COP BRS Conventions

French case study
Tobacco industry tactics around Single-Use Plastics (SUP) policies
and
civil society efforts to countering these

Le 10/06/2022
1868 – Recognized as acting for public interest
Approach: smoking is an industrial epidemic

Information, studies, experimental projects ⇒ expertise
https://www.generationsanstabac.org/
+ Advocacy and législations’ enforcement ⇒ jurisprudence
Member of different international coalitions
French context

High tobacco prevalence:
2020 = 31.8% smokers (18-75 years old)

⇒ A comprehensive TC strategy
Cf: Smokefree generation by 2032

Progressive increasing of awareness / damages to environment due to tobacco
- FCTC
- more scientific evidences
- TC civil society involved: campaigns, warnings ...

Part of a processus to denormalize the tobacco products and its industry

⇒ Environment is becoming part of tobacco control policies

Progressive inclusion of tobacco products in environmental policies
TI: A comprehensive greenwashing CSR strategy for decades

- To present their products and activities sustainable and to hide reality
- To improve their image
- To gain recognition from sustainability groups
- To access to policy makers and influence regulation = Interference in the policies
- All the tobacco manufacturers are concerned

ex BAT

"Our companies are committed to providing consumers with pleasure through excellent products, and to demonstrating that we are meeting our commercial goals in ways that are consistent with reasonable societal expectations of a responsible tobacco group in the 21st century."

—British American Tobacco

Distribution of pocket ashtrays
Greenwashing CSR strategy Ex JTI
Greenwashing CSR strategy Ex Imperial brands

REDUCING OUR ENVIRONMENTAL IMPACT

Given our global reach and influence, we want to play a role in protecting the natural environment and actively work to minimise our environmental impacts.
Our long-term commitment to sustainability

We’ve set ambitious sustainability targets and have made great progress. We’re ranked among the top fast-moving consumer goods companies in terms of our environmental footprint, starting from the way we source tobacco leaf to how we manufacture and distribute cigarettes. We have gained the recognition of stakeholders for the tangible progress in tackling complex socio-economic challenges in tobacco growing communities.

But that’s not all. We’re now putting our core product at the center of our sustainability efforts by doing something dramatic – replacing cigarettes with less harmful alternatives to smoking – to one day eliminate the harm caused by smoking cigarettes. Our sustainability efforts touch on every aspect of our value chain – from the farmers who grow tobacco right through to the 150 million consumers who choose our products.

We invite you to read more about the scope and scale of our sustainability programs and our commitment to a smoke-free world in our Sustainability Report.

Promotion of new products
The SUP directive and the French transposition

- **Innovative initiative**

- **European legal framework** – French transposition

- **To reduce the impact of plastic in the environment**
  - Reduce the number of discarded cigarette butts by 40% by 2027

- **To disseminate information regarding tobacco and environnement**
  - Awareness campaigns on the environmental impact of cigarette butts
  - Environmental warnings to inform consumers

- **Mandatory reports** ⇒ possible comparisons

- **Application « Polluter’s payer principle »**
  - EPR system
  - Covering the costs of cleaning up cigarette butts
  - Contribution to city facilities / Horeca sector facilities = Free provision of street / pocket ashtrays
  - Financial support for R&D projects
Weaknesses of the current system

- **The EPR system has not been adapted** to include particularities regarding the tobacco industry and the enforcement of **article 5.3**
  - The tobacco industry's involvement goes far beyond what is strictly necessary
  - Contract with local public authorities
  - The responsibility of the tobacco industry is not pointed out in the current communication.
  - There is a risk of a moral laundering: Tobacco makers could appear as "responsible" actors in a positive way
Weaknesses of the current system

- **A limited scope**

1. Tobacco products with filters, and filters sold for use with tobacco products, but **not to disposable e-cigarettes, pods**
2. / Place of disposal: Only for the collection, transport and treatment of waste from these discarded products in **public collection systems**
3. The **coverage of costs** by tobacco producers is **limited**

- **Counterproductive provisions**: ex distribution of pocket ashtrays

- **Effective provisions are not taken into account**

1. **Reduction of the tobacco prevalence**: the best waste is the waste which does not exist
2. Implementation of other tobacco control provisions to reduce the consumption and therefore plastic wastes (ex: extension of **tobaccofree places**)
3. **Prohibition of filters** to reduce butts: filters is not a protection for health and is problematic for environment.
Initial lessons and recommendations from civil society

- Excellent initiative: the introduction of the polluter pays principle in the environmental field
  - the tobacco industry pays instead of local authorities / taxpayers
  - contributes to the implementation of the FCTC & to reach SDG’s objectives

BUT, there is a need to

- Raise awareness of the FCTC and the obligations of Article 5.3 among public environmental authorities
- Adopt a large approach regarding environmental damages due to tobacco and its industry
- Adopt a large scope of measures including tobacco control provisions
- Define a governance structure of the “ecosystem” including only stakeholders independent directly and indirectly from the tobacco industry and its allies
  - Alert our colleagues in other Member states and demand for a clarification through an implementing decision at the European Commission
- Create a tax paid by the Tobacco Industry to finance the « ecosystem »
Sources

- The Tobacco industry and the environment, STOP juin 2021

- L’industrie du tabac est une menace pour l’environnement
  https://www.generationsanstabac.org/article/lindustrie-du-tabac-et-environnement/


- Law N° 2020-105 of 10 February 2020 on the fight against waste and the circular economy (AGEC Law)
  https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000041553759/

- Decree N° 2020-1725 of 29 December 2020 containing various adaptation provisions relating to Extended Producer Responsibility

- Order of 5 February 2021 on the specifications for the approval of eco-organisations
  https://www.legifrance.gouv.fr/eli/arrete/2021/2/5/TREP2027629A/jo/texte
Thank you for your attention

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