TERM (Tobacco Enforcement and Reporting Movement)
Marketing Of Tobacco Products In India

Situation Report # 1
August 1 – September 13, 2020

Background:

Tobacco advertising, promotion, and sponsorship is responsible for the growth of unhealthy tobacco consumption. The MPOWER technical package on tobacco control by the World Health Organization (WHO), and its international treaty, the Framework Convention on Tobacco Control (FCTC), recommend bans on tobacco advertising, promotion and sponsorship (TAPS). In India, Section 5 of the Cigarettes and Other Tobacco Products Act (COTPA) prohibits all direct and indirect advertisement of tobacco products and activity that may promote the use of tobacco products or any trademark or brand name of tobacco products.

Yet, tobacco marketing continues, globally and in India, including through online forums that are less well regulated[1]. Additionally, "corporate political activity" (CPA) or the attempts by corporations to influence policy to promote tobacco products has been well-documented internationally as a means of promoting tobacco[2],[3]. Chart 1 describes the range of direct and indirect tobacco marketing activities observed on online platforms in India. Using these frameworks, the Tobacco Enforcement and Reporting Movement or TERM was launched as a project by Vital Strategies to monitor tobacco marketing activities in India, as observed and reported online, and including those related to E-cigarettes and other novel products. This situation report is part of a monthly series that summarizes such observed instances of tobacco marketing.

Highlights

- *Tobacco marketing by volume:* A total of 572 online tobacco marketing instances were recorded between Aug 1 – Sept 13. Of these, 70% were surrogate marketing instances, 13% were events, promotions, and sponsorships, and 10% were direct marketing. Rest were 4% for e-cigarettes marketing and 3% for Corporate Social Responsibility (CSR). Smokeless tobacco companies did 54% of these marketing activities, smoking tobacco companies did 42%, and 4% were by e-cigarettes companies.

- *Tobacco marketing by states:* For smokeless tobacco marketing, 63% of instances were recorded from Uttar Pradesh, followed by 33% from Rajasthan, 2% from Delhi, and 2% from Chhattisgarh. Marketing instances by smoking tobacco companies were highest at 84% from West Bengal, followed by 13% from Maharashtra and 3% from Karnataka.

- *Corporate political activities:* Smokeless tobacco companies launched social media campaigns focusing on public sentiments around festivals. 45% of the total instances were

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[1] https://www.who.int/docs/default-source/searo/india/health-topic-pdf/tobacco/tobaccocontrol-tobacco-imagery-in-on-demand-ott-india-2020.pdf?sfvrsn=46395209_2
[2] Ulucanlar S, Fooks GJ, Gilmore AB (2016) The Policy Dystopia Model: An Interpretive Analysis of Tobacco Industry Political Activity. PLOS Medicine 13(9): e1002125.https://doi.org/10.1371/journal.pmed.1002125
[3] Hillman A.J., Keim, D., Schuler, D. (2004) Corporate political activity: A review and research agenda. Journal of Management, 30(6), pp.837-857. https://doi.org/10.1016/j.jm.2004.06.003

recorded as community celebrations and remembrance days. Smoking tobacco companies established partnerships with the government. 3% of marketing instances were focused on livelihood, 2% on women empowerment, and a total of 3% instances focused on agriculture, conservation, and sustainability.

- *Tobacco marketing by channel*: A total of 39% instances were recorded on Facebook, 39% instances on Instagram, 12% instances on Twitter, 9% online news, and 0.70% on YouTube. Smokeless tobacco companies used Facebook, Instagram, online news, Twitter, and YouTube for 54% of such marketing instances. In contrast, smoking tobacco companies used Facebook, Instagram, Online news articles, and Twitter, accounting for a total of 42% instances. E-cigarette companies used Instagram, online news, and Twitter, accounting for 4% instances of marketing.

- *Message framing and tone*: The most commonly used message frames during this period were the following: 241 (42%) linked their messaging to community celebration and public religious festivals. Other message frames included livelihood support (3%), women empowerment (2%), and sustainability (1%), among others. Smoking tobacco companies used a mix of messages focused on community celebrations of festivals, livelihood, and women empowerment, whereas smokeless tobacco companies mainly used community celebration and remembrance days. E-cigarette companies marketed the products through direct marketing. The tone for the marketing messages was mainly neutral (85%) in the reported marketing instances.

Recommendations:

- Due to the limited scope of a partial advertising ban on tobacco promotion, the tobacco industry is using creative, indirect ways to promote tobacco products and tobacco use, especially among young people. Therefore, a comprehensive ban on all forms of tobacco advertising should be introduced.

- Tobacco companies are investing a lot into social media marketing, primarily through Facebook and Instagram, to bypass advertising bans[4]. Although the advertising policies of Facebook and Facebook-owned platforms (like Instagram) prohibit any branded promotion of vaping and tobacco products through social media influencers, but it is primarily self-regulated. There is a need for a clear policy on social media promotion of tobacco and related products.

- Section 5 of the Cigarettes and Other Tobacco Products Act (COTPA) clearly defines the non-promotion of any tobacco product through direct and indirect means. However, surrogate marketing of tobacco products is rampant on social media. Recently, the Ministry of Consumer Affairs[5] has taken some steps to curb surrogate marketing and imitation advertising, but comprehensive enforceable legislation would strengthen the Tobacco Advertising, Promotion, and Sponsorship (TAPS) objective in India.

- Tobacco advertising and promotion should also include tobacco use. Depiction of tobacco use on online streaming platforms and on films and television is likely to have a promotional

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[4] https://brandequity.economictimes.indiatimes.com/news/digital/puff-the-social-dragon-is-social-media-turning-into-the-final-frontier-for-cigarette-brands/66047530
[5] https://consumeraffairs.nic.in/sites/default/files/file-uploads/latestnews/Draft%20guidelines%20for%20stakeholders%20consultation.pdf

effect[6]. Therefore, strict enforcement on the depiction of all forms of tobacco products and their use on all platforms (online and offline) should be done.

- The tobacco industry is continuing with its tactics to promote itself as socially responsible by contributing through CSR and aligning itself with the Government of India's flagship program. The guidelines to article 5.3 of the WHO FCTC clearly state that "The corporate social responsibility of the tobacco industry is, according to WHO, an inherent contradiction, as industry's core functions are in conflict with the goals of public health policies with respect to tobacco control"[7]. While the law requires compulsory spending on CSR activities, a stringent mechanism should be established to prevent the tobacco industry from deriving CSR activities' marketing and branding benefits.

Detailed Insights

Volume of Tobacco Marketing

- A total of 572 instances of tobacco marketing activities were recorded between Aug 1 – Sept 13. The main kinds of marketing activities included surrogate marketing, events, promotions and sponsorships, and direct marketing. Of the total instances of tobacco marketing, 402 (70%) were instances of surrogate marketing, 72 (13%) were events, promotions, and sponsorships, and 58 (10%) were instances of direct marketing.

- 53% of these marketing activities were done by smokeless tobacco companies, 42% were done by smoking tobacco companies, and 4% were by e-cigarettes companies.


Chart 1. Tobacco industry marketing activities

|	
Corporate Social Responsibility	3%
Direct Marketing	10%
E-cigarettes Marketing	4%
Event,Promotions and Sponsorships	13%
Surrogate Advertising	70%

Number of instances: 572

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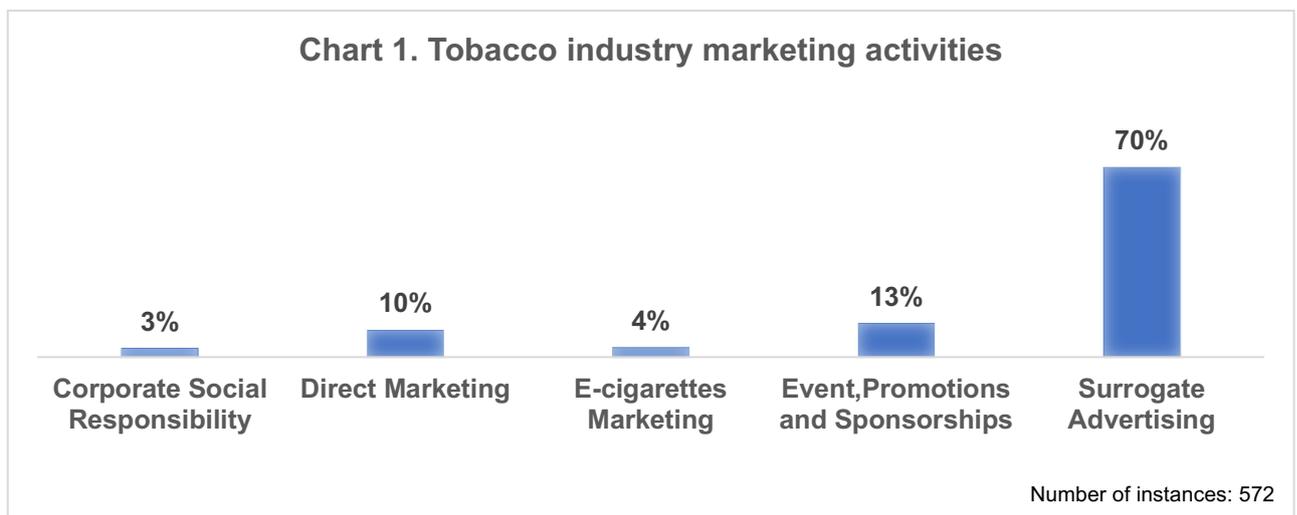
[6] https://www.who.int/docs/default-source/searo/india/health-topic-pdf/tobacco/tobaccocontrol-tobacco-imagery-in-on-demand-ott-india-2020.pdf?sfvrsn=46395209_2
[7] https://www.who.int/fctc/treaty_instruments/Guidelines_Article_5_3_English.pdf?ua=1

Chart 1b. Total marketing instances by product type

Number of instances: 572
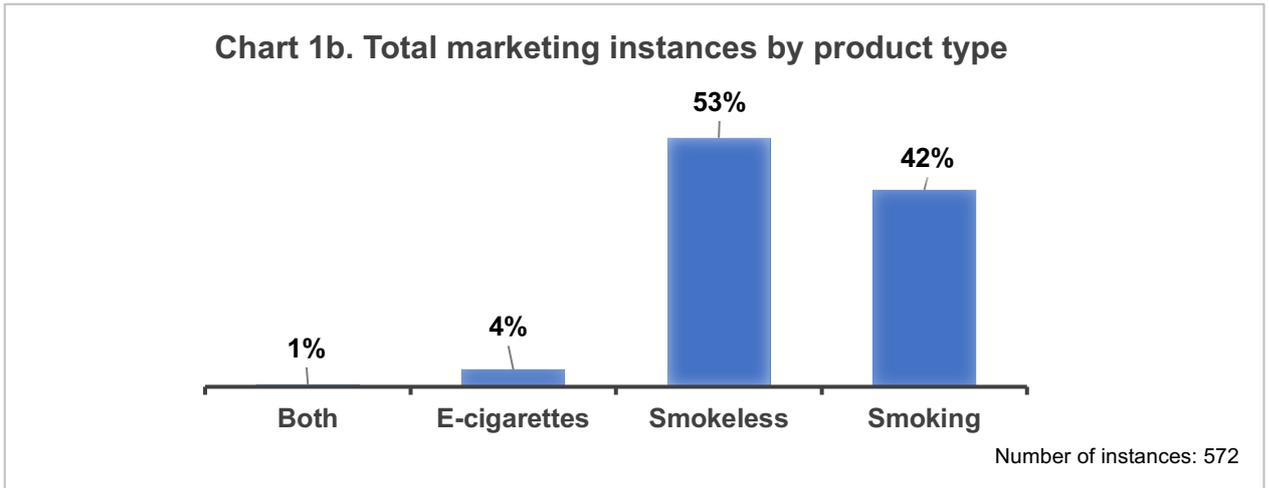
Tobacco Marketing By States

- Most tobacco marketing instances were observed in the states of West Bengal and Uttar Pradesh, followed by Rajasthan and Maharashtra. It could be because ITC Limited is headquartered in West Bengal, and the majority of smokeless tobacco companies, mainly pan masala companies, are located in Uttar Pradesh.

- 63% of marketing instances by smokeless tobacco companies were from Uttar Pradesh, followed by 33% from Rajasthan. Marketing by smoking tobacco companies were 84% from West Bengal followed by 13% from Maharashtra.

Chart 2: Tobacco Industry Marketing Activities by states in India

New Delhi 1%
Uttar Pradesh 35%
Rajasthan 18%
West Bengal 37%
Maharashtra 6%
Chhattisgarh 1%
Karnataka 1%

0% 25% 50% 75% 100%

Number of Instances : 572
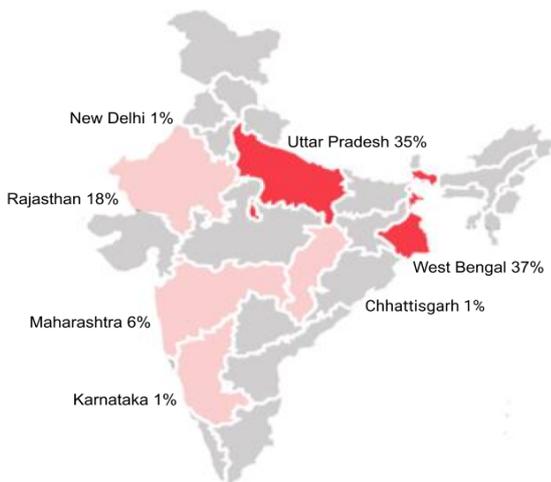
Chart 2a : Marketing by Smokeless tobacco

Uttar Pradesh 63%
Rajasthan 33%
Chhattisgarh 2%
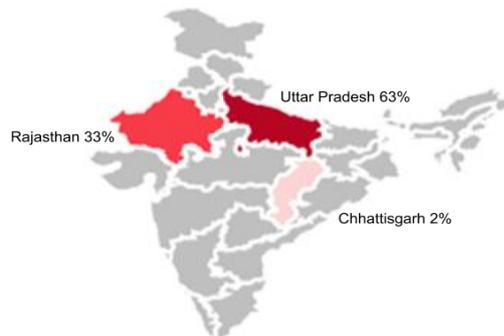
Chart 2b : Marketing Smoking tobacco

West Bengal 84%
Maharashtra 13%
Karnataka 3%
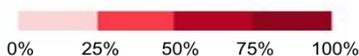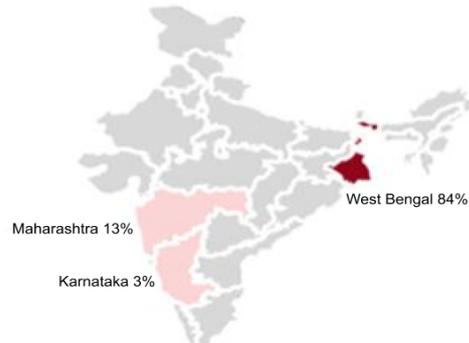
Marketing Violations This Month

Many – if not all -- of the instances of tobacco marketing observed this month were in violation of current regulations, as noted below.

Table 1: Type of marketing activities leading to violations

Marketing tactics	Applicable Regulation	Summary
Direct Marketing	**Section 5 (1) of COTPA**	There were 58 instances of direct marketing in September. Cigars were the tobacco product most often marketed directly. The marketing of these products with the messaging as aspirational and premium luxury products was done almost daily via social media, mainly Facebook. The product (cigar) was featured on the post.

Indirect Marketing (Surrogate marketing and Events, promotions, and sponsorships)	**Section 5 (1) of COTPA**	There were 474 instances of indirect advertising. Smokeless tobacco products were most often marketed indirectly. Messaging tended to highlight features such as taste and packaging of non-tobacco products. The advertising, promotions, and sponsorship activities were particularly timed around national holidays and festivals, including Independence Day, Ganesh Chaturthi, Janmashtami, and Raksha Bandhan were the key festivals during which the surrogate promotion of tobacco products was very high. Indirect messaging of tobacco products uses various online mediums such as Facebook, Instagram, Twitter, Online news, and YouTube. No celebrities or influencers were used to market the products.

CSR Activities	**WHO Framework Convention on Tobacco Control (FCTC) Article 5.3** **Section 5 of COTPA**	There were 19 instances of Corporate Social Responsibility activities by the tobacco company. ITC Limited is the primary driver of CSR activities by tobacco companies. Messaging was mainly focused on providing livelihood opportunities to farmers during the ongoing COVID-19 pandemic through various CSR schemes and events. The use of online news media and social media was prominent to promote CSR activities. Collaboration with Government schemes and departments was the main route for CSR activities.
E-cigarettes Marketing	**Section 3 (a) of The Prohibition of Electronic Cigarettes** (PRODUCTION, MANUFACTURE, IMPORT, EXPORT, TRANSPORT, SALE, DISTRIBUTION, STORAGE AND ADVERTISEMENT)	There were 21 instances of E-cigarettes marketing, where the companies are marketing their products through social media. The posts emphasize e-cigarettes flavours, new packaging, and products. The companies are marketing their products through their own and affiliates social media handles in India. No celebrities and influencers are being used by E-cigarette companies in India.

Marketing Instances by Tobacco Companies

- ITC leads the marketing activity by all tobacco companies; 200 (35%) instances were recorded during this report's period.
- Smokeless tobacco companies such as Miraj- 97 (17%), Dharampal Satyapal group- 68 (12%) and Pan Parag- 40 (7%) recorded the other marketing instances

Chart 2. Total instances by companies

Number of instances: 572
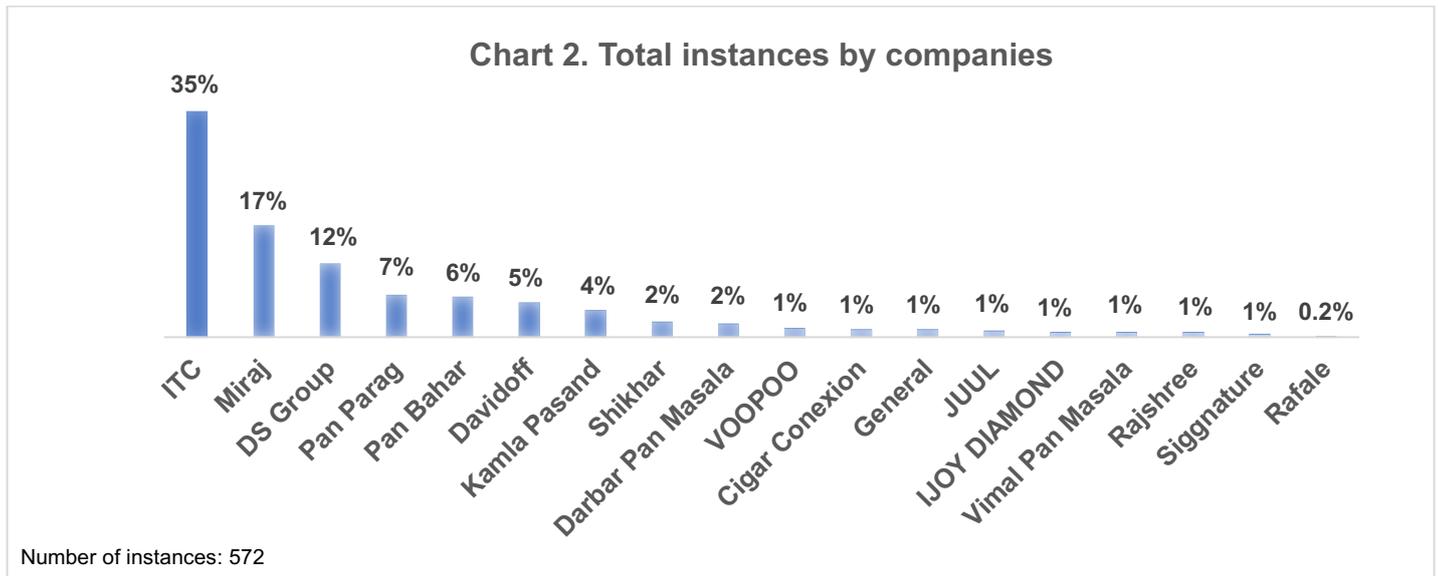
Corporate Political Activities

- Instances of Corporate Political Activities observed during this report's period included establishing relationships with governments and policymakers, both at the national and state level through partnership in Corporate Social Responsibility (CSR) activities. The period also saw a number of tobacco promotional messages linked to public festivals.

Table 2. Instances of observed corporate political activities (CPA) by the tobacco industry.

| Categories of CPA *Means by which tobacco consumption is normalized and promoted*	Observed Activities
Partnerships and Front-groups *Establishment of relationships with key officials, health advocates, doctors, and the media.*	- ITC Limited is working with the Agriculture Department in Bihar and Assam to provide training on crops' standard packaging. The company also highlighted its CSR initiatives such as sustainability and livelihood opportunities through the use of media and events. - Giving support to farmers during Covid pandemic - The agriculture department, in collaboration with ITC Ltd., provided technical training on SPoP - ITC: Taking up the farmers' baton

Information manipulation *Messaging that questions the credibility of public health measures; timing campaigns with the current public sentiment and festivals*	Smokeless tobacco companies, mainly Dharampal Satyapal group, Kamla Pasand, Pan Bahar, and Shikhar, launched social media campaigns timed with public festivals and community celebrations such as Independence Day, Ganesh Chaturthi, Rakshabandhan, and others. • [Kamla Pasand wishes you a Happy Onam](#) • [Wishing everyone a Happy and blessed Ganesh Chaturthi!](#) • [Happy Independence Day](#)
Influence policies *Support to government schemes, provide livelihood incentives, provide technical support to policymakers to further tobacco consumption.*	ITC limited supported government schemes by providing livelihood opportunities to the farmers under its CSR activities. It is also worked with the government in their COVID relief efforts to provide support to farmers and other sections of the society. • [Covid has pushed CSR deeper into corporate consciousness](#) • [CSR: Top Indian Companies Funding Rural Development](#)

[8] Mialon, M., Gaitan Charry, D., Cediel, G., Crosbie, E., Scagliusi, F., & Perez Tamayo, E. (2020). 'I had never seen so many lobbyists': Food industry political practices during the development of a new nutrition front-of-pack labeling system in Colombia. Public Health Nutrition, 1-9. doi:10.1017/S1368980020002268

Tobacco Marketing Activity by Channel

- Social media was the primary channel during this report's period for tobacco marketing in India. 90% of all tobacco marketing instances (direct and indirect) were on social media channels such as Facebook, Instagram, Twitter, and YouTube. Direct marketing of tobacco products is also mainly done through social media, primarily via Facebook and Instagram. The news media were the primary channels for reports of tobacco industry-sponsored corporate social responsibility initiatives.

- Marketing of smokeless tobacco and smoking tobacco was done via various social media channels such as Facebook, Instagram, Twitter, and YouTube, whereas e-cigarettes marketing companies primarily used Instagram and Twitter.

Chart 3. Marketing activity by channel

Legend: Facebook, Instagram, News, Twitter, YouTube

Corporate Social Responsibility: News 74%, Twitter 26%

Direct Marketing: Facebook 88%, News 9%, Twitter 3%

E-cigarettes Marketing: Instagram 86%, News 10%, Twitter 5%

Event, Promotions and Sponsorships: Facebook 14%, Instagram 40%, News 39%, Twitter 7%

Surrogate Advertising: Facebook 40%, Instagram 44%, News 1%, Twitter 14%, YouTube 1%
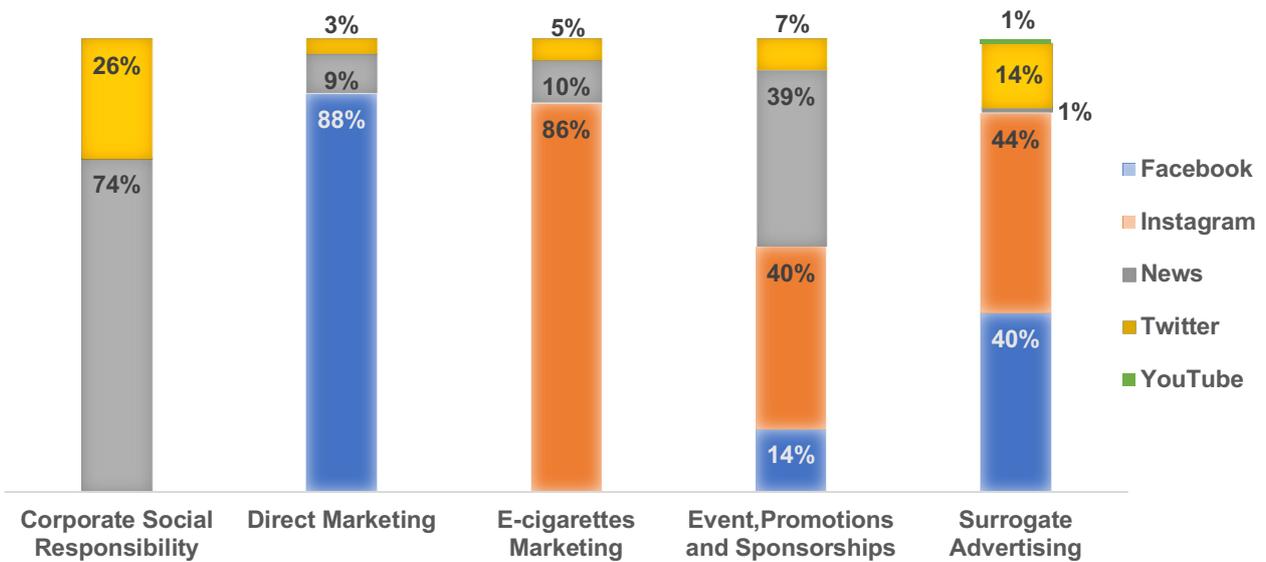
Number of instances: 572

Chart 3a. Marketing activity by smoking tobacco companies

Corporate Social Responsibility: 8%
Direct Marketing: 16%
E-cigarettes Marketing: 0%
Event, Promotions and Sponsorships: 22%
Surrogate Advertising: 54%
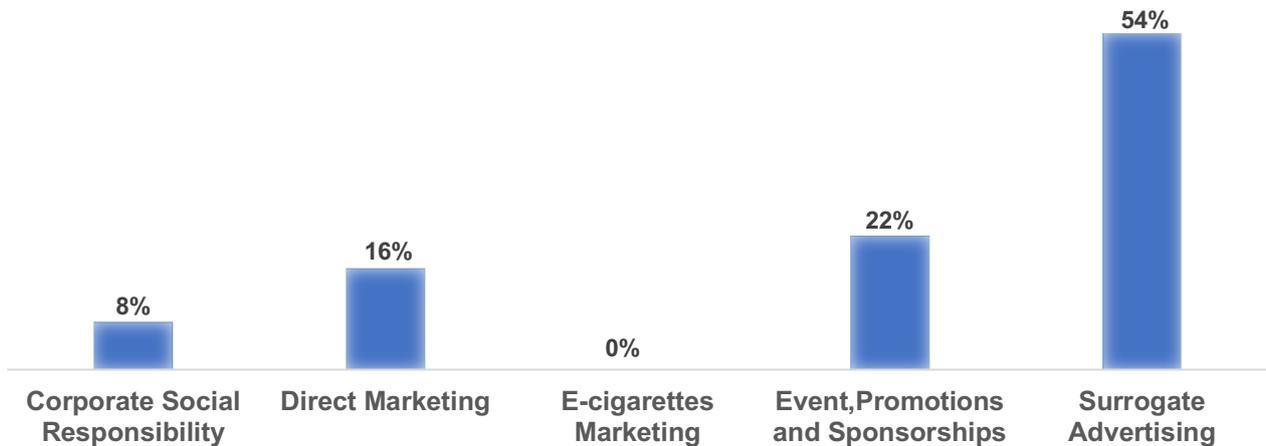
Chart 3b. Marketing activity by smokeless tobacco companies

Corporate Social Responsibility: 0%
Direct Marketing: 6%
E-cigarettes Marketing: 0%
Event, Promotions and Sponsorships: 6%
Surrogate Advertising: 88%

Vital Strategies
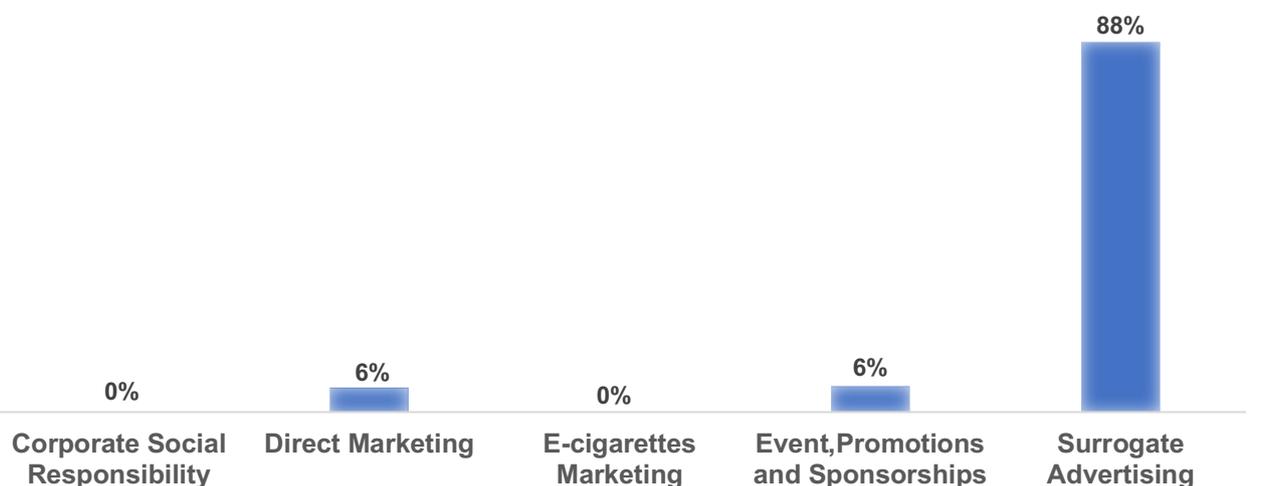
Chart 3c. Industry marketing activity by E-cigarettes tobacco companies

		100%		
Corporate Social Responsibility	Direct Marketing	E-cigarettes Marketing	Event,Promotions and Sponsorships	Surrogate Advertising
0%	0%		0%	0%
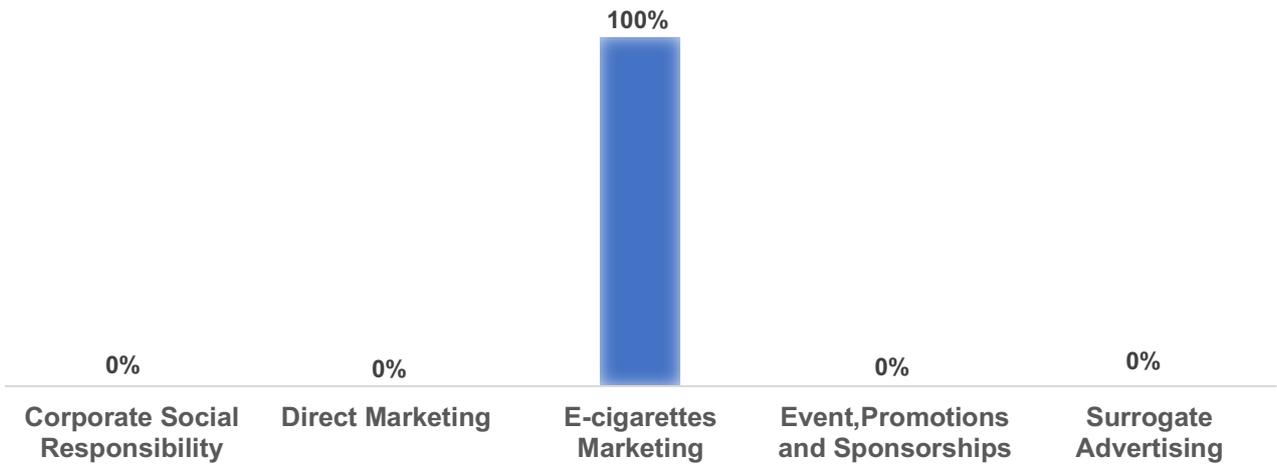
Message Framing and Tone

Frequently Used Messages

A "word cloud analysis" of communication messages enables the identification of words that were most frequently used on all the accessed online platforms. Our word cloud analysis of this month's tobacco marketing messages is presented below. It reveals that the words most often used this month pertain to public religious festivals – the names of the festivals, like Ganesh Chaturthi, of deities worshipped at the time, feature in the word cloud – and community celebrations, like teacher's day. The common evocation of teachers suggests that the marketing was directed at educational institutions, including educators, parents, and children. Cigars featured prominently in the word cloud this month.
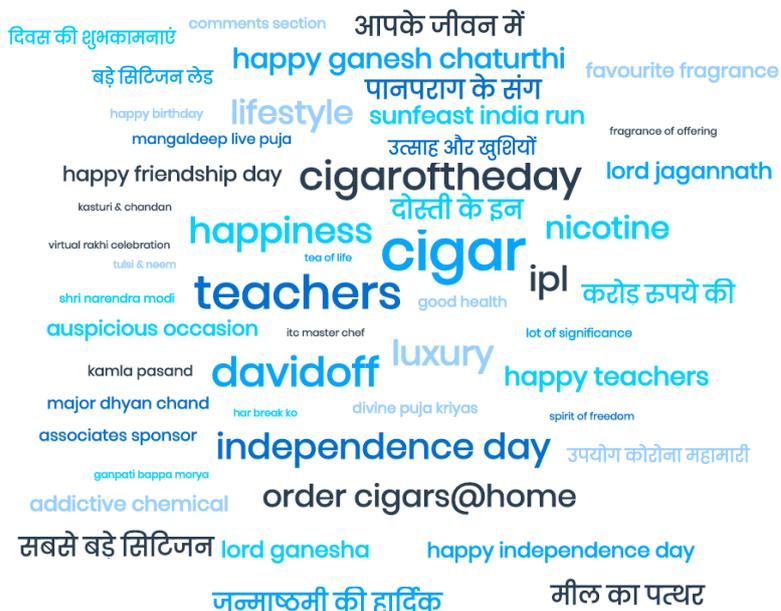
Framing of Marketing Messages

- 245 (43%) tobacco marketing messages were framed with a festive tone and linked to public and community holidays and events during this report's period. 6% of messages were framed with remembrance days messages on social media. Other most commonly used message frames included support provided by tobacco companies to improve livelihood, women empowerment, conservation, and sustainability, among others.

- Smokeless tobacco companies mainly focused on community celebrations, a total of 314 (55%) instances were recorded during the period. Marketing of smoking products was focused on community celebrations; 165 (29%) instances were recorded. 28 (7%) were recorded for message framing on livelihood, and 23 (4%) were on women empowerment.


Chart 4. Total instances by message framing

Category	Percentage
Non-specific framing	43%
Community celebration	42%
Remembrance days	6%
Livelihood	3%
Women empowerment	2%
Agriculture	1%
Conservation	1%
Sustainability	1%
Policy	1%
Economy	1%
Health	0.3%
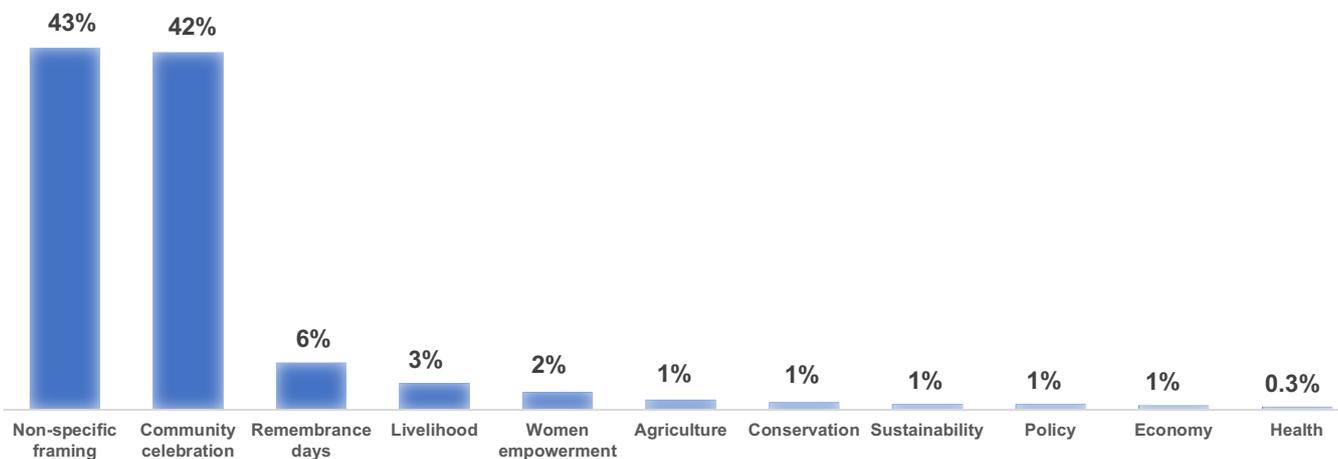
Chart 4a. Framing by smoking tobacco marketing instances

Category	Percentage
Agriculture	3%
Community Celebration	29%
Conservation	2%
Economy	1%
Health	1%
Livelihood	7%
Others	50%
Policy	0%
Remembrance Days	0%
Sustainability	2%
Women Empowerment	4%
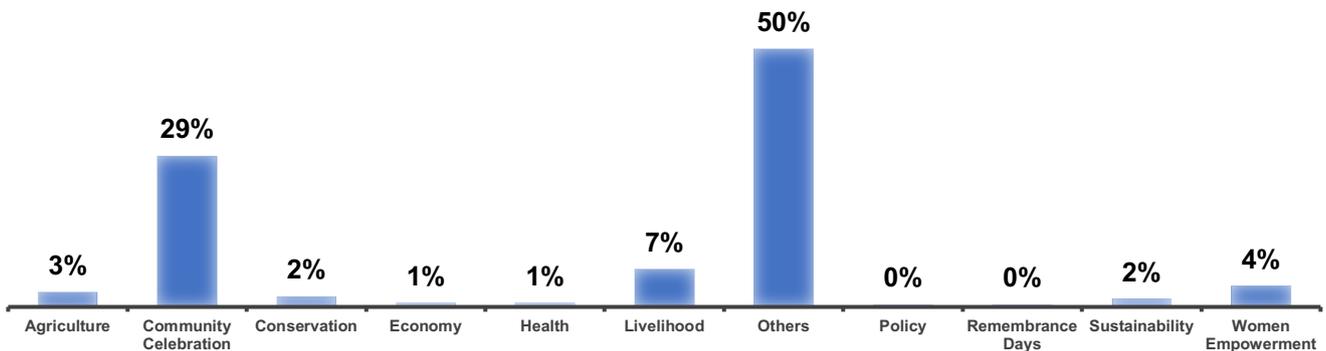
Number of instances: 572

Chart 4b. Framing by smokeless tobacco marketing messages

Agriculture	0%
Community Celebration	55%
Conservation	0%
Economy	0%
Health	0%
Livelihood	0%
Others	33%
Policy	0%
Remembrance Days	10%
Sustainability	0%
Women Empowerment	1%
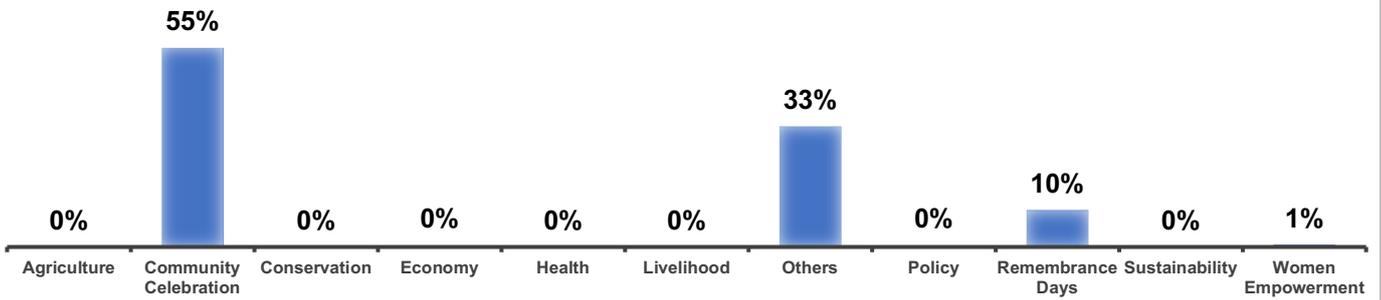
Number of instances: 572

Chart 4c. Framing by e-cigarettes marketing messages

Agriculture	0%
Community Celebration	0%
Conservation	0%
Economy	0%
Health	0%
Livelihood	0%
Others	90%
Policy	10%
Remembrance Days	0%
Sustainability	0%
Women Empowerment	0%
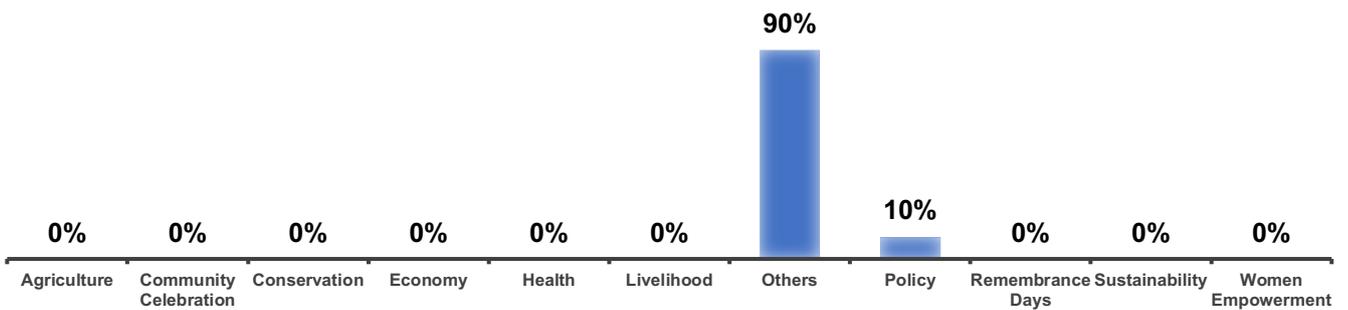
Number of instances: 572

Tone of Messages

- The marketing messages of 97% of the direct marketing instances were positive in tone towards tobacco products. 90% of e-cigarette's marketing messages were also positive in tone. All Corporate Social Responsibilities (CSR) marketing messages were neutral in tone, followed by surrogate advertising (99%) and events, promotions, and sponsorships (97%)

- 245 (43%) instances with positive and neutral tones were recorded for smoking tobacco companies. 284 (50%) instances were recorded, having a neutral tone for smokeless tobacco companies. 19 (3%) instances of positive tone towards tobacco marketing were towards e-cigarettes marketing.

The tone of the marketing messages was analyzed and coded as "positive," "neutral," or "negative." Direct marketing messages were all highly positive.

Indirect marketing messages were neutral in tone. This could be a strategy to avoid the violation of tobacco control laws.

Our report also picked up counter-marketing messages or e-cigarette marketing messages that were coded as negative in tone.
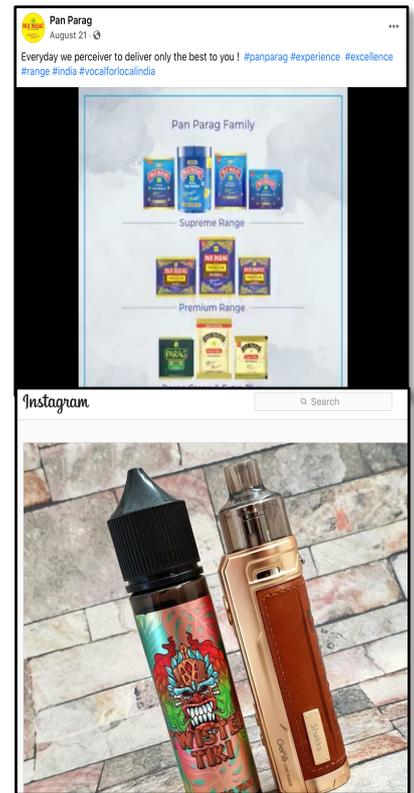

Chart 5. Tone of marketing activities

	Negative	Neutral	Positive
Direct Marketing	3%		97%
Surrogate Advertising		99%	1%
Event, Promotions and Sponsorships		97%	3%
Corporate Social Responsibility		100%	
E-cigarettes Marketing	10%		90%

Number of instances: 572
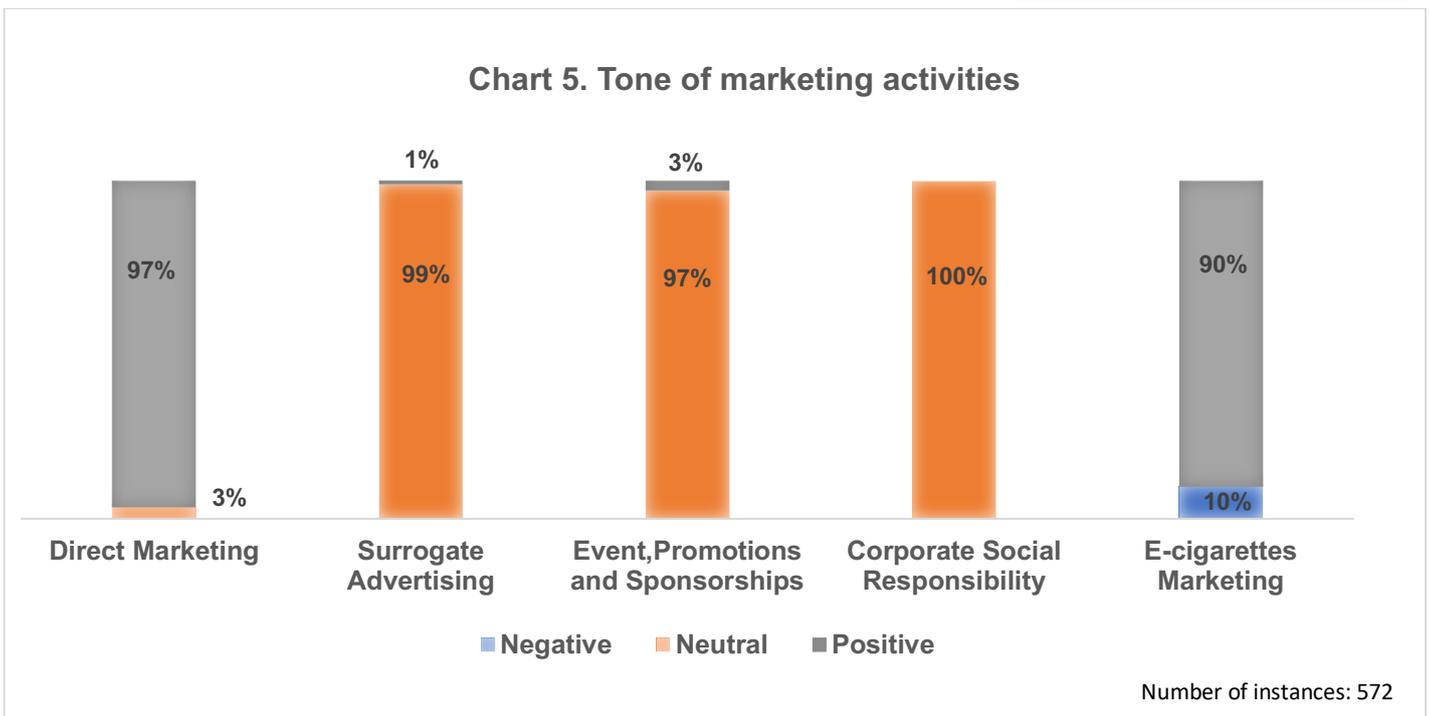
Government Mention in Tobacco Marketing

- The agriculture department from Sitamarhi district in Bihar and Dhubri district in Assam collaborated with ITC limited to provide a standard package of practices for crops through a digital platform.

Chart 6. Government mention in tobacco marketing instances

Yes- 1%

No- 99%

No

Yes

Number of instances: 572
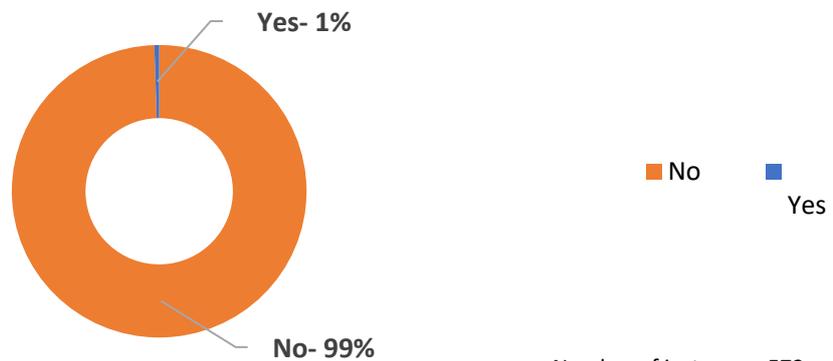
Methodology: This report summarizes information gathered through specified keyword searches from all publicly available online news sites, including the online websites of leading media houses like Times of India, Hindustan Times among others, and social and digital platforms, including but not limited to Facebook, Instagram, Twitter, YouTube, Forums. The information is then machine coded and human checked, systematically for instances of direct and indirect marketing by source. The analysis is currently restricted to content in English and Hindi. Full detailed methodology, including coding, is available upon request.

For more information:

Vital Strategies website: https://www.vitalstrategies.org/

Tobacco Enforcement and Reporting Movement Facebook page: https://www.facebook.com/termindia/

Vital Strategies' Media Beacon: https://www.mediabeacon.org/#language

Vital Strategies' Social Media: https://www.facebook.com/vitalstrategies/ ; https://twitter.com/VitalStrat