



Campaign for Tobacco-Free Kids urges Trans Pacific Partnership Agreement (TPPA) negotiators to exempt tobacco products from the proposed free trade agreement.

The proposed TPPA should not promote or result in increased tobacco use or inhibit any nation from exercising its sovereign authority to protect the health of its citizens by taking actions to reduce tobacco use.

Tobacco products require special treatment in the TPPA.

- Unlike other consumer products traded internationally, tobacco products are uniquely hazardous and highly addictive. In fact, they kill 1 in 2 users.¹
- In the 20th century, tobacco products killed 100 million people worldwide. Unless urgent action is taken, 1 billion people could die during the 21st century.²
- Nearly 60% of the world's smokers live in the Asia-Pacific region³ and global tobacco companies are aggressively seeking expansion into the region.⁴
- Liberalized trade is designed to make products more readily available to more consumers at lower prices in order to expand their use. In contrast, nations across the globe – *including all TPP trading partners* – have acted to curb the tobacco epidemic by signing onto the world's first public health treaty designed to reduce tobacco-caused death, disease and disability - the **World Health Organization Framework Convention on Tobacco Control (FCTC)**.

The TPPA should not create another tool that may result in challenges to legitimate public health measures.

- The FCTC requires Parties to (1) Place strong health warnings on cigarette packs; (2) Eliminate misleading tobacco packaging and labeling that creates a false impression about a product's health effects; (3) Ban tobacco advertising, promotion and sponsorship; (4) Enact 100% smoke-free indoor air laws; (5) Protect their tobacco control measures from the commercial interests of the tobacco industry, among other measures.
- Trade rules are increasingly being used to challenge measures to implement the FCTC, including in Canada, Turkey, Ireland, Uruguay, Norway and Australia. In other instances, public health laws of sovereign nations to curb the tobacco epidemic have been challenged using trade laws, including state-state disputes (e.g., Indonesia's suit against the U.S. claiming the ban on clove cigarettes violates trade agreements).

The Solution: Exempt products from the TPPA & Give Precedence to Public Health Goals.

- Reforms to specific parts of the TPPA, such as the TBT, IP, or investment chapters may address part of the problem, but even that would not prevent second guessing of legitimate efforts as being more trade restrictive than necessary. Anything other than exclusion of tobacco products may continue the chilling effect of threatened lawsuits, preventing countries from enacting public health protections for their citizens.

Tobacco is simply not like any other consumer product, and should not be treated as one in a free trade agreement.

¹ WHO Report on the Global Tobacco Epidemic: Warning about the dangers of tobacco. World Health Organization, Geneva (2011).

² WHO Report on the Global Tobacco Epidemic: The MPOWER package. World Health Organization, Geneva (2008).

³ Euromonitor International. Global Tobacco Findings 2011: Battle Intensifies (Aug 2011).

⁴ Euromonitor International. Global Tobacco: Where Next for the Major Players? (Feb 2009).