

# Tobacco in Plastics Policies



## SUMMARY

Measures to address plastics, especially single use plastics, should align with the WHO Framework Convention on Tobacco Control (FCTC). Tobacco companies know that the cigarette filters are plastic fibers that have been linked to a more aggressive form of cancer. They also know that the filter is a design feature that, if removed, could reduce consumer appeal. Cigarette filters are ubiquitous, toxic, single use plastics that should be banned, and the tobacco companies should be held to account for harms caused. Many NGOs and the WHO have already called for a ban on cigarette filters. Measures short of a ban could inadvertently promote the tobacco industry and its products. In accordance with treaty obligations, country practices and UN principles, the tobacco industry must be subject to exclusionary rules. It must not be included as stakeholders in plastics policy development.

## BACKGROUND:

### I. RELEVANT FACTS ABOUT CIGARETTE FILTERS

- a) **Deadly Feature:** Cigarette filters release plastic fibers into the lungs and are linked to a more aggressive form of lung cancer, but consumers believe they make the product safer.[1]-[4]
- b) **Attractive Design Feature:** Cigarette filters are a product design feature intended to make smoking more convenient and appealing to smokers.[5] Experts note that banning filters as single use plastics could lead to reducing the attractiveness of the cigarettes and could compel smokers to quit.[6]
- c) **Tobacco Companies' Filter Fraud:** The tobacco companies, despite being aware of the harms of plastic filters, continue to expose consumers to additional harms; they are viewed to be part of an ongoing and continuing "filter fraud".[7],[8]
- d) **Ubiquitous Litter:** Cigarette filters are the single most littered plastic on the planet with 4.5 trillion butts littered every year.[9]
- e) **Toxicity:** Cigarette filters are a form of non-biodegradable plastic waste that carry tobacco residue, toxic chemicals, and heavy metals that have been shown to harm aquatic and plant life.[10]
- f) **Microplastic Content:** Along with plastics in packaging, cigarettes filters degrade into microplastics that may be ingested by marine organisms.[11]
- g) **Single Use Plastic (SUPs):** Cigarette filters[12] have been deemed as "single use plastics" by experts[13] and United Nations Environment Programme publications.[14],[15] Notably, environmental advocates agree that SUPs should be eliminated.[16]
- h) **Toxic Waste:** Cigarette filters contain high levels of hazardous contaminants but have yet to be classified as "hazardous waste".[17],[18]
- i) **Dangers of Recycling:** Tobacco companies are seen to support efforts to "recycle" cigarette filters or re-purpose them as construction or plastic materials.[19] However, there are no studies showing the possibility of either the safe removal of toxins or the long-term safety of such products.[20]

- j) **Concerns on Biodegradable Options:** Some tobacco companies have converted some plastic packaging into biodegradable alternatives but have not converted filters accordingly, claiming it is not commercially feasible. [21],[22] Nevertheless, allowing tobacco companies to make filters "biodegradable" suggests permitting attractive design features that undermine tobacco control measures. Notably, cigarettes can function without filters and if removed, could reduce cigarettes' appeal and encourage smokers to quit.

## II. RELEVANT GLOBAL TREATY PROVISIONS

The global tobacco treaty, the **WHO Framework Convention on Tobacco Control (WHO FCTC)**, is the first and only multilateral treaty that regulates a consumer product and the industry concerned. This is justified by the fact that tobacco products are uniquely harmful, have no benefit to humankind, cost the global economy USD 1.4 trillion annually, and kill over 8 million people each year.[23]

- a) **Article 5.3** mandates Parties to protect public health policies from the commercial and vested interests of the tobacco industry, while the Guidelines recommend withholding any incentive to the tobacco industry, denormalizing so-called corporate social responsibility (CSR), and limiting engagements between tobacco industry actors and government.[24]
- b) **Article 9/10 Partial Guidelines** recommend removing features that make tobacco products more attractive.
- c) **Article 13** mandates a comprehensive ban on all forms of tobacco advertising, promotion and sponsorships, including so-called CSR.[21]
- d) **Article 17/18** seeks to support economically viable alternatives[25] and to have due regard for the protection of the environment arising from tobacco cultivation or manufacture.[21]
- e) **Article 19** seeks to deal with criminal and civil liability, including compensation.[21]

## III. ALIGNING TREATY MANDATES AND GOALS TO TOBACCO PLASTICS

Tobacco products are classified as uniquely harmful, while the tobacco industry needs to be strictly regulated in order to curb the tobacco epidemic. The tobacco industry's business of promoting deadly products violates human rights. [20],[26] Unlike any other industry where corporate contribution is viewed as part of corporate ethics, tobacco is incapable of undertaking anything socially responsible. The so-called "social responsibility" activities of the tobacco industry are deemed an inherent contradiction because the tobacco industry's core functions are in conflict with the goals of public health policies.[27],[28]

### 1. The tobacco industry must be excluded from policy development and not treated as a regular stakeholder

The tobacco industry should not be deemed a regular stakeholder because its business goal of selling deadly products for profit at the expense of net economic and human loss to the world is in direct conflict with human rights and development.[29] It should be excluded from any stakeholder status and public-private sector partnerships.

There is a fundamental conflict of interest between the tobacco industry and public health. International instruments, such as the WHO FCTC and the 2011 UN Political Declaration on NCDs, reflect the global view that the tobacco industry is an exception to policies on multi-stakeholder inclusion and private sector partnerships.[30] The FCTC specifically entreats Parties to exclude the tobacco industry from policy development or implementation by mandating Parties to protect public health policies from the commercial and vested interests of the tobacco industry (Article 5.3). The treaty's rules of procedure and subsequent decisions of the governing bodies reflect mechanisms to exclude tobacco industry participation at the Conference of the Parties (COPs).

Many governments have adopted policies to exclude the tobacco industry from engaging with government officials, from participating in policy development or implementation, or from contributing to the government,[31] in accordance with the WHO FCTC. Some countries have also adopted special exclusionary rules on tobacco including on free trade and investment (e.g. CPTPP countries), investment portfolios (e.g. Norway), awards (e.g. Bangladesh), and contracts (e.g. the Philippines).

Notably, while the WHO FCTC highlights excluding the tobacco industry from “tobacco control policies” the WHO FCTC itself describes tobacco control policies as health measures ranging from demand and supply-side regulations to environmental and agricultural interventions. Furthermore, a clean, healthy, sustainable environment is considered a human right,[32] which is one of the foundations of tobacco control policies.

The UN’s rules on partnerships consistently exclude the tobacco industry because its operations violate the UN’s core values. The UN Sustainable Development Group (UNSDG) Common Approach to Due Diligence for Private Sector Partnerships,[33] adopted in 2019, places tobacco in the exclusionary category. This embodies guidance from the UN Global Compact, which removed tobacco companies from its roster of businesses that can commit to adopt sustainable and socially responsible policies.[34] The common approach reflects the policies of the WHO Framework of Engagement with Non-State Actors (2016),[35] which was negotiated and adopted by Member States,[36] as well as the UN Economic and Social Council Resolution (2017) that adopted a model policy for UN agencies. Other UN agencies and programs have adopted a similar policy to exclude tobacco companies in the context of business sector engagements, e.g. UNEP, UNDP, UNESCO, UNITAID, etc. (See below) The WHO rejects any engagement with the tobacco industry, including tobacco-funded vaccines,[37] and multilateral organizations like the World Bank have disassociated themselves from events sponsored by the tobacco industry.[38] It bears stressing that the United Nations Environment Programme’s partnership policies identifies “tobacco” as part of a category for which an exclusion must be considered.

### **UN Environment Programme, Partnership Policies and Procedures 2011**

“Category B (Yellow) Caution: Decision by Partnership Committee

UN entities are, however, encouraged to be consistent across the UN system, and the responsible Officer needs to **consider exclusion** in cases where the potential partner organization originates from industries such as arms, tobacco and alcohol manufacturing, and/or gambling.

UNGC sensitive industries list: Tobacco and alcohol – These organizations exclude working with companies in these sectors: WHO, UNICEF, OHCHR, FPA, and UNITAR”[39]

*Source: UNEP Partnership Policy and Procedures: Policy Outline No.1/2011 (UNEP, 2011).*

## **2. In single use plastics/plastics policies, cigarette filters must be explicitly banned**

Organizations from the environment and tobacco control sectors as well as the WHO have called for a ban on cigarette filters as SUPs and for the tobacco industry to be held accountable for environmental harms.[40] Among the various measures to address “tobacco product waste” or cigarette filters, a ban is most consistent with the WHO FCTC. Aside from banning filters, other proposed measures include charging the tobacco companies for costs, e.g. suits, fines or fees for past, present or future clean-up campaigns[41] or environmental degradation, etc., and incorporation of a plan to phase out cigarettes.[42],[43] Proposed measures such as the shift to recyclable filters, educational programs, product stewardship/EPR approaches, and deposit-return programs,[44]-[46] if not designed with a view to prevent tobacco industry interference, could have an inadvertent promotional effect in favor of tobacco companies.[47]

General regulatory approaches in dealing with SUPs can be classified as a ban on the item, a levy on producers, retailers or consumers, a ban on SUPs, a levy on the less-polluting alternative product, and EPR. Of these, only a ban on the cigarette filters and/or levies/charges that are preparatory to a ban, are likely to avoid risks of undermining the WHO FCTC and tobacco industry interference, while also achieving the aims of eliminating SUPs. [48] (See Annex A) An outright ban could potentially be more efficient and effective than, for instance, managing an EPR scheme where the tobacco industry could exploit loopholes, as occurred in France where tobacco companies exploited EPR as a CSR opportunity.[49]

Other measures proposed by stakeholders to be included in the treaty include reducing the use of virgin plastics, eliminating SUPs, safe recycling, preventing plastics entry into the environment, EPR or voluntary certification schemes, and remediation with a view to making communities whole. Of these, eliminating SUPs and remediation appears to be most compatible with the WHO FCTC. Others have a higher potential of conflicting with fundamental provisions of the tobacco treaty, especially provisions on advertising bans, recommendations on avoiding incentives for tobacco business, and guidance on removing features that result in attractiveness of tobacco products.[50] (See Annex B)

### **3. A ban on filters should be in addition to remediation measures**

Cigarette filters have been entering the environment over several decades and governments have since borne the burden of their adverse impacts on natural ecosystems, in addition to waste management. Based on methods in estimating costs of plastic pollution, damage to marine ecosystems costs USD 20 billion per year, or around USD 186 billion in the past decade alone.[51] This estimate does not include escalated damages caused by the toxicity of cigarette filters and annual mitigation costs, e.g. clean-up, littering programs, etc., that would vary in different localities. The “polluter pays” concept suggests that the producer, or the entity directly responsible for the pollution, should bear the burden of these costs, and the tobacco companies that sold and profited from cigarettes have yet to pay for the damage.[52] A variety of options compliant with the WHO FCTC, such as surcharges, levies, taxes, fees, etc., can be considered in holding the tobacco industry to account for such costs. Article 6 calls for tax and price measures while Article 19 urges Parties to deal with the liability of the tobacco industry, including compensation.[53] In this context, tobacco products must be differentiated from other plastic products. Tobacco products have no benefit and have caused and continue to cause countless deaths and disabilities, especially in developing countries.

## ANNEX A

### Policy Tools & WHO FCTC Implications (GGTC, [Tobacco Toxic Plastics, 2022](#))

Policy Tools	Implications	WHO FCTC Treaty Affected
Ban on the item	If tobacco companies continue to sell the product without the filters, the product will likely be less palatable and attractive and ultimately, discourage use.	Generally consistent with the treaty objectives. Art 14 mandates Parties to promote cessation of tobacco use, and Art 18 focuses on the protection of the environment.
Levy on suppliers/ producers	A form of levy through tobacco taxes is in place in many jurisdictions. The infrastructure made available by the fact that practically all governments impose some form of excise or specific tax on tobacco products make this a feasible and practical option but should not preclude a subsequent ban on the cigarette filter as a toxic single use plastic. A levy may also be used by the industry as a delay tactic to avoid a ban on cigarette filters so care must be taken in using this option.	Can be consistent with WHO FCTC if done as part of or a precursor to a ban instead of an alternative to it or as a means to delay the same.
Levy on retailers	A levy on retailers has not met much success in tobacco control as this requires a complex process of licensing all retailers which has yet to be done in many jurisdictions. Nevertheless, levies on retailers have been done in many countries for bans on shopping bags. A levy may also be used by the industry as a delay tactic to avoid a ban on cigarette filters so care must be taken in ensuring this is a means to an end, not the end itself.	
Levy on consumers	A levy on consumers has the effect of a price measure which could dissuade smokers and encourage quitting, but it may also be used by the industry as a delay tactic to avoid a ban on cigarette filters so care must be taken in using this option.	
Ban and Levy (e.g Ban on one item, and levy on another less polluting item)	Tobacco companies are likely to produce an alternative (unfiltered cigarettes/ vapor products) in light of any ban on filtered cigarettes. Any form of encouragement towards the use of an alternative to tobacco, e.g. vaping products, would have public health and governance implications.	May violate Art 13 to the extent that alternative tobacco products are promoted and may violate Art 5.3 to the extent that tobacco companies are incentivized or benefited to run their business.
Extended producer Responsibility	Current forms of EPR fundamentally require self-policing, and some level of cooperation with the government. This is usually implemented as a precursor or alternative to a regulatory measure such as a ban or levy. Tobacco companies are exploiting this scheme to promote themselves as "socially responsible" companies.	Inconsistent with Art 5.3, which prohibits partnerships with and voluntary agreements of the tobacco industry; and potentially Art 13, restricting or banning tobacco sponsorship including so-called CSR.

**ANNEX B****Proposed Inclusion for Plastics Treaty and Assessment (GGTC, Tobacco's Toxic Plastics, 2022)**

<b>Policy Recommendations of Environment Sector</b>	<b>Implication for Cigarette Butts / Tobacco Products</b>	<b>WHO FCTC Treaty Provision Affected</b>
Reduce Virgin Plastics	Both the cigarette filters and the outer plastic packaging can be derived from virgin plastics; and reducing these would be consistent with the objective of reducing tobacco use.	Generally consistent with the treaty objectives. Art 14 mandates Parties to promote cessation of tobacco use
Eliminate Single Use Plastics	Cigarette filters are primarily made from cellulose acetate which are classified as "single use plastics", hence, should be eliminated. Filters create an added health risk due to plastic fibers that fall out as well as its link to Adenocarcinoma (aggressive type of lung cancer), and its attractiveness tends to fuel adolescent uptake.	Generally consistent with the treaty objectives of Art 19, prescribing regulations to reduce the attractiveness of cigarettes including of design features and ingredients.
Safe Recycling	There is no recycling method for cigarette butts that has been widely accepted and scientifically proven to be safe and cost efficient. Recycling may not be applicable for cigarette butts. Encouraging recycling of filters may also send the wrong signal that it is a safe, more eco-friendly way of consuming tobacco, reducing the desire to quit.	Will likely go against Art 13 which prohibits / restricts marketing of tobacco products, and Art 9/10 (Guidelines) on reducing attractiveness of products
<b>Removing Plastics</b>		
Preventing Plastics entry into the environment	Cigarette butts are the most littered item in most public places and when littered, releases toxins that are harmful whether on land, water or air. Action must be taken to remove butts and prevent them from entering the environment.	Art 18 focuses on the need for the protection of the environment and health of persons in relation to the environment.[191]
Modify legislation: From EPR to certification schemes	Certification schemes and voluntary industry standards require self-policing by the tobacco industry, and some level of cooperation with the government. This is usually implemented as a precursor or alternative to a regulatory measure such as a ban or levy. Tobacco companies have used these types of schemes as part of their marketing and public relations strategies in the past, at the expense of public health	Inconsistent with Art 5.3, which prohibits partnerships with and voluntary agreements of the tobacco industry; and potentially Art 13, restricting or banning tobacco sponsorship including so-called CSR
<b>Modify legislation: From EPR to voluntary industry standards</b>		
Remediation of plastics with a view to making impacted communities whole	Due to its toxic nature, cigarette butts need to be taken out of the ecosystem, along with other plastics, despite the financial costs. Under the polluter pays principle, tobacco companies can be made to pay proportionately to the harms caused.	Art 6 Guidelines provide for tax measures including dedicating taxes for health promotion. Art 19 provides for addressing the liability of the tobacco industry, including compensation

- 1.** Evans-Reeves K, Lauber K, Hiscock R. The 'filter fraud' persists: the tobacco industry is still using filters to suggest lower health risks while destroying the environment. *Tob Control*. 2022;31(e1):e80-e82. doi:10.1136/tobaccocontrol-2020-056245.
- 2.** Pauly JL, Stegmeier SJ, Allaart HA, et al. Inhaled cellulosic and plastic fibers found in human lung tissue. *Cancer Epidemiol Biomarkers Prev*. 1998;7(5):419-428.
- 3.** Pauly JL, Mepani AB, Lesses JD, et al. Cigarettes with defective filters marketed for 40 years: what Philip Morris never told smokers. *Tobacco Control*. 2002;11:i51-i61.
- 4.** Song MA, Benowitz NL, Berman M, et al. Cigarette Filter Ventilation and its Relationship to Increasing Rates of Lung Adenocarcinoma. *J Natl Cancer Inst*. 2017;109(12):dx075. doi:10.1093/jnci/djx0753.
- 5.** Talhout R, Richter PA, Stepanov I, Watson CV, Watson CH. Cigarette Design Features: Effects on Emission Levels, User Perception, and Behavior. *Tob Regul Sci*. 2018;4(1):592-604. doi:10.18001/TRS.4.1.6
- 6.** Evans-Reeves K, Lauber K, Hiscock R. The 'filter fraud' persists: the tobacco industry is still using filters to suggest lower health risks while destroying the environment. *Tob Control*. 2022;31(e1):e80-e82. doi:10.1136/tobaccocontrol-2020-056245.
- 7.** Ibid.
- 8.** Hamzai L, Novotny TE, Hendrix L, Williams R. APPENDIX B1 The Cigarette Filter: A Review of Utility, Environmental Impacts, and Policy Solutions, 2022. Available from: [https://merg.sdsu.edu/wp-content/uploads/2022/05/Appendix-B1-The-Cigarette-Filter\\_-A-Review-of-Utility-Environmental-Impacts-and-Policy-Solutions.pdf](https://merg.sdsu.edu/wp-content/uploads/2022/05/Appendix-B1-The-Cigarette-Filter_-A-Review-of-Utility-Environmental-Impacts-and-Policy-Solutions.pdf)
- 9.** WHO. WHO raises alarm on tobacco industry environmental impact, 2022. Available from: <https://www.who.int/news/item/31-05-2022-who-raises-alarm-on-tobacco-industry-environmental-impact>.
- 10.** Sy D. Tobacco's Toxic Plastics: A global outlook. GGTC, 2022. Available from: <https://ggtc.world/knowledge/all-topics/tobaccos-toxic-plastics-a-global-outlook>.
- 11.** Ibid.
- 12.** Note that "post-consumer tobacco waste" suggests inclusion of the packaging waste and is typically used in discussions on clean ups and waste management, but is not widely used in the global environmental community.
- 13.** Kumar R, Verma A, Shome A, Sinha R, Sinha S, Jha PK, Kumar R, Kumar P, Shubham, Das S, Sharma P, Vara Prasad PV. Impacts of Plastic Pollution on Ecosystem Services, Sustainable Development Goals, and Need to Focus on Circular Economy and Policy Interventions. *Sustainability*. 2021; 13(17):9963. <https://doi.org/10.3390/su13179963>.
- 14.** UNEP. Single-use plastics: A roadmap for Sustainability, 2018. Available from: <http://www.unep.org/resources/report/single-use-plastics-roadmap-sustainability>.
- 15.** Canada, EU and UK consider filters SUP. Canada exempted it due to lack of viable alternatives.
- 16.** UNEP. How to reduce the impacts of single-use plastic products, 2021. Available from: <https://www.unep.org/news-and-stories/story/how-reduce-impacts-single-use-plastic-products>.
- 17.** Sy D. Tobacco's Toxic Plastics: A global outlook. GGTC, 2022. Available from: <https://ggtc.world/knowledge/all-topics/tobaccos-toxic-plastics-a-global-outlook>.
- 18.** Note that Canada's labelling of plastics as toxic substance had been met with legal challenges. See: Williams N. Alberta to intervene in legal challenge to Canadian plastic legislation. Reuters, 2022. Available from: <https://www.reuters.com/business/energy/alberta-government-intervene-legal-challenge-canadian-plastic-legislation-2022-09-08/>. Cigarette filters is classified as "toxic plastic" like any other plastics but is exempted due to "no viable alternative". See: Physicians for a Smoke-Free Canada. Plastic waste from tobacco and vaping products, 2022. Available from: <https://smoke-free.ca/SUAP/2020/Single-Use-Plastics-and-Tobacco-Waste.pdf>.
- 19.** GGTC, Tobacco's Toxic Plastics, 2022 citing Mohajerani A, et al. Physico-mechanical properties of asphalt concrete incorporated with encapsulated cigarette butts. *Construction and Building Materials*, 153, 69-80. Available from: <https://www.sciencedirect.com/science/article/abs/pii/S0950061817314241>. See also: Mohajerani A, Kurmus H, Rahman MT, et al. Bitumen and Paraffin Wax Encapsulated Cigarette Butts: Physical Properties and Leachate Analysis. *Int. J. Pavement Res. Technol.*, 2021. Available from: <https://doi.org/10.1007/s42947-021-00063-9>. See also: Mohajerani A, et al. Implementation of Recycling Cigarette Butts in Lightweight Bricks and a Proposal for Ending the Littering of Cigarette Butts in Our Cities. *Materials* 2020, 13, 4023. Available from: <https://doi.org/10.3390/ma13184023>. Note that this is a privately funded study by a commercial entity that sells but receptacles, linked to an NGO partner that is pro-PM.
- 20.** Hazbehian M, Mokhtarian N, Hallajisani A. Converting the cigarette butts into valuable products using the pyrolysis process. *Global Journal of Environmental Science and Management*, 8(1), 133-150. Available from: <https://dx.doi.org/10.22034/gjesm.2022.01.10>. See also: Torkashvand J, Farzadkia M. A systematic review on cigarette butt management as a hazardous waste and prevalent litter: control and recycling. *Environmental science and pollution research international*, 26(12), 11618-11630. Available from: <https://doi.org/10.1007/s11356-019-04250-x>.

**21.**

Novotny TE, Lum K, Smith E, Wang V, Barnes R. Cigarettes butts and the case for an environmental policy on hazardous cigarette waste. *Int J Environ Res Public Health*. 2009;6(5):1691-1705. doi:10.3390/ijerph6051691.

See also: Regnier E. Plastic Cigarette Filters Should Be Prohibited. Plastic Soup Foundation, 2020. Available from: <https://www.plasticsoupfoundation.org/en/2020/12/plastic-cigarette-filters-should-be-prohibited/>.

**22.**

Food Safety and Standards Authority of India. Direction under Section 16 (5) of Food Safety and Standards Act, 2006 regarding re-operationalisation of Food Safety and Standards (Licensing and Registration of Food Business) Amendment Regulations, 2021., 2022. Available from: [https://www.fssai.gov.in/upload/advisories/2022/06/62b58d1b0bf8eDirection\\_ReOperationalization\\_FSS\\_Licensing\\_Registration\\_24\\_06\\_2022.pdf](https://www.fssai.gov.in/upload/advisories/2022/06/62b58d1b0bf8eDirection_ReOperationalization_FSS_Licensing_Registration_24_06_2022.pdf).

See also: PMI. Philip Morris International – Integrated Report 2021, 2022. Available from: <https://www.pmi.com/sustainability/pmi-s-2021-integrated-report-introduces-new-sustainability-strategy-to-accelerate-its-smoke-free-and-esg-ambitions>.

**23.**

WHO. WHO Report on the Global Tobacco Epidemic 2021: Addressing new and emerging products, 2021. Available from: <https://apps.who.int/iris/bitstream/handle/10665/343287/9789240032095-eng.pdf?sequence=1&isAllowed=y>.

**24.**

WHO. Guidelines for Implementation of the Who Framework Convention on Tobacco Control, 2013. Available from: [https://apps.who.int/iris/bitstream/handle/10665/80510/9789241505185\\_eng.pdf?sequence=1](https://apps.who.int/iris/bitstream/handle/10665/80510/9789241505185_eng.pdf?sequence=1).

**25.**

Novotny TE, Bialous SA, Burt L, et al. The environmental and health impacts of tobacco agriculture, cigarette manufacture and consumption. *Bull World Health Organ*. 2015;93(12):877-880. doi:10.2471/BLT.15.152744.

**26.**

Ibid.

See also: The Danish Institute of Human Rights. Human Rights assessment in Philip Morris International, 2017. Available from: <https://www.humanrights.dk/news/human-rights-assessment-philip-morris-international>.

**27.**

WHO. Tobacco industry and corporate social responsibility – an inherent contradiction, 2004. Available from: <https://ggtc.world/library/tobacco-industry-and-corporate-responsibility-an-inherent-contradiction-2004>

Note that the tobacco industry's core purpose is to make profit. Its most profitable product is cigarettes. The more profitable and successful they are, the more people will die.

**28.**

WHO. WHO Framework Convention on Tobacco Control Guidelines for Implementation, 2011. Available from: [https://apps.who.int/iris/bitstream/handle/10665/75218/9789241501316\\_eng.pdf](https://apps.who.int/iris/bitstream/handle/10665/75218/9789241501316_eng.pdf).

**29.**

The Danish Institute of Human Rights. Human Rights assessment in Philip Morris International, 2017. Available from: <https://www.humanrights.dk/news/human-rights-assessment-philip-morris-international>.

**30.**

Political Declaration on the HLM on NCDs. Private sector partnerships are recognized but a subsequent provision indicate the fundamental conflict of interest between the tobacco industry and public health.

**31.**

See GGTC's Handbook on implementation of WHO FCTC Article 5.3 for a list.

GGTC. Handbook on implementation of WHO FCTC Article 5.3: Policies and practices that protect against tobacco industry interference, 2021. Available from: <https://ggtc.world/library/handbook-on-implementation-of-who-fctc-article-53-policies-and-practices-that-protect-against-tobacco-industry-interference-2021>.

**32.**

UN General Assembly. The human right to a clean, healthy and sustainable environment: resolution / adopted by the General Assembly, 76th sess.: 2021-2022. Available from: <https://digitallibrary.un.org/record/3983329?ln=en>.

**33.**

The United Nations Sustainable Development Group (UNSDG) was tasked to develop a common approach to partnerships with the private sector, to facilitate contributions in support of the SDGs. An inter-UN agency group developed a Common Approach to Due Diligence for Private Sector Partnerships (Common Approach) which reflects current practices for private sector engagement, and affirms common principles.

See: General Assembly Economic and Social Council. Repositioning the UN development system to deliver on the 2030 Agenda – Ensuring a Better Future for All (A/72/124–E/2018/3), 2017. Available from: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N17/210/35/PDF/N1721035.pdf?OpenElement>.

See also: General Assembly Economic and Social Council. Repositioning the United Nations development system to deliver on the 2030 Agenda: our promise for dignity, prosperity and peace on a healthy planet [A/72/684], 2017. Available from: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N17/460/52/PDF/N1746052.pdf?OpenElement>.

See also: UN ECOSOC. 2019 ECOSOC Partnership Forum – “Partnerships Driving Inclusive Implementation of the SDGs, 2019. Available from: [https://sustainabledevelopment.un.org/content/document/s/To learn more, visit STOP Tobacco Pollution Alliance 21335Final\\_Concept\\_Note\\_2019\\_ECOSOC\\_Partnership\\_Forum.pdf](https://sustainabledevelopment.un.org/content/document/s/To%20learn%20more,%20visit%20STOP%20Tobacco%20Pollution%20Alliance%2021335Final_Concept_Note_2019_ECOSOC_Partnership_Forum.pdf).

**34.**

UN Global Compact. UN Global Compact Integrity Policy Update, 2017. Available from: [https://d306pr3pise04h.cloudfront.net/docs/about\\_the\\_gc%2FIntegrity\\_measures%2Fintegrity-recommendation-2017.pdf](https://d306pr3pise04h.cloudfront.net/docs/about_the_gc%2FIntegrity_measures%2Fintegrity-recommendation-2017.pdf).

**35.**

Jeffery B. WHO Framework of engagement with non-State actors (FENSA): Drawing bright lines or abandoning safeguards?. Geneva Global Health Hub. Available from: <https://g2h2.org/posts/fensa/>.



**36.**

“EB146/34

*In response to the 2017 Report of the United Nations Secretary-General on repositioning the United Nations development system,<sup>1</sup> which called for a coherent and streamlined approach on due diligence standards and procedures across the United Nations system as part of stepping up the scale and scope of partnerships with the business community to accompany the requirements of the 2030 Agenda, WHO has actively participated in the consultative process and provided inputs to the United Nations Sustainable Development Group on a proposed common approach to prospect research and due diligence for business sector partnerships. In its contributions towards increasing harmonization, efficiency and transparency across the United Nations family, the WHO Secretariat has sought to ensure that the common approach respects the Organization’s policies regulating engagement with private sector entities and its due diligence and risk assessment, which Member States have explicitly negotiated and approved through governing bodies.”*

Source: Director-General. Engagement with non-State actors Report on the implementation of the Framework of Engagement with Non-State Actors. WHO, 2019. Available from: [https://apps.who.int/gb/ebwha/pdf\\_files/EB146/B146\\_34-en.pdf](https://apps.who.int/gb/ebwha/pdf_files/EB146/B146_34-en.pdf).

**37.**

GGTC. Philip Morris International and Medicago's COVID-19 Vaccine, 2022. Available from: <https://ggtc.world/knowledge/partnerships-lobbying-and-corruption/philip-morris-international-and-medicago-covid-19-vaccine>.

**38.**

WHO FCTC. UN agencies and tobacco industry interference Examples of good practice from UN agencies. Available from: <https://untobaccocontrol.org/impldb/wp-content/uploads/resources/UN%20agencies%20and%20tobacco%20industry%20interference.pdf>.

**39.**

See: forthcoming issue brief: STOP. An Inherent Contradiction: The Tobacco Industry’s Environment Social & Governance (ESG) Activities, 2022.

**40.**

Other NGOs have called for a filters ban or replacement such as in Wales (Marine Conservation Society and ASH), Scotland (ASH Scotland, the Marine Conservation Society, Zero Waste Scotland, Scottish Water and Keep Scotland Beautiful), and Netherlands (Ocean Movement / Plastic soup). There are messages against tobacco companies that involve “making them responsible” (Seahugger, US). In 2019, scientists from San Diego University and London School of Hygiene called for a ban on cigarette filters. In 2022, WHO called for banning filters as these provide no benefits and merely pollute the waters.

**41.**

GGTC, Tobacco’s Toxic Plastics, 2022 citing San Francisco Administrative Code. Sec. 105.3. – Imposition of Cigarette Litter Abatement Fee. Available from: [https://codelibrary.amlegal.com/codes/san\\_francisco/latest/sf\\_admin/0-0-0-21548](https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_admin/0-0-0-21548).

See also: STOP. How Should Tobacco Companies Pay for Their Pollution?, 2022. Available from: <https://exposetobacco.org/resource/tobacco-company-pollution/>.

**42.**

“• *Banning or regulating the manufacturing of cigarettes with filters.*  
• *Requiring producers to implement deposit-return programs*  
• *Banning smoking in designated outdoor areas and places*  
• *Suing tobacco companies for failing to ensure safe cleanup and disposal of their products.*  
• *Assessing cleanup costs and imposing abatement fees or waste fees on cigarettes. (This can be done at the national or subnational levels.)*  
• *Including labels on cigarette packages that remind smokers that cigarette butts are toxic and should be properly disposed of.*  
• *Fining tobacco companies for the amount of their product found as litter.*  
• *An endgame for tobacco that integrates environmental and public health strategies, including a phase out of cigarettes Governments have obligations under the Framework Convention on Tobacco control to:*  
• *Address the environmental consequences of tobacco use*  
• *Protect health policies from tobacco industry interference and conduct their engagements with the industry in a transparent manner.”*

Source: Physicians for a Smoke-Free Canada. Plastic waste from tobacco and vaping products, 2022. Available from: <https://smoke-free.ca/SUAP/2020/Single-Use-Plastics-and-Tobacco-Waste.pdf>.

**43.**

“*Upstream approaches through: o Prohibiting the sale of filtered cigarettes; o Controlling density of tobacco distributors; and o Disseminating comprehensive and accurate information about the environmental impacts of TPW and the health risks of the cellulose acetate filter. · Midstream approaches including: o Implementing fees (given restrictions of Proposition 26) to offset costs of cleanup and environmental damages; o Transferring environmental regulatory costs on the industry where feasible, and o Litigating to recover costs of nuisance and damages to ecosystems services. · Downstream approaches including: o Addressing TPW accumulation through existing environmental regulations such as the Trash Amendment to the California Clean Water Act; o Conducting scientifically valid TPW monitoring programs to assess TPW burdens on specific communities; o Establishing and enforcing outdoor smoking prohibitions; o Assessing specific industry contributions to TPW burdens, and o Measuring progress in TPW burden reduction. · Conducting additional research to assess: o Specific damages done to ecosystems, natural areas, animal health, and human health by TPW; o Impacts of cigarette butt-specific cellulose acetate in aquatic biomes; o Costs of TPW cleanup, prevention, program administration, and long-term environmental impacts; o Impacts of non-cigarette butt TPW, including on new and emerging ESD, cigar products, hookah, packaging, and other forms of TPW; and o The unique impacts of TPW in communities where retailer density, and likely exposure to TPW, is highest.”*

Source: Novotny TE, Bialous SA, Hill K, Hamzai L, Beutel M, Hoh E, Mock J, Matt GE. Tobacco Product Waste in California: A White Paper. California Tobacco Control Program, California Department of Public Health, 2022. Available from: [https://merg.sdsu.edu/wp-content/uploads/2022/05/Tobacco-Product-Waste-in-California\\_-A-White-Paper.pdf](https://merg.sdsu.edu/wp-content/uploads/2022/05/Tobacco-Product-Waste-in-California_-A-White-Paper.pdf).

**44.**

Physicians for a Smoke-Free Canada. Plastic waste from tobacco and vaping products, 2022.

Available from: <https://smoke-free.ca/SUAP/2020/Single-Use-Plastics-and-Tobacco-Waste.pdf>.

**45.**

*“Upstream approaches through:*

- o Prohibiting the sale of filtered cigarettes;*
- o Controlling density of tobacco distributors; and*
- o Disseminating comprehensive and accurate information about the environmental impacts of TPW and the health risks of the cellulose acetate filter.*

*Midstream approaches including:*

- o Implementing fees (given restrictions of Proposition 26) to offset costs of cleanup and environmental damages;*
- o Transferring environmental regulatory costs on the industry where feasible, and*
- o Litigating to recover costs of nuisance and damages to ecosystems services.*

*Downstream approaches including:*

- o Addressing TPW accumulation through existing environmental regulations such as the Trash Amendment to the California Clean Water Act;*
- o Conducting scientifically valid TPW monitoring programs to assess TPW burdens on specific communities;*
- o Establishing and enforcing outdoor smoking prohibitions;*
- o Assessing specific industry contributions to TPW burdens, and*
- o Measuring progress in TPW burden reduction.*

*Conducting additional research to assess:*

- o Specific damages done to ecosystems, natural areas, animal health, and human health by TPW;*
- o Impacts of cigarette butt-specific cellulose acetate in aquatic biomes;*
- o Costs of TPW cleanup, prevention, program administration, and long-term environmental impacts;*
- o Impacts of non-cigarette butt TPW, including on new and emerging ESD, cigar products, hookah, packaging, and other forms of TPW; and*
- o The unique impacts of TPW in communities where retailer density, and likely exposure to TPW, is highest.”*

Source: Novotny TE, Bialous SA, Hill K, Hamzai L, Beutel M, Hoh E, Mock J, Matt GE. Tobacco Product Waste in California: A White Paper. California Tobacco Control Program, California Department of Public Health, 2022. Available from: [https://merg.sdsu.edu/wp-content/uploads/2022/05/Tobacco-Product-Waste-in-California\\_-A-White-Paper.pdf](https://merg.sdsu.edu/wp-content/uploads/2022/05/Tobacco-Product-Waste-in-California_-A-White-Paper.pdf).

**46.**

Tobacco Control Legal Consortium. Policy Tools for Minimizing Public Health and Environmental Effects of Cigarette Waste. Available from:

<https://publichealthlawcenter.org/sites/default/files/tclc-guide-cigarette-waste-2013.pdf>.

**47.**

Ibid.

Case study, see: France's EPR System. In: Tobacco's Toxic Plastics: A global outlook. GGTC, 2022. Available from: <https://ggtc.world/knowledge/all-topics/tobaccos-toxic-plastics-a-global-outlook>.

**48.**

Sy D. Tobacco's Toxic Plastics: A global outlook. GGTC, 2022. Available from: <https://ggtc.world/knowledge/all-topics/tobaccos-toxic-plastics-a-global-outlook>.

**49.**

See: France's EPR System. In: Tobacco's Toxic Plastics: A global outlook. GGTC, 2022. Available from: <https://ggtc.world/knowledge/all-topics/tobaccos-toxic-plastics-a-global-outlook>.

**50.**

GGTC. How should tobacco companies pay for their pollution?. Available from:

<https://tobaccoplastics.ggtc.world/>

*“In addition to costs of waste management, the world suffers at least USD 20 B per year in marine ecosystem losses due to the tobacco plastic waste that is estimated to enter the oceans. Considering inflation rates, this would roughly be a total of USD 186 B in the past 10 years. This estimate does not account for the environmental harms from the toxic chemicals and metals released by cigarettes.”*

See: Sy D. Tobacco's Toxic Plastics: A global outlook.

GGTC, 2022. Available from: <https://ggtc.world/knowledge/all-topics/tobaccos-toxic-plastics-a-global-outlook>.

**51.**

The Tobacco Industry and the Environment. STOP, 2021. Available from: <https://exposetobacco.org/resource/ti-and-environment/>.

**52.**

WHO Framework Convention on Tobacco Control. WHO, updated 2005. Available from: <http://apps.who.int/iris/bitstream/handle/10665/42811/9241591013.pdf?sequence=1>.

**53.**

Tobacco Control Legal Consortium. Policy Tools for Minimizing Public Health and Environmental Effects of Cigarette Waste. Available from: <https://publichealthlawcenter.org/sites/default/files/tclc-guide-cigarette-waste-2013.pdf>.