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**Fact sheet on the upcoming ban on the promotion of tobacco products through sponsorship initiatives**

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**Introduction**

Health Canada is following through on its commitment to ban tobacco company sponsorship promotions including those associated with cultural and sporting events. In 1998, Parliament passed an amendment to the *Tobacco Act* which set in motion a five-year plan to phase-in this ban. On October 1, 2003, this transition period will come to an end and the complete ban will be in place.

It should be noted that the Act will not prohibit tobacco companies from supporting cultural and sporting organizations and events. Rather, it is simply banning the promotion of such sponsorship.

**1. Why is Health Canada interested in banning the promotion of tobacco company sponsorship of cultural and sporting events?**

Research shows that tobacco company sponsorship of cultural and sporting events and organizations is a very effective form of indirect advertising. This advertising contributes to shaping attitudes towards smoking by glamourizing tobacco products and their use. It also diminishes the effectiveness of tobacco control programs, especially those aimed at young people. Restrictions on promotions, such as this ban on sponsorship promotion, are in place to protect children and youth from marketing activities that induce them to use tobacco products.

**2. What changes will come into effect on October 1, 2003?**

As of October 1, 2003, it will be against the law to promote a tobacco company's sponsorship of a person, entity, event, or activity by displaying or otherwise using the name of the tobacco company or product-related brand elements. Cultural events like music festivals and sporting events like professional racing will no longer be able to use a tobacco company's name, logo or brand elements as part of the event name or on promotional materials such as banners, advertisements, brochures, and program guides. Likewise, athletes will no longer be able to wear clothes that show the name, logo, or another brand element associated with a tobacco sponsor.

In addition, it will be against the law to promote sponsorship by putting the name of a tobacco company or its product-related brand elements on a permanent sports or cultural facility, such as an arena or theatre. Facilities that already have these elements in place will have to remove them by October 1, 2003.

**3. What will happen if a tobacco company chooses to ignore the new requirements?**

Federal tobacco inspectors will be monitoring compliance with the ban. As with any person who contravenes the *Tobacco Act* or any of its regulations, anyone who ignores the new ban may be charged and, if found guilty of an offence, will be liable on summary conviction of a fine.

**4. Is there really a link between the promotion of tobacco sponsorships and the increased use of tobacco products?**

Marketing information gathered from tobacco companies, as well as information collected in studies, have shown quite clearly that sponsorships are an effective form of promotion for tobacco companies and their products.

The Quebec Superior Court said the following in its December 2002 decision, regarding a constitutional case opposing the three largest tobacco companies to the government of Canada: “Tobacco companies recognize that advertising is essential to maintaining the size of the market because it reinforces the social acceptability of tobacco use by identifying it with glamour, affluence, youthfulness and vitality.”

The Court added: “It is, quite simply, incredible that Canada’s tobacco companies would spend over \$75 million each year on advertising if they did not believe that it would increase consumption.”

The US Surgeon General, in its 2000 report entitled *Reducing Tobacco Use*, quotes a study that found teenagers who can readily name a cigarette brand and who own a tobacco-company-sponsored promotional item are more than twice as likely to become established smokers than other adolescents.

**5. Is the Canadian federal government alone in banning or restricting tobacco sponsorship activities?**

No, Canada is not alone in its efforts to ban or restrict the promotion of tobacco sponsorships. In 1998, the Quebec National Assembly prohibited all tobacco sponsorship activities (effective October 1, 2003). France has already banned sponsorship promotion and other members of the European Union have until July 31, 2005, to do the same.

A large number of countries around the world are also looking at banning tobacco sponsorship as they prepare to ratify the international Framework Convention on Tobacco Control.

**6. What impact will the ban have on cultural and sporting organizations and events, especially those that have received tobacco industry funding until now?**

When the *Tobacco Act* was amended in 1998, Health Canada encouraged organizations that were receiving sponsorships from tobacco companies to start making alternate arrangements. The five-year transition period was put in place to ease the impact of the ban. Many sporting and cultural organizations that previously received funds from tobacco companies have successfully found new sponsors.

**7. What about TV or radio broadcast of foreign car races — will we still see tobacco logos on the cars and on the clothing?**

If the broadcast originates from outside Canada, the ban will not apply. Canadian tobacco companies, marketing agencies and broadcasters should, however, become familiar with provisions of the Act that may restrict some of their activities with respect to such broadcasts.

**8. What does the law say about the ban?**

The provisions dealing with the upcoming ban can be found in sections 24 and 25, modified pursuant to the *Act to amend the Tobacco Act*. An electronic version of this amendment is available at: <http://laws.justice.gc.ca/en/1998/38/9350.html>.