

HEALTH Minister Aaron Motsoaledi responded to the many thousands of objections to his proposed Control of Tobacco and Electronic Delivery Systems Bill with a staggering disregard for the legitimate concerns of tens of thousands of businesses and individuals ("Greedy Tobacco industry is at it again", The Star Opinion, August 14).

With respect and reluctance, I must correct some of the claims in the article that are wrong.

The minister claims the department conducted a thorough socio-economic impact assessment (SEIA). This is untrue. The department issued a derisory, pretend SEIA, after consultation with only 11 stakeholders, that admitted there had been no consultation with the informal trade – whose concerns the minister read about in the media. Instead of reaching out to them to hear their story, he dismissed them aggressively in the paper.

The SEIA has been dismissed by independent and expert commentators, in the Daily Maverick for example. The minister's article in The Star is evidence that almost no consideration has been given to the socio-economic impact of the new bill. The article wrongly stated that there were only 140 tobacco farmers – there are 190. In addition, there are 155 emerging small black tobacco farmers from whom my members guarantee to purchase all the leaf they produce.

The minister's claim that more than 50% of South African leaf is exported, is wrong. Less than 10% is exported and farmers are dependent on the legal, tax paying South African industry for their livelihoods.

The minister claims the bill is needed to stop young people from smoking. Here are some facts: young people cannot generally afford to pay legal, tax-paid prices for cigarettes at between R25 and R40 a pack.



MANY BUTTS: Contrary to what Health Minister Aaron Motsoaledi states, the Control of Tobacco and Electronic Delivery Systems Bill 'won't have the desired effect'.

PICTURE: MASI LOSI/AFRICAN NEWS AGENCY (ANA) ARCHIVE

There is one particular reason that so many young people are, tragically, smoking and that is the widespread availability of cheap illegal cigarettes at around R10 and R5 in more than 100 000 shops. The bill will do nothing about the problem; the inconvenient truth is that it will probably make it worse.

The minister denies that the bill will stimulate the illegal cigarette trade, yet countless legitimate and informed stakeholders, including the Tobacco Institute of Southern Africa (Tisa), have told his department otherwise, citing Australia, where the illicit incidence increased by almost 22% in the four years after the introduction of plain packaging.

I refer Motsoaledi to what the owners of the ultra-cheap brands that sell below the tax

owed to South African Revenue Service of R17.85 a pack. The representative organisation of these companies said on eNCA that they supported the bill because it would ban branding on packs, result in lower prices and thereby promote the sale of cheap cigarettes.

The minister claims that the bill will reduce smoking-related disease. But it is bizarrely out of step with the direction of the leading tobacco-control jurisdictions in the world, applies almost all of its provisions to traditional cigarettes and other electronic delivery systems alike.

According to e-cigarette companies in South Africa, this will be the end of the industry and all the jobs that go with it. The overwhelming balance of international scientific evidence finds consistently that

e-cigarettes are providing millions of smokers across the world, and in South Africa, with a potentially lifesaving gateway out of smoking. This is the view of leading tobacco industry antagonists like the UK Department of Health, the US Food and Drug Administration and Cancer Research UK.

These and hundreds more public health expert groups and researchers who have always called for the strictest form of tobacco regulation and are now calling on governments to recognise the potential for e-cigarettes and other alternative nicotine products to reduce smoking.

Many countries are heeding the call by creating separate and more lenient regulatory regimes for the new products, including the US, the EU, the UK and Canada.

It is astonishing that a bill that claims to be about health would eradicate this enormous health opportunity for South Africans by applying tobacco regulation to substantially safer alternatives.

President Cyril Ramaphosa and his team are trying to encourage investment and job creation. This bill and its process – rapid dismissal of all concerns expressed and a biased SEIA – is a poster child for the difficulties our country faces when it comes to attracting investment.

A policy like this, which is driven by ideological doctrine and has no prospect of improving the nation's health, could result in divestment by legal businesses and job losses.

Francois van der Merwe
Chairperson of the Tobacco Institute of Southern Africa