New research uncovers 'one of the tobacco industry's greatest scams'

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Two new studies from the Tobacco Control Research Group at the University of Bath, published in the *BMJ* journal, *Tobacco Control*, expose evidence that big tobacco companies are still facilitating tobacco

smuggling, while attempting to control a global system designed to prevent it, and funding studies that routinely overestimate levels of tobacco smuggling.

The findings come off the back of a major announcement last week from Bloomberg Philanthropies which makes Bath's Tobacco Control Research Group one of the leaders of an all-new $20 million global tobacco industry watchdog aiming to counter the negative influences of the tobacco industry on public health. The global partnership aims in particular to highlight tobacco industry activity across low and middle income countries.

The first study, which draws on leaked documents, highlights the elaborate lengths the industry has gone to control a global track and trace system and to undermine a major international agreement—the Illicit Trade Protocol—designed to stop the tobacco industry from smuggling tobacco.

A linked blog and editorial in the *BMJ*, help explain the findings.

In 2012, off the back of a string of inquiries, court cases and fines all aiming to hold the major tobacco companies to account for their involvement in global tobacco smuggling operations aimed to avoid paying taxes, governments around the world adopted the Illicit Trade Protocol (ITP). Part of a global treaty, the Framework Convention on Tobacco Control, the ITP aims to root out tobacco industry smuggling through an effective track and trace system—a system in which tobacco packs are marked so they can be tracked through their distribution route and, if found on the illicit market, can be traced back to see where they originated.

Fearful of developments, the new study argues that at this point the tobacco industry claimed to have changed, no longer the perpetrators of

smuggling, but instead themselves now the victims of smuggled and counterfeited tobacco.

Simultaneously the major tobacco companies developed their own track and trace system, 'Codentify', lobbying governments around the world to see it adopted as the global track and trace system of choice. Leaked documents show the four major transnational tobacco companies hatched a joint plan to use front groups and third parties to promote 'Codentify' to governments and have them believe it was independent of industry and how these plans were operationalised. For example, the study reveals how a supposedly independent company fronted for British American Tobacco (BAT) in a tender for a track and trace system in Kenya.

Yet, reveal the researchers, growing evidence suggests the tobacco industry is still facilitating tobacco smuggling. Approximately two thirds of smuggled cigarettes may still derive from industry. At best, the authors suggest, this shows the tobacco industry's failure to control its supply chain, but they point to growing evidence from government investigations, whistleblowers and leaked tobacco industry documents all suggesting ongoing industry involvement.

The study suggests that in order to bolster support for their system and enhance their credibility, Big Tobacco created front groups, poured funding into organisations meant to hold it to account and into initiatives that would curry favour, and paid for misleading data and reports.

Professor Anna Gilmore, Director of the Tobacco Control Research Group, explains: "This has to be one of the tobacco industry's greatest scams: not only is it still involved in tobacco smuggling, but big tobacco is positioning itself to control the very system governments around the world have designed to stop it from doing so. The industry's elaborate and underhand effort involves front groups, third parties, fake news and

payments to the regulatory authorities meant to hold them to account."

[The second study](link), published today examines the quality of the data and reports on illicit tobacco that the tobacco industry has funded and raises further concerns about the tobacco industry's conduct. It finds that industry-funded data routinely overestimates levels of tobacco smuggling.

The first study to systematically identify and review literature that assesses industry-funded data on the illicit tobacco trade, it identifies widespread concerns with the quality, accuracy and transparency of tobacco-industry funded research. Industry-funded data were criticised for a fundamental lack of transparency at every stage of the research process, from sampling and data collection, through analysis to publication of findings.

The authors posit that the consistency with which issues have been identified suggests that the tobacco industry may be intentionally producing misleading data on the topic.

The authors suggest that despite overwhelming evidence of historical complicity in tobacco smuggling and their latest evidence suggesting that tobacco companies are continuing to fuel the illicit trade, the industry now portrays itself as key to solving the problem, presenting its funding of research as an example of its attempts to reduce illicit trade.

Lead author Allen Gallagher from the Tobacco Control Research Group at Bath explains: "Our latest findings fit with the tobacco industry's long history of manipulating research, including its extensive efforts to undermine and cause confusion on science showing the negative health impacts of smoking and second-hand smoke."

Second author Dr. Karen Evans-Reeves added: "Despite far-reaching

concerns over industry-funded data on this topic, tobacco companies continue to spend millions of pounds funding research into the illicit tobacco trade. As recently as 2016 Philip Morris International's PMI IMPACT initiative pledged 100 million USD for this purpose. Yet, if industry-funded data consistently fails to reach the expected standards of replicable academic research, we must question if it has any use beyond helping the industry muddy the waters on an important public health issue."

The team is now calling on governments and international bodies to crack down on Big Tobacco's tactics, to ensure that systems designed to control tobacco smuggling are truly independent of the industry and its front organisations, and that research on tobacco smuggling is free of industry interests.

Professor Gilmore, senior author on both papers states: "Governments, tax and customs authorities around the world appear to have been hoodwinked by industry data and tactics. It is vital that they wake up and realise how much is at stake. Tobacco industry funded research cannot be trusted. No government should implement a track and trace system linked in any shape or form to the tobacco manufacturers. Doing so could allow the tobacco industry's involvement in smuggling to continue with impunity."

Andy Rowell, co-author of the first paper states: "Governments need to be alert to what the tobacco industry is doing and to realise it is now operating via a complex web of front groups and companies. Any track and trace system linked to 'Codentify' simply cannot be trusted."