

Comité national contre le tabagisme

France: brief overview and a case study of the tobacco advertising online

Tuesday, 6 Feb 2024

Cross Border Tobacco advertising, promotion, and sponsorship

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Who are we?

- Founded in 1868, **1st association in France** committed to preventing and protecting people from the harmful effects caused by tobacco and the practices of its industry.
- NGO – recognized as “**acting for the public interest**” since 1977
- Works with public health authorities and we have a mission of **vigilance and judicial prevention** entrusted by the Ministry of Health.
- The French Addiction Fund is financing a monitoring project on the **marketing of emerging tobacco** and nicotine products in France.



Introduction

Tobacco advertising in France : an overall clear and strict legislation

- Cf. the principle of a general ban on tobacco advertising with very few exceptions (professionnal press). Evin law (1991)

Digital media are not covered by this exception, therefore tobacco advertising is prohibited on the internet and on social networks.

Numerous court rulings - initiated by the CNCT - have helped to define the scope of this ban, which has evolved in line with tobacco manufacturers' "innovations".

According to the Cour de cassation, all forms of tobacco advertising are prohibited "regardless of the channel" (Cour de cassation, May 3, 2006, Cnct c/ British American Tobacco).

Introduction

Tobacco advertising in France : an overall clear and strict legislation



In 2021, the CNCT had Philip Morris France condemned for illegal advertising of its IQOS heated tobacco device.

One of Philip Morris France's main arguments is that IQOS is not a tobacco product, and, therefore should not be subjected to tobacco regulations. The manufacturer claims that it only advertises its device and not its tobacco sticks (HEETS brand).

However, the device is of no use if it is not used with those tobacco sticks.

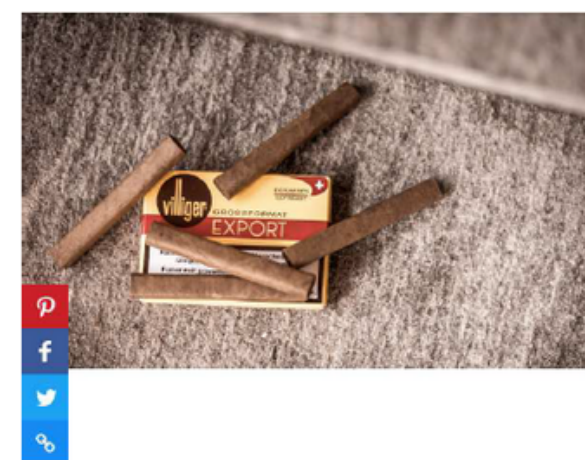
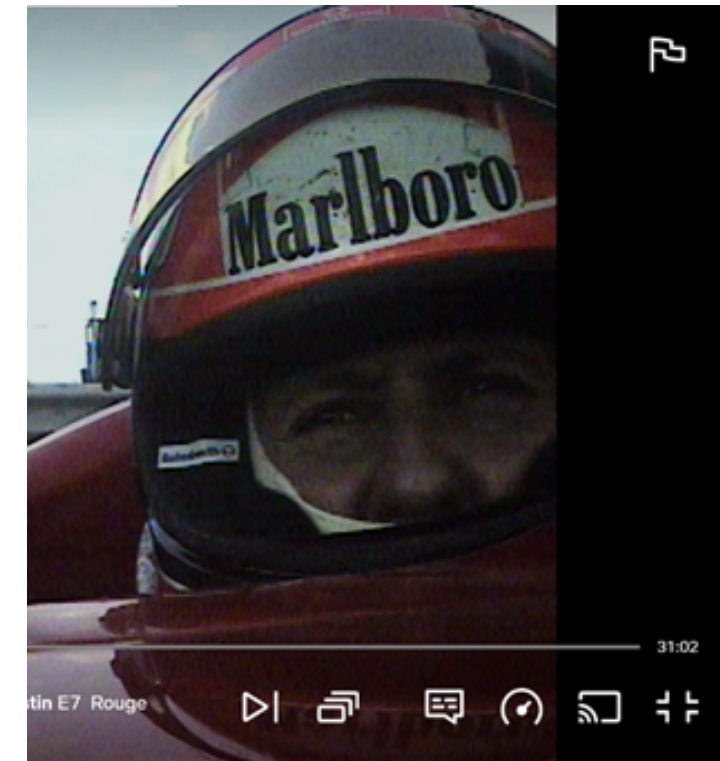
With this decision, the court has clarified the status of IQOS as a tobacco product. Consequently, it does fall within the scope of these regulations, and must under no circumstances be promoted in any way.

Illustrations of the observed violations.

Circumvention of the advertising ban

The CNCT has been conducting monitoring studies on tobacco advertising since the legislation was passed, and these have evolved over the years in line with the TI's advertising practices.

This monitoring enables us to illustrate the enduring nature of advertising in France, despite strong legislation.



Quand le cigare crée l'instant

Les célébrations de la vie méritent les cigares les plus raffinés

Les cigares spéciaux de VILLIGER retiennent l'attention grâce à leur mélange de tabacs uniques et leur élégance visuelle qui les placent dans une catégorie à part des cigares de tous les jours.

VILLIGER KIEL

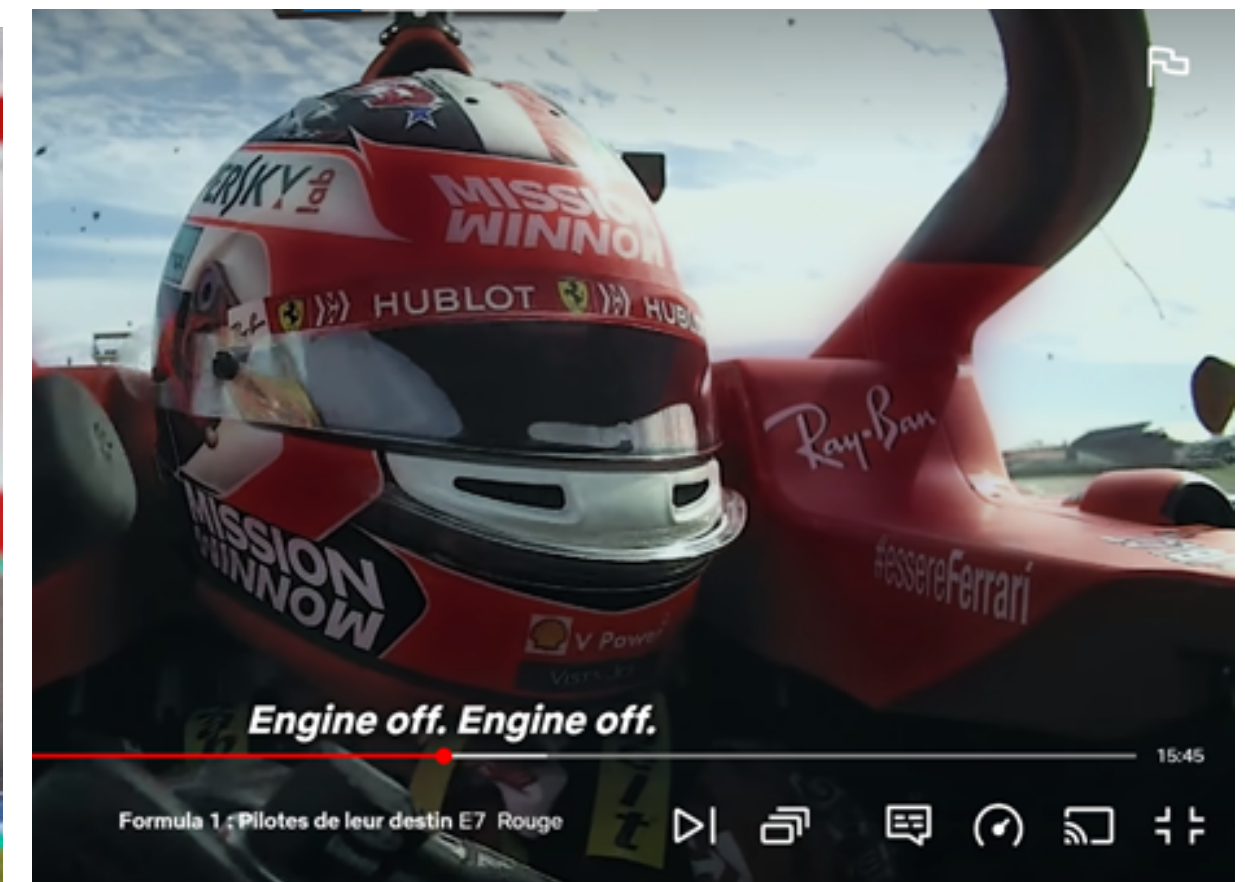
Un cigare chargé d'histoire

Le CIGARE VILLIGER KIEL est un pionnier dans l'univers du cigare en raison de son embout révolutionnaire, toujours autant apprécié à ce jour.



Illustrations of the observed violations.

Circumvention of the advertising ban




Illustrations of the observed violations.

Circumvention of the advertising ban

Nous avons remarqué que vous n'êtes pas sur le site VILLIGER de votre pays. [Changer de page](#)


Lifestyle
**Le plaisir de fumer un
cigare à la maison,
malgré le confinement
ou la mise en quaran-
taine**



VILLIGER KRUMME
Détortillez, allumez et savourez

Naturellement beau avec ses courbes qui attirent le regard, le VILLIGER KRUMME possède un style unique qui crée un effet de surprise et le plaisir de fumer.

Nos marques



villiger

Désolé, pas d'accès

Chère visiteuse, cher visiteur

En raison de restrictions légales dans votre pays, notre site web n'est malheureusement pas accessible pour vous. Nous vous remercions de votre compréhension.

Avec nos meilleures salutations
Votre équipe Villiger

Dear visitor

Unfortunately, our website is not accessible for you due to legal restrictions in your country. We thank you for your understanding.

Kind regards
Your Villiger Team

Circumvention of the advertising ban

Illustrations
of the
observed
violations.



Formula 1: Drive to Survive
Netflix



IQOS case study

Circumvention of the advertising ban

Philip Morris corporate website



Le tabac chauffé

Le tabac chauffé désigne une catégorie d'alternative à la cigarette se présentant sous la forme d'un consommable contenant du tabac (nom commercial chez PMI : HEETS). Il s'utilise avec un appareil électronique (nom commercial chez PMI : IQOS). Cette alternative ayant le potentiel de réduire les risques associés à la consommation de cigarette, est toutefois uniquement destinée aux fumeurs adultes qui ne s'inscrivent pas dans une démarche d'arrêt du tabac.

[EN SAVOIR PLUS](#) →

IQOS case study

Circumvention of the advertising ban

While the ban on online advertising is generally well respected for tobacco, there is one major exception for the IQOS heated tobacco device

IQOS case study

Circumvention of the advertising ban

Cigarette : combattre les idées reçues

Tout le monde sait que fumer est dangereux pour la santé. Cependant, une grande majorité de la population ne sait pas exactement pourquoi.

Et vous ?

Je découvre



Introduction ●

Lorsqu'une cigarette est allumée, le tabac est brûlé. C'est ce qu'on appelle la « combustion » et c'est le cœur du problème.

La fumée libérée lors de la combustion contient plus de 6 000 substances chimiques.

Les alternatives sans combustion et la réduction des risques tabagiques

L'approche de réduction des risques tabagiques vise à diminuer l'exposition des fumeurs aux principales substances nocives des cigarettes, à savoir celles générées par la combustion du tabac.

Cette approche est un moyen d'action supplémentaire en matière de lutte contre le tabagisme, en complément de la non-initiation et de la cessation, les deux piliers de la politique de santé publique française en

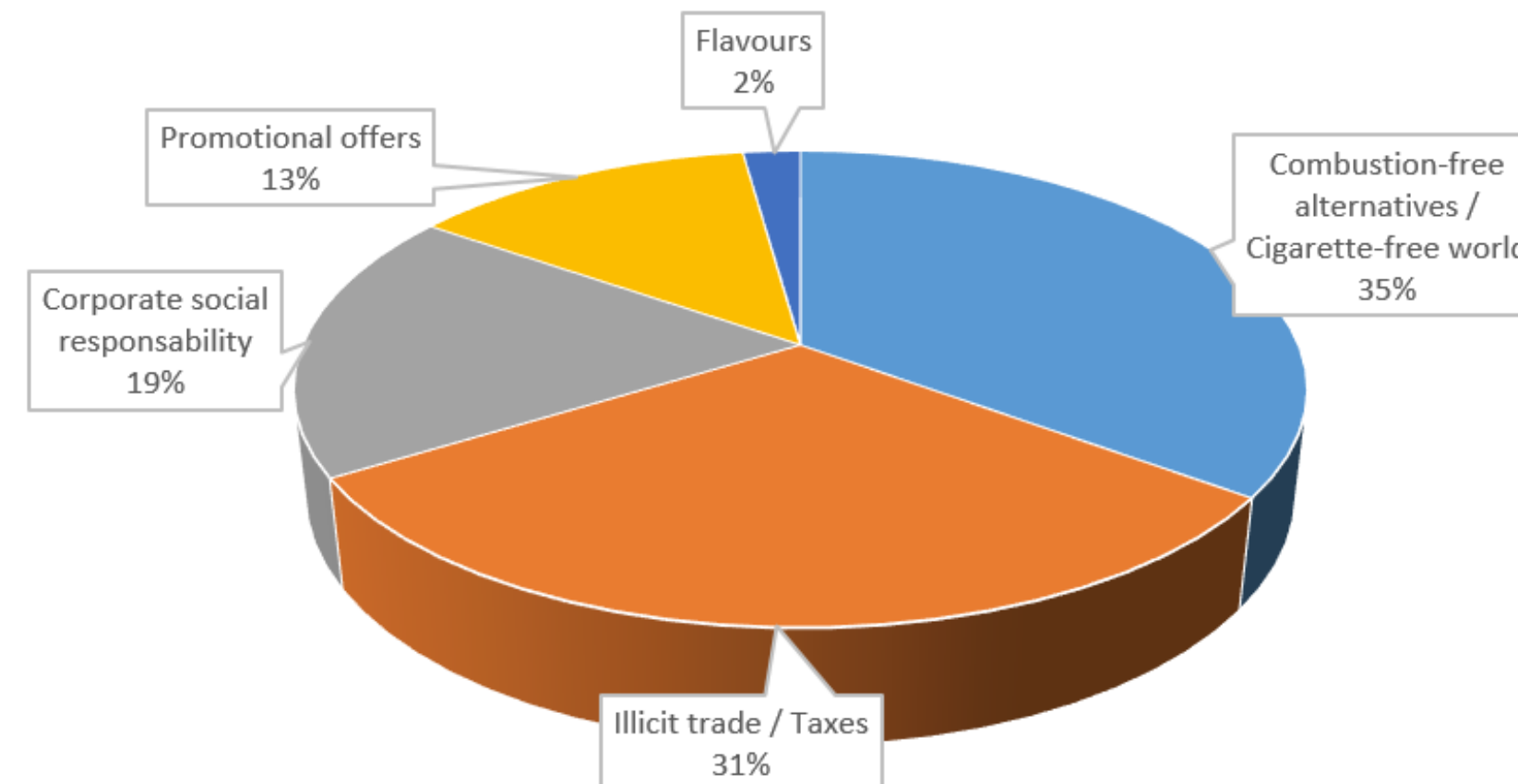
Alternatives

IQOS case study

Circumvention of the advertising ban

In addition to its websites, the manufacturer uses the X network to indirectly promote its products

Philip Morris France (2023) tweet topics



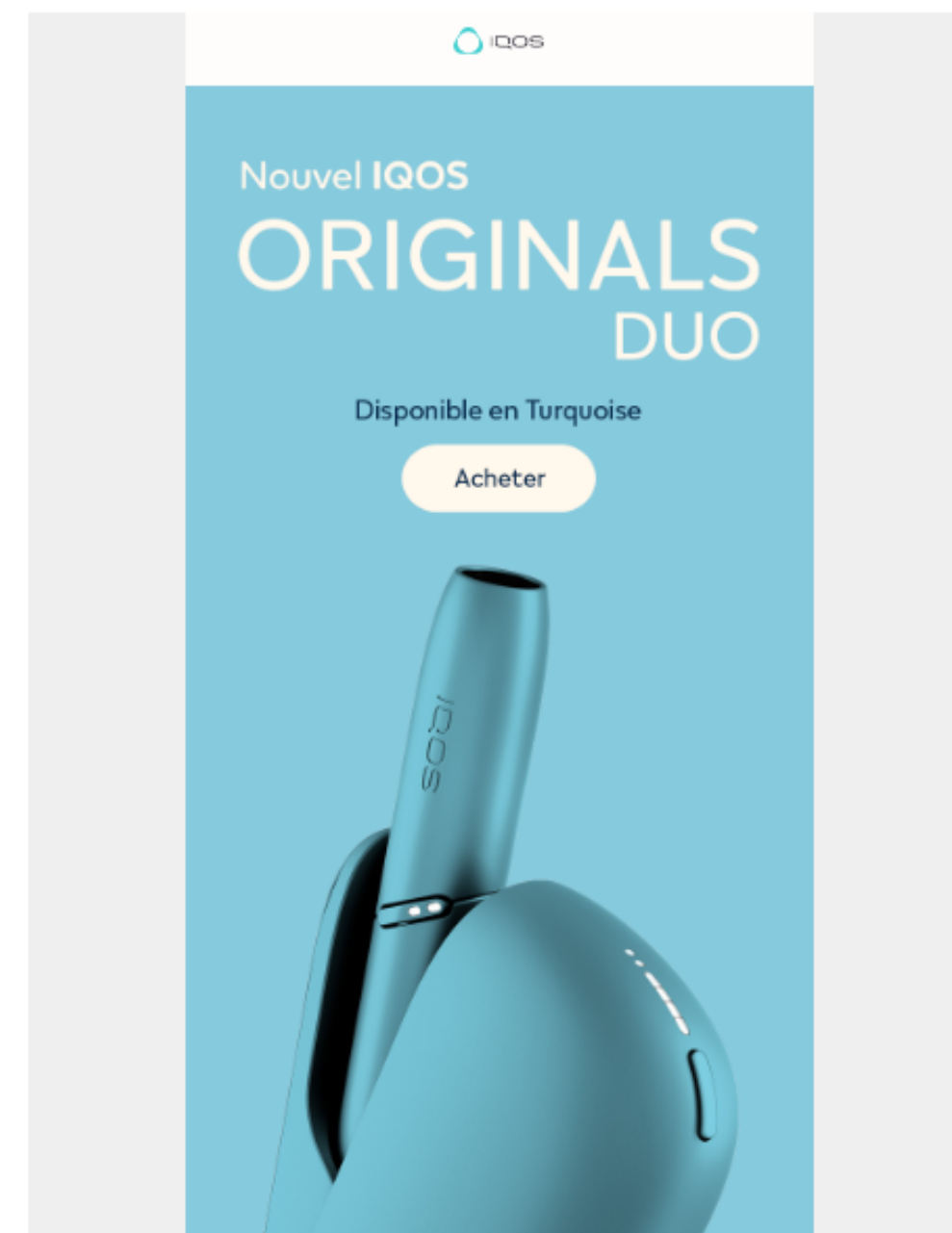
IQOS case study

Circumvention of the advertising ban

Philip Morris also sends messages directly to customers with promotional offers to encourage purchase.

Nouvel IQOS ORIGINALS DUO

Equipe IQOS
à : eschenbrenner.amelie@wanadoo.fr
18/01/24 11:34
détails



IQOS case study

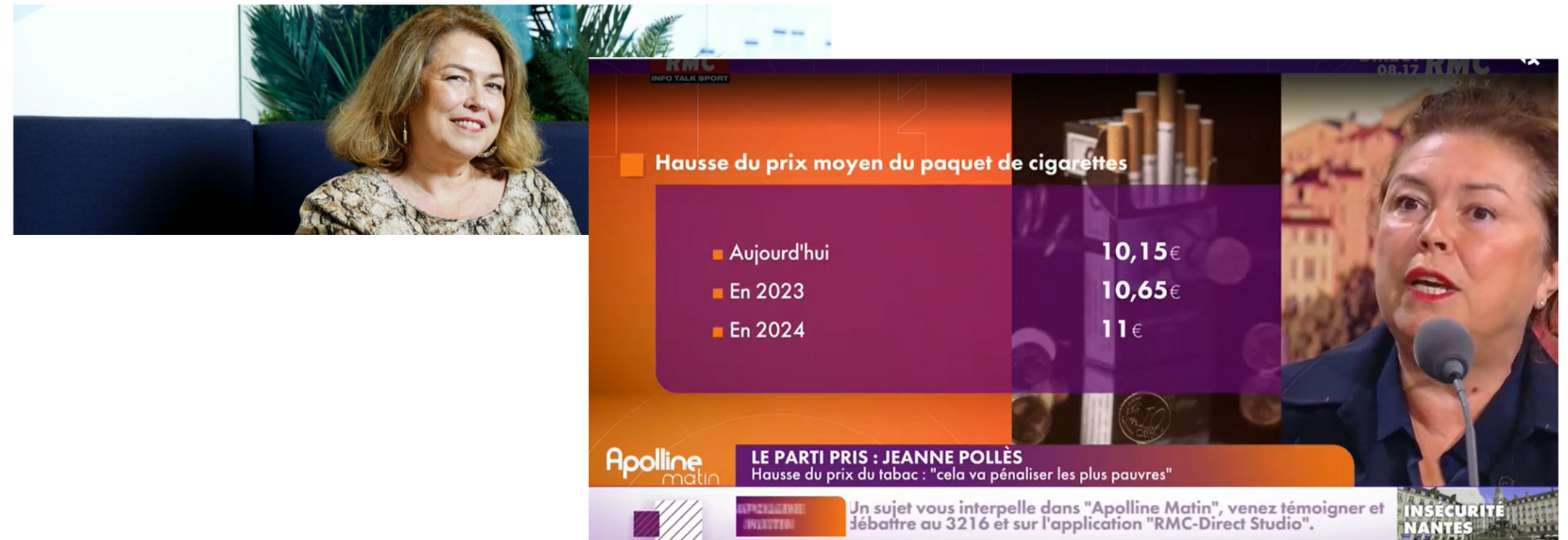
Circumvention of the advertising ban

Philip Morris has also regularly appeared in the French media to promote heated tobacco - CSR (prohibited by the FCTC and the French public health code)

La présidente de Philip Morris France veut "arrêter de vendre des cigarettes"

CIGARETTE

SUIVRE CE SUJET



Conclusion

- The case of France shows that it is possible to counter the tobacco industry's strategies and that, overall, the ban on tobacco advertising is respected, with the major exception of the heated tobacco device.
- Digital tools are now an integral part of the tobacco industry's marketing/influencing strategies.
- The institutional narrative of Philip Morris' representatives such as Jeanne Pollès is CSR-type advertising and propaganda: a form of promotion also prohibited by the French public health code and the FCTC.
- This underlines the importance of adopting complementary implementation guidelines for Article 13 of the Framework Convention on Tobacco Control, in the interests of clarification and better protection through the adoption of best practices.

THANK YOU FOR YOUR ATTENTION!



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