



BACCO-FREE INN C

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Tobacco Endgame Series Edition 4: Tobacco Vendor Licensing

E-RCTC: A repository of information

The E-Resource Center for Tobacco Control, a joint initiative of the Postgraduate Institute of Medical Education and Research (PGIMER) and The International Union against Tuberculosis and Lung Diseases (The Union), has increased its involvement in a variety of tobacco control advocacy activities. It has also organized technical resource material for program implementers, academics, and researchers to build their capacity for multi-stakeholder engagement and networking. This repository of data adds to India's existing database of data on tobacco control and provides various circulars, orders, pamphlets, etc., on tobacco control from various states and at the federal level. Through the dissemination of evidence-based tactics used by various tobacco control groups across India, this innovative effort seeks to boost existing tobacco control activities.

Tobacco Free Times Edition Released



The 21st edition of the bi-monthly publication "Tobacco Free Times," featuring a special edition on "Plain Packaging" was released at a regional-level capacity-building workshop for key interested partners and important stakeholders in project states. The workshop was held from November 1st to 3rd at the Hampshire Plaza Hotel in Hyderabad, Telangana, and was organized by the Resource Center for Tobacco Control in collaboration with The International Union against Tuberculosis and Lung Diseases (The Union). The publication was released by Dr. Vikas Bhatia, Director of AIIMS Bibinagar; Dr. Sonu Goel, Director, E- Resource Center for Tobacco Control at PGIMER; Dr. Puneet Chahar, Manager of Monitoring and Evaluation officer at the National Tobacco Control Programme at The Union; and Mr. Rajeev Kumar, Project Coordinator at the Resource Center for Tobacco Control at PGIMER. The workshop aimed to provide orientation and sensitization on the implementation of the National Tobacco Control Programme for effective enforcement of tobacco control laws and policies.

TOR'S **SPEAK**



leading advocate for tobacco control and has working towards a 'tobacco-free world'. The center publishes a bi-monthly publication called "Tobacco

The latest edition, the 22nd, is particularly focused on tobacco vendor licensing, exploring the benefits of this approach and providing guidance on how to implement it in various settings for achieving the 'tobacco endgame'. By providing access to this Tobacco Control is helping to build the capacity of individuals and organizations to engage in multi-stakeholder efforts in order to make joint efforts towards reducing the prevalence of tobacco use and

- Dr Sonu Goel, Director, E-RCTC & Professor, PGIMER Chandigarh

EXPERTS' SPEAK



The Resource Centre for Tobacco Control-PGIMER

hard work in creating this valuable resource center.

Dr. Y. Suiatha



E-RCTC has emerged as a go-to source for antitobacco-related news, policies, and updates. I was NTCP held in Hyderabad, which was conducted by E-RCTC. The workshop provided me with a deep insight into various anti-tobacco issues and I am grateful to RCTC for being a valuable resource for tobacco control at the national level.

> - Dr. Sarin S Momin, DNO, Dainadubi PHC, North Garo Hills



PROJECT UPDATES

A National consultation on "Why ENDS ban in India and 40+ other countries and How prohibition of E-cigarettes Act (PECA) can be effectively enforced" was conducted

A national consultation on the ban on electronic nicotine delivery systems (ENDS) in India and the effective enforcement of the Prohibition of E-cigarettes Act (PECA) was held on October 8th, 2022, from 12:00 PM to 2:00 PM. The consultation was organized by the Strategic Institute for Public Health Education and Research and the Resource Center for Tobacco Control at the Postgraduate Institute of Medical Education and Research (PGIMER), Chandigarh, with support from The Union. The webinar was conducted on Zoom and streamed live on YouTube. Key speakers included Dr. P.C. Gupta, Director of Healis-Sekhsaria Institute of Public Health; Prof. K. Srinath Reddy, President of the Public Health Foundation of India; Prof. Sonu Goel from PGIMER Chandigarh; Dr. Joy Chakma from the Indian Council of Medical Research's Division of Non-Communicable Diseases; Ms. Preeti Sudan, former Secretary of the Ministry of Health and Family Welfare; Dr. L. Swasticharan, Additional Deputy Director General of the Ministry of Health and Family Welfare; Dr. Rana J.S., Deputy Regional Director of The Union in the Southeast Asia region; Prof. Joanna Cohen, Director of the Institute for Global Tobacco Control at the Johns Hopkins Bloomberg School of Public Health; and Dr. Jagdish Kaur, Regional Adviser for the Tobacco Free Initiative at the World Health Organization in the Southeast Asia region. Key panelists

A Virtual Dialect on Tobacco Endgame

On September 15th, 2022, a virtual consultation on the structure, content, and flow of the Tobacco Endgame Hub in India was held at 11:00 AM. The guests of honor for the event were Dr. P.C. Gupta, Director of the Healis Sekhsaria Institute for Public Health in Navi Mumbai, and Dr. Suneela Garg, Chair of the Programme Advisory Committee at the National Institute of Health and Family Welfare and Co-Chair of the MDRU at the Department of Health Research. During the consultation, Dr. Nidhi Jaswal, Technical Officer at the Resource Center for Tobacco Control, demonstrated the Tobacco Endgame portal. International dignitaries who participated in the consultation included Dr. Koong, Founder and Director of Tobacco Free Generation International Limited in Singapore; Dr. Coral Gartner, Director of the NHMRC Centre of Research Excellence on Achieving the Tobacco Endgame, Australia; and Dr. Hassan Mohamad, Deputy Director of the Health Protection Agency at the Ministry of Health in



included Shri Murali Rao R.J. IRS, Deputy Director of the Directorate of Revenue Intelligence's Surat Regional Unit; Prof. Pankaj Chaturvedi of Tata Memorial Hospital in Mumbai; Dr. Pawan Gupta, Founder of ICanCare and Director of Surgical Oncology at MAX Hospital; Ms. Susan Samson, Director of Programs at Faith Foundation; Dr. Upendra Bhojani, Director of the Indian Pharmacopoeia; and Dr. Rakesh Gupta, President of the Rajasthan Cancer Foundation. The consultation was attended by over 300 participants virtually.

Maldives. They shared their perspectives on the Tobacco Endgame Hub. Over 30 national tobacco control experts also participated in the consultation.

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Advanced Course on Tobacco Control, Odisha

On October 7th, 2022, a live interactive session for modules 9 to 12 (Module 9: Behavioral change communication in Tobacco Control, Module 10: Stopping Tobacco Industry Interference (TII), Module 11: Multi-Stakeholder Engagement and integration, Module 12: Role of CSOs and Academic institutes in Tobacco Control) in the Advanced Course on Tobacco Control in Odisha was held from 3:00 PM to 4:00 PM. The faculty for the session included Dr. Rakesh Gupta, President of the Rajasthan Cancer Foundation; Dr. Upendra Bhojani, Faculty at the Institute of Public Health in Bangalore, India; and Dr. Sonu Goel, Professor at the Department of Community Medicine and School of Public Health at PGIMER in Chandigarh. Participants connected with the facilitators of the course via Zoom to ask questions and gain a deeper understanding of the subject.





Sensitization Workshop for enforcement officials

Telangana: A one-hour sensitization workshop was conducted on September 15th, 2022 in the Manchiryal district during the DLCC meeting. Stakeholders from different departments of the district participated in the workshop, followed by a detailed discussion on the roles and responsibilities of each department.

Puducherry: A sensitization workshop was conducted by the State Tobacco Control Cell for school students in Navalar Government Higher Secondary School on September 22nd, 2022. During the workshop, 70 students were sensitized on the harmful effects of tobacco and newer tobacco products and how the tobacco industry targets school children.



DLCC Meetings conducted: Telangana



On September 15th, 2022, a DLCC (District Level Coordination Committee) meeting was held in the Manchiryal district, chaired by District Collector Bharati Hollikeri. The meeting was attended by 28 members of various stakeholder departments. During the meeting, the District Collector released a circular on the formation of an enforcement squad in the district, outlining the roles and responsibilities of each department in tobacco control. It was advised that awareness, enforcement, and school awareness programs be carried out on a regular basis to promote tobacco control in the district.

Circular/notification/order: Meghalaya

The Health Department of Meghalaya has issued a circular (No. Health. 101/2008/Pt.l/438) on the re-constitution of members of enforcement squads in all the districts and blocks of the state.



IEC material prepared: Puducherry

IEC material was prepared and designed on section 5 of the Cigarettes and Other Tobacco Products Act (COTPA) and was approved by the state tobacco control cell.



Enforcement Drive Conducted: Telangana

On October 22nd, 2022, an enforcement drive was conducted to check for violations of the Cigarettes and Other Tobacco Products Act (COTPA) of 2003 at various public places in the Sangareddy district of Telangana.

Awareness Program organized: Puducherry

Dr. Suriya Kumar, the State Tobacco Consultant, conducted an awareness program for school students at Providence School, Puducherry. He educated 40 primary school children about the ill effects of tobacco use. Additionally, on September 12th, 2022, the state tobacco control cell conducted an awareness program for college students at Acharya Arts and Science College in Puducherry. Over 100 students were sensitized about the harmful effects of tobacco and the tobacco cessation services available through the National Tobacco Control Programme (NTCP).





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Tobacco Vendor Licensing



What is Tobacco Vendor Licensing?



Tobacco Vendor Licensing (TVL) can be defined as a healthpromoting policy that requires all Point-of-Sale (POS) locations that sell tobacco to obtain a special license in order to sell tobacco products to consumers. In its broader sense, TVL encompasses a range of policies or regulations that aim to decrease the number of POS/tobacco retailers in a certain city, neighborhood, or community, help defeat tobacco's social acceptability and make access to such products less convenient. TVL also helps ensure better compliance with other tobacco control interventions, such as increasing tobacco taxes or banning tobacco advertisement, promotion, and sponsorship at the point of sale.

Common features of TVL policies:



Application Restrictions: Vendors must pay an application fee to get a license. The optimal charge would at least cover the costs of executing the licensing statute. Additionally, some regulations forbid retailers from selling tobacco products alongside certain other goods, such as pharmacies that also sell medications or prescriptions or retailers that stock kid-friendly goods. Retailers may also be forbidden from offering free cigarettes or selling them loose. **License Revocation:** This enables regulators to revoke vendors' licenses and stop them from selling tobacco goods if they are found to have broken any pertinent tobacco control laws, including those relating to illegal advertising, sales to minors, or incomplete tax compliance.

Location Restrictions: A policy can specify that vendors must be a specific distance away from residential areas, schools, or other places that cater to young people. The TVL policy could also limit the types of vendors that can apply for licenses and forbid the sale of goods from roadside stands or kiosks.

Density Restrictions: A policy can limit the number of points of sale in specific areas such as schools, parks, playgrounds, or other places that youth frequent. It can also allow an opportunity to restrict the number of applications received each year and prevent renewal of existing licenses, thus reducing the density of points of sale. TVL could also limit the types of vendors that can apply for licenses or forbid the sale of goods from roadside stands or kiosks.

Central Government Advisory on Tobacco Vendor Licensing

The Ministry of Health and Family Welfare, Government of India, issued an advisory on September 21, 2017, urging states to adopt Tobacco Vendor Licensing (TVL) through local municipal authorities. Through this process, local governments can maintain an inventory of all businesses selling tobacco, including the different kinds of businesses that sell tobacco and where they are located relative to schools, youth-populated areas, and each other. They can also impose additional restrictions at points of sale, such as preventing the sale of tobacco products alongside confectionery items and chocolate, chips, and candies that easily tend to lure children towards trying these products.

The Ministry of Housing and Urban Poverty Alleviation, Government of India, issued an advisory on September 25, 2018, to all states/UTs/ Urban Local Bodies, referencing the Ministry of Health and Family





Welfare's advisory dated September 21, 2017, and advising the states/UTs/Urban Local Bodies to take the following action:

- i. A mechanism may be developed to provide permission/ authorization/vendor license through Urban Development Department.
- ii. To ensure that the tobacco products are stored/sold only through authorized shops/retail outlets/kiosks under the municipal acts and rules which have valid TIN/PAN/GST.
- iii. Through specific terms and conditions, Licensed vendors can be mandated to exclusively sell tobacco products and not nontobacco products such as chocolates, chips, candies, etc., which are meant to attract children.
- State Government specific acts for regulation for retail business of Tobacco Products and State Municipal Acts to Regulate Trade in Tobacco Products.

What is already known?

- Tobacco retailer environments are important spaces for the tobacco industry to advertise, promote, and display their products.
- Tobacco is commonly sold in a variety of vendor locations including permanent structures, semi-permanent structures/ mobile vendors like pushcarts, and street vendors.
- Global studies have shown that higher tobacco vendor density is associated with increased youth experimentation and increased tobacco use.
- Tobacco retailers in proximity to schools are directly associated with the initiation of youth tobacco use.

Why Consider Tobacco Vendor Licensing'

- Protect youth from unregulated points of sale: A strategy to reduce the availability and accessibility of tobacco products, particularly to youth.
- Restrict the types of products that are sold alongside tobacco.
- TVL helps denormalize tobacco use by mapping all the tobacco retailers in the jurisdiction and creating a public database of all licensed vendors.
- Complement enforcing other tobacco control regulations: Leverage TVL as a tool to ensure responsible retailing behavior and public health law compliance.

TVL Benefits

- Decreased vendor density: Tobacco vendor licensing can limit the density of tobacco retailers in communities, especially around schools, parks, or hospitals, and restrict the types of products that are permitted to be sold alongside tobacco.
- **Promote Health:** Licensing tobacco vendors can not only help reduce the accessibility of these lethal products, but it can also help reduce youth initiation and use, especially in and around school zones and neighborhoods.
- **Funding:** TVL costs can be used to offset health initiatives or pay for enforcement. Licensed vendors are likely to comply with taxes that provide critical government revenue.
- Improved compliance with enforcing other tobacco control regulations like COTPA 2003: Precisely because it identifies the exact location of every tobacco vendor, TVL can help inspectors strengthen tobacco control compliance at those points of sale.

TVL being implemented globally:

Globally, preventing tobacco sales to minors has been the major focus of most tobacco retailing laws. To maximize the effect of sales to minor laws (COTPA 2003 and JJ Act 2015), there is a need for a systematic and comprehensive retailer enforcement and compliance program. Tobacco vendor licensing is perhaps a powerful tobacco control tool that can be used in a variety of different ways. By requiring a license for the sale of tobacco products, a community can then set limits on the location, number, density, and type of tobacco retailers. Many countries are implementing TVL, and some examples of this include:







Countries across World:	Neighbouring countries (South	
Hungary	East Asia Region):	
Australia	Bangladesh Thailand Singapore	
Scotland		
Ireland	Vietnam	
USA	Pakistan also have been implementing TVL	
Canada		
Netherland		

Initiatives by state and local government across India: Tobacco vendor licensing

More than 70+ jurisdictions across India have notified TVL to date, ranging from state regulations to district-level orders to municipal-level orders.

Given the above, the Jharkhand (Ranchi jurisdiction), leads the way.

State Legislation (1)

Himachal Pradesh (Prohibition of Sale of loose cigarettes & beedis, and regulation of retail business of cigarettes & other Tobacco products Act, 2016)

State Level Orders (8)					
Rajasthan	We	st Bengal	Uttar Pradesh		
Uttarakhand	Ass	am	Jharkhand		
Madhya Pradesh	Kar	nataka			
Municipal Corporation level Orders -ULBs (38)					
Jharkhand (15)	Bih	ar (1)	Rajasthan (1)		
West Bengal (9)	Punjab (1)				
Uttar Pradesh (6)	Madhya Pradesh (6)				
District level Orders (24)					
West Bengal (10)		Uttar Pradesh (12)			
JK (1) Maharashtra (1)		Maharashtra (1)			

State Level Orders (8)	
Rajasthan	West Bengal
Uttarakhand	Assam
Madhya Pradesh	Karnataka
Uttar Pradesh	Jharkhand



Municipal Corporation level Orders -ULBs (39)				
Jharkhand	15			
West Bengal	9			
Uttar Pradesh	6			
Madhya Pradesh	6			
Bihar	1			
Punjab	1			
Rajasthan	1			
District level orders – 24 districts have issued TVL orders				

State Legislation (1): Himachal Pradesh (Prohibition of Sale of loose cigarettes & beedis, and regulation of retail business of cigarettes & other Tobacco products Act, 2016).

- Jharkhand: In Jharkhand, the Ranchi Municipal Corporation notified Tobacco Vendor Licensing (TVL) through the Jharkhand Municipal Corporation Act, 2011 in 2018 and institutionalized it by putting in place an operational guideline to issue licenses within the Ranchi jurisdiction. The authorities have received numerous license applications and have approved over 200 licenses to date. Additionally, more than 80 municipal enforcement officers have been trained to date and are successfully conducting enforcement drives to ensure that no tobacco products are sold to minors and that vendors refrain from selling tobacco products within 100 yards of educational institutions.
- West Bengal: Siliguri has developed and adopted operational guidelines for conducting numerous enforcement drives for Tobacco Vendor Licensing (TVL), TAPS prevention, and compliance with various sections of the COTPA.

Due to the successful implementation of Tobacco Vendor Licensing (TVL) in Ranchi, many states and jurisdictions have expressed interest in implementing TVL in their own areas.







Challenges

- **Mapping Vendors:** There is difficulty in determining the precise need for the license in areas saturated with vendors and in jurisdictions where tobacco is sold through mobile vendors or push crafts.
- Vendor awareness: Tobacco vendors are unaware of laws and unlikely to implement new restrictions.
- **TVL enforcement through multi-stakeholder coordination:** Vendor licensing is just the first step in the process of multistakeholder coordination. Multiple agencies are responsible for implementing these measures.
- **Industry interference:** The tobacco industry vehemently opposes TVL, as it prohibits tobacco product advertisements and promotion and tobacco sales incentives for retailers, as well as unregulated tobacco product sales.

Conclusion

Tobacco Vendor Licensing (TVL), is a favorable step towards effectively regulating tobacco retail outlets and de-normalizing tobacco use. In light of the available evidence, a best practice approach to tobacco retail regulation includes licensing implemented together with strong enforcement and retailer education. This approach appears to be particularly useful in decreasing sales to minors and can serve as a means of permanently removing non-compliant retailers from the market. The greatest strength of a tobacco licensing system is that it provides a more effective way to ensure retailer compliance with existing tobacco control laws. Perhaps, all states and local governments across India should consider adopting and implementing a licensing system to help ensure a responsible retailing environment in the country.



EXPERTS COMMENTS



The answer to better implementation of tobacco control laws lies in tobacco vendor licensing. This instills fear among tobacco vendors and is an effective way to move forward. Implementing it in as

many districts and states as possible is the way ahead. In every state, having at least one model city that ensures all aspects of vendor licensing is a good idea.

> Ranjit Singh, Legal Advisor , Supreme Court of India



Already the laws are present in the municipal bodies, but the proper implementation is a problem. It is easy to issue a notification or form a bylaw, but the implementation is the most crucial part of the tobacco vendor licensing.

Dr. Ranjiv Pandey, Deputy Director, U rban Development Body, Uttrakhand



There are two main goals in tobacco control efforts: decreasing the accessibility and availability of tobacco products, and improving the implementation of tobacco legislation such as COTPA and TOEFI guidelines,

as well as addressing the illicit trade of tobacco. To address the illicit trade of tobacco, it may be necessary to revise tobacco control policies. Around 8 states have implemented state-level orders and 75 districts have issued notifications for tobacco vendor licensing as a way to help achieve these goals.

Dr. Rana J Singh, Deputy Regional Director, International Union Against Tuberculosis and Lung Disease, South East Asia



TOBACCO REPORTER

Jharkhand To Implement Pilot Project For Helping Students In Quitting Tobacco

The Jharkhand School Education and Literacy Department has decided to implement a pilot project in some schools to help students guit tobacco use. Ten schools, including five government and five private institutions, in each of four districts, will be developed as model tobacco-free institutions. If the project is successful, the model will be replicated in all schools.



https://www.republicworld.com/india-news/general-news/jharkhand-to-implement-pilot-project-for-helping-students-in-auittingtobacco-articleshow.html



UP: Mirzapur admin bans smoking, tobacco use in Vindhyachal Navratri fair area

The Mirzapur district administration has banned smoking and the use of tobacco in the Vindhyachal Navratri fair area under provisions of the Union government's tobacco control law. The fair area was declared smoking and tobacco-free, keeping in view the health considerations of the masses.

https://www.ptinews.com/news/national/up-mirzapur-adminbans-smoking-tobacco-use-in-vindhyachal-navratri-fairarea/425345.html

An Awareness Rally by Tribune **School Students : Chandigarh**



Consumption of tobacco down by 3 percent in J&K: DHSK

The Directorate of Health Services Kashmir (DHSK) announced on Friday that the consumption of tobacco has declined by 3% in Jammu and Kashmir.

http://risingkashmir.com/-consumption-oftobacco-down-by-3-pc-in-jk-dhsk



TOBACCO REPORTER



Experts call for stringent tobaccocontrol law in the country: Delhi

On the eve of World Heart Day, which has "Use Heart for Every Heart" as its theme this year, noted interventional cardiologist Dr. Sekhar Kashyap talked about the multiple heart health risks associated with tobacco, such as peripheral vascular disease (a disease of the vessels that supply blood to the arms and legs) and abdominal aortic aneurysm.

https://www.dailypioneer.com/2022/india/experts-call-for-stringent-tobacco-control-law-in-country.html

Udupi: Raid under COTPA – Tobacco control squad slaps fine on 48 outlets

The tobacco control squad raided shops, hotels, bars, and restaurants and collected fines totaling Rs 5900 under the Cigarettes and Other Tobacco Products Act (COTPA) from 48 outlets in Perampalli, Nittur, and Kakkunje of Manipal limits.

https://www.daijiworld.com/news/newsDisplay?newsID=1015258

Pharma, tech and social media companies join forces with WHO to launch the Tobacco Cessation Consortium during World Health Summit in Berlin, Germany



During the World Health Summit in Berlin, WHO Director-General Dr. Tedros Adhanom Ghebreyesus formally launched the Global Tobacco Cessation Consortium, a mechanism for engaging non-state actors, especially the private sector, in providing comprehensive cessation support.

https://www.who.int/director-general/speeches/detail/who-directorgeneral-s-remarks-at-the-launch-of-who-tobacco-cessationconsortium--world-health-summit---17-october-2022

'Hawa' served legal notice for 'breaching tobacco control law

The film did not show antitobacco messages while showcasing smoking, as required by the rules. A Supreme Court lawyer has sent a legal notice to the creators and leads performers of the film "Hawa," including director Mejbaur Rahman Sumon and protagonist Chanchal Chowdhury, for violating tobacco control laws.



https://www.thedailystar.net/entertainment/tv-film/news/hawaserved-legal-notice-breaching-tobacco-control-law-3155921

"A cleaner, healthier city": Expanding smoke-free spaces in Cape Town

The city hosted events at the University of Western Cape and with several primary schools for World No Tobacco Day 2022, reiterating its theme of the environmental damage caused by tobacco.



https://www.who.int/news-room/feature-stories/detail/a-cleaner-healthier-city---expanding-smoke-free-spaces-in-cape-town

E-cigarette ban proposed as WA Cancer Council aims to halve smoking rates by 2030



The West Australian Cancer Council is leading a push to "revitalize tobacco control" in the state by proposing to halve the number of retailers and ban the sale of e-cigarettes, among other measures.

https://www.abc.net.au/news/2022-10-11/wa-cancer-councilecigarette-ban-tobacco-sales-2030/101524600



TOBACCO REPORTER

California's proposed flavored tobacco ban gives hookah a pass

The WA Cancer Council is leading a push to "revitalize tobacco control" in the state by proposing to halve the number of retailers and ban the sale of e-cigarettes, among other measures.

https://www.capradio.org/ articles/2022/11/05/californias-proposedflavored-tobacco-ban-gives-hookah-apass?___cf_chl_tk=iXkHXZDpJ7vmgnhhq_ mnSmga58QyTGSooGmkDSqJvFU-1668070421-0gaNycGzNCNE



Mon District Tobacco Control Cell organizes tobacco awareness campaign

The District Tobacco Control Cell conducted a sensitization program on "Tobacco use and its harmful effects on humans" at Wangkhao Government College on October 25, 2022.



https://easternmirrornagaland.com/mon-dtcc-organises-tobacco-awareness-campaign/

Campaigners demand quick amendment to tobacco control law: Bangladesh

Anti-tobacco campaigners on Thursday demanded that the government amend the tobacco control law as soon as possible in order to reduce casualties and other losses caused by tobacco consumption. The demand was made at an event on Thursday when four journalists were awarded for their work in creating awareness and influencing policies against the tobacco problem in the country.

https://unb.com.bd/category/Bangladesh/campaigners-demandquick-amendment-to-tobacco-control-law/103378



Send us your feedback, comments and suggestions at rctcupdates@gmail.com,

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