limited evidence that chewing tobacco of the types commonly used in North America and Western Europe is carcinogenic;
- epidemiological studies that did not distinguish between chewing tobacco and snuff provide sufficient evidence for the carcinogenicity of oral use of smokeless tobacco products;
- in aggregate, there is sufficient evidence that oral use of smokeless tobacco products is carcinogenic to humans.

The 1986 report of the United States Surgeon-General, while noting that the number of epidemiological investigations evaluating the relation between smokeless tobacco and oral cancer was not large, and that several studies have methodological limitations, nonetheless concluded that users of smokeless tobacco face a strongly increased risk of oral cancer, particularly for the tissues that come in contact with the tobacco.

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Secondly, there was some evidence that an aggressive marketing campaign aimed particularly at young people had commenced in Australia. The 101st session of the National Health and Medical Research Council held in June 1986 noted that use of chewing tobacco was being promoted in some Australian States 'despite medical and toxicological data clearly linking the practice of chewing tobacco with the development of tumours of the jaw and mouth'.

Chewing tobacco and oral snuff are a different product to cigarettes. Flavoured cigarettes are merely another form of cigarettes, and cigarettes are a legitimate product in Australia. Flavoured cigarettes are arguably not significantly different to the type of cigarettes known as menthol cigarettes. To date the strategies to address the health hazard associated with all forms of cigarettes have included strict limitations on advertising and direct hazard warnings on all cigarette packages. New colour graphic warnings on cigarettes and other tobacco products will also be mandatory from 1 March 2006.