

Tobacco Product Waste: Lessons from Around the World

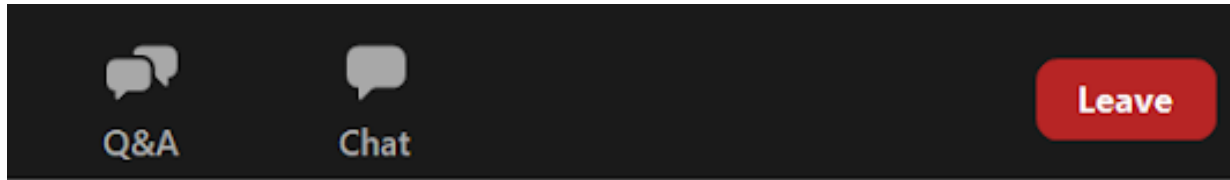
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ASH
ACTION
ON SMOKING & HEALTH

CNCT
COMITÉ NATIONAL CONTRE LE TABAGISME
Association reconnue d'utilité publique



Technology



Ask questions through the Q&A box. We will review them to answer at the end.

- All PowerPoint slides will be linked in the Thank You email and available at <https://ash.org/webinars>.
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Speakers



Danielle Van Kalmthout
*General Coordinator, Belgian
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François Topart
*Communication and Advocacy
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Against Tobacco (CNCT)*



Dr. Tom Novotny
*CEO, Cigarette Butt
Pollution Project*

Moderator



Laurent Huber
ASH Executive Director



Tobacco & Environment

Challenges of the

EU Single-Used Plastics Directive

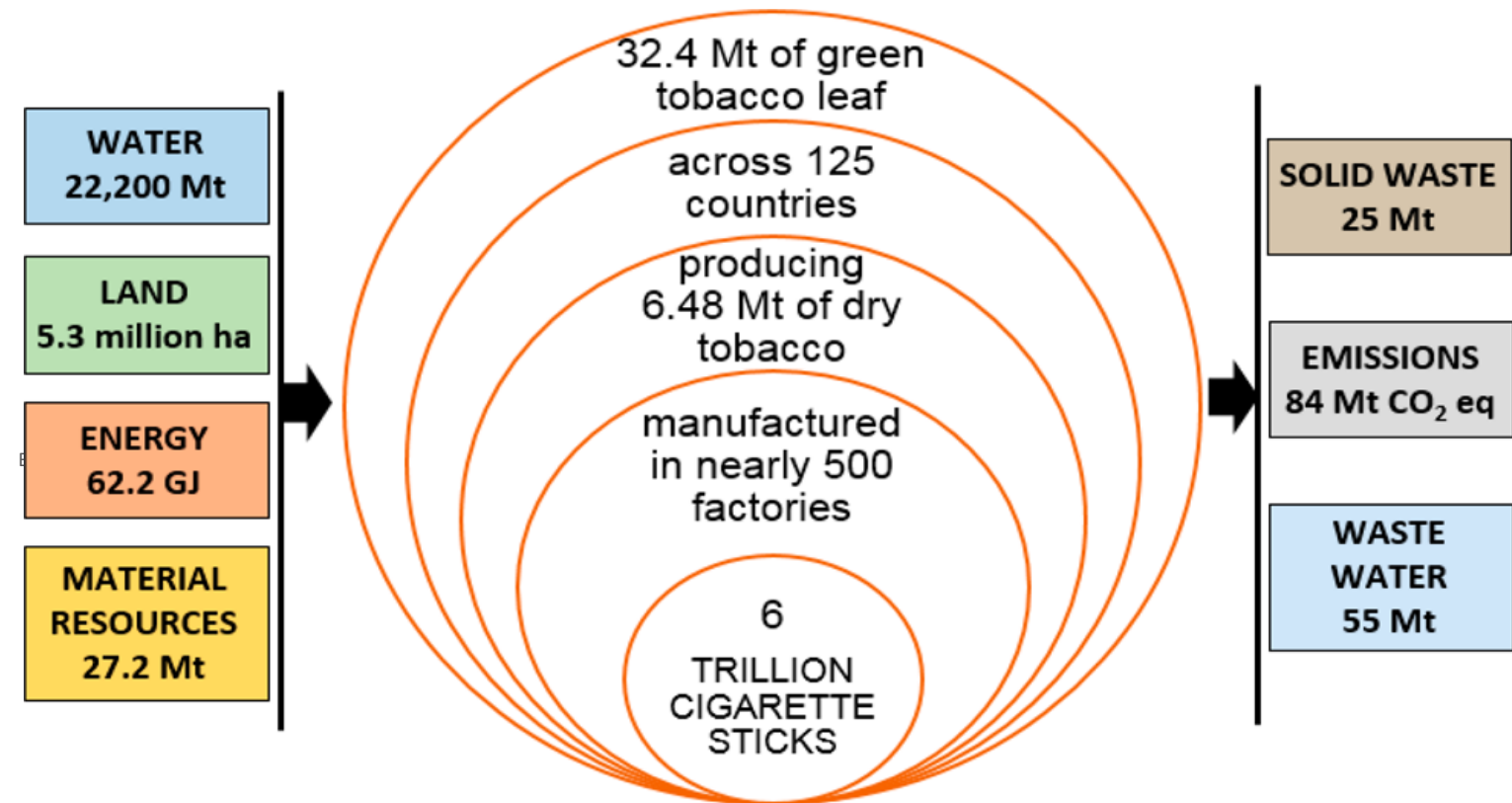
Content

- Environmental impact of tobacco production and consumption, including cigarette butts
- Where is the EU SUP directive coming from?
- SUP directive and Extended Producer Responsibility (EPR)
- Time to act!

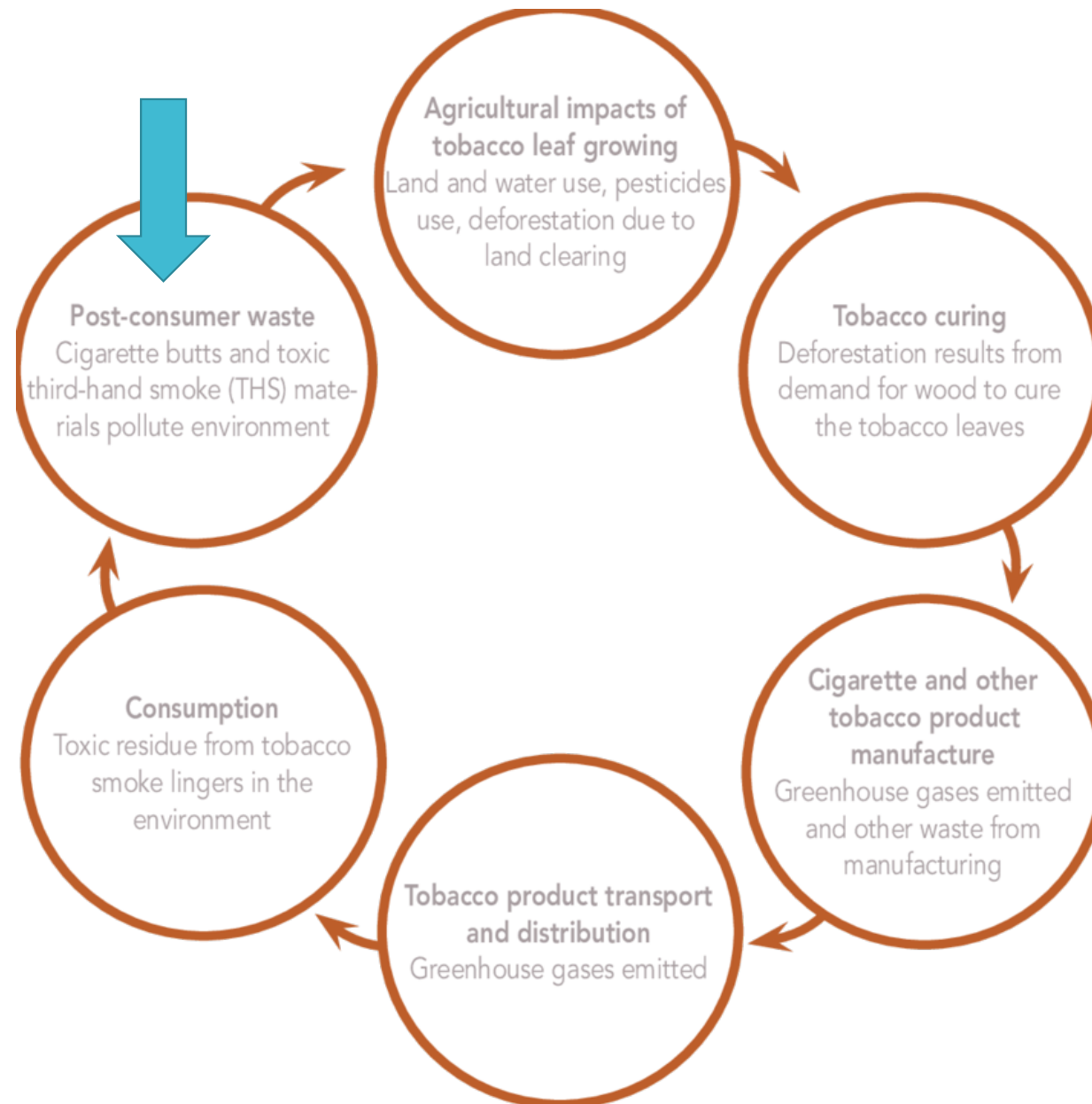
Environmental impact of the tobacco industry

Environmental impact production and consumption tobacco:

- Evaluation tobacco's global footprint across its entire supply chain, looking at resource needs, waste, and emissions of the full cradle-to-grave life cycle of cigarettes (year 2014).



Environmental impact of the tobacco industry



Environmental impact of cigarette filters



- 1. Quantity & difficult to clean up**
- 2. Toxicity**
- 3. Plastics**
(NOT biodegradable & microplastics)
- 4. Citizens perceive environments with butts as less clean**

Green Deal



Circular Economy Package and Action Plan



Plastics Strategy



SUP directive

Circular Economy Package and Action Plan (adopted in 2015)

announces the adoption of a **strategy on plastics** in the circular economy, addressing issues such as recyclability, biodegradability, the presence of hazardous substances in certain plastics, and **marine litter**.

Strategy on plastics (adopted in 2018) is a part of the transition towards a more circular economy:

Under the new plans, all plastic packaging on the EU market will be recyclable by 2030, the consumption of **single-use plastics will be reduced** and the intentional use of microplastics will be restricted.

Single-Use Plastics (SUP) directive (adopted June 2019):

Preamble

Tobacco product filters containing **plastic** are the **second most found single-use plastic items on beaches in the Union**. The **huge environmental impact** caused by post-consumption waste of tobacco products with filters containing plastic, discarded directly into the environment, **needs to be reduced**.

SUP directive and tobacco product filters containing plastic

Article 7 marking requirements

Markings apply since **3 July 2021**.



EPR for tobacco products is limited

1. **object**: applies to tobacco products with filters, and filters sold for use with tobacco products, but not to disposable e-cigarettes, pods
2. **place of disposal**: only applies to the collection, transport and treatment of waste from the indicated tobacco products discarded in public collection systems
3. **objective**: the coverage of costs by tobacco producers is limited to the costs necessary to provide the services in a cost-efficient way
4. **promoter**: coverage of costs by tobacco producers is limited to disposal operations carried out by or on behalf of public authorities
5. **method of calculation**: costs for the disposal of tobacco litter are to be determined proportionately.

SUP directive and tobacco product filters containing plastic

What to expect from the tobacco industry:

- minimise the scope of EPR
- use the SUP directive to connect with public authorities, municipalities and ... NGO's (example BE) – not conform Art 5.3 FCTC!
- put the focus on the individual responsibility of the smoker (instead of TI - [Home \(worldnoashtray.com\)](http://worldnoashtray.com)) by promoting portable pocket ashtrays and financing awareness campaigns
- wants to be involved in the establishment of the EPR scheme and subsequently be part of the eco-organism overseeing the technical implementation of the EPR scheme



SUP directive and tobacco product filters containing plastic

Best prevention of tobacco product waste:

- **Ensure that youngsters do not start to smoke
→ Smoke Free Generation**
 - **Encourage smokers to quit**
- = less smokers and less waste!**

SUP directive and tobacco product filters containing plastic

Prevent filters to end up in nature

- Include [at national/regional level] a target of [70%] fewer cigarette filters in the environment by the end of [20XX] compared to 20XX
- Ensure cigarette butts end up as much as possible in the 'public collection systems' (Art. 8.3 SUP) to ensure this waste fraction is cleaned to a maximum level and ensure producers fulfill their EPR responsibilities to the maximum)
- What solution for all filters not ending up in 'public collection systems'?

Time to act!

- Inform the environmental ministry/department + municipalities about Art 5.3 FCTC
- Include a collection target for the government to achieve (as for plastic bottles and cans)
- Make sure the TI is not involved in the setting up of the eco-organism in charge of the waste management system nor should the TI be part of the supervisory or management bodies = TI only pays for the collection, transport and treatment
- Ensure pocket ashtrays are not becoming the answer to the cigarette butts problem
- Work together, reach out to ENV NGO's

THANKS FOR YOUR ATTENTION

&

LET'S stay in contact!

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CASE STUDY FRANCE

François Topart

11/05/2022

From the SUP directive to Alcome

- Law No. 2020-105 of 10 February 2020 on the fight against waste and the circular economy (AGEC law) : treating AND **preventing wastes**
- Concrete obligations for manufacturers
- Establishment of collective structures, or eco-organisations



Crédits : MTES



What is Alcome ?



- Objective : to "reduce the presence of butts **thrown inappropriately** in the public space"
- An eco-organisation directly linked to the tobacco industry
- What the specifications set provides :
 - *Street ashtrays*
 - *Pocket ashtrays*
 - *Covering the costs from cleaning-up cigarette-ends*
 - *The organisation of awareness campaigns*
 - *Financial support for R&D projects.*



PHILIP MORRIS
INTERNATIONAL



Alcome's limitations

- A denegation of the EPR principle
- A violation of France's international commitments
- Indirect partnership between the TI and public authorities
- Incomplete and counterproductive solutions
- A CSR tool for tobacco industry

Recommendations

- To define guidelines at the EU level
- To revise the eco-organisation system
- To promote the filter ban

Environmental and Health Advocacy to End the Tobacco Epidemic

Thomas E. Novotny MD MPH

May 11, 2022



www.cigwaste.org



TPW
Environment
Economics

Jurisdictional Progress in the United States

Some, but Not Enough...

- California Assembly Bill 1690: Tobacco products: single-use electronic cigarettes
- New York State Tobacco Product Waste Reduction Act, S1278 and A4308
- Mitigation approaches
 - Regulatory
 - Voluntary
- Extended Producer Responsibility
- Tobacco industry tactics



California Assembly Bill 1690

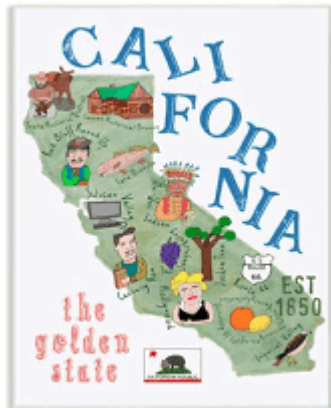
- Introduced in 2021 to ban sale of single use filters, cannabis products, and single use e-cigs
- Third legislative attempt in ten years
 - Two previous bills did not survive Assembly Government Organizations committee due to tobacco industry lobbying, despite vote in Senate
- With 15 co-authors, referred to Health Committee (Chair is a dentist and environmentalist)
 - Sponsor: National Stewardship Action Council
 - Heavy tobacco lobbying
 - No sign-on from main health voluntary groups



CPSC
California Product
Stewardship Councilsm

California Assembly Bill 1690

- Amended to remove single use filter ban and cannabis products (to be considered in separate bill)
- What happened??
 - Chair cited JAMA and CHEST papers showing association of lung cancer and nicotine addiction with unfiltered cigs
 - Tobacco lobbyists argued that bill would increase illegal sales and contraband
 - PMI promised to stop selling combustible cigarettes by 2025
 - Police unions opposed, Chamber of Commerce opposed, small grocers opposed
 - Poor definitions for products and enforcement provisions
- Voted out of committee April 10, 2022 without filter ban;
- Next step: Local initiatives: Historical pattern of tobacco legislation In California (Santa Cruz City Council)



New York S1278 and A4308.

- "Tobacco Product Waste Reduction Act"—second attempt;
- Bill purpose is to ban the sale of single-use filters for cigarettes, as well as single-use electronic cigarettes;
- Referred to health committee;
- Support from Solid Waste coalitions (SWAB);
- Health advocates?
 - Parents Against Vaping E-cigarettes (PAVE)
 - Natural Resources Defense Council

State and Local Single-use Filter Bans—the Issues

- Mostly the same old arguments by tobacco industry
 - Contraband sales, diversion of law enforcement resources
 - Hurt small businesses
 - Loss of tax revenue
 - *Eric Garner effect?*
- STILL many people do not know filter is plastic and source of microplastics in aquatic systems
- STILL many people think there may be reduced harm from smoking filtered cigarettes
 - The evidence is clear there is no health benefit and instead increased risks

'The Filter Flim Flam'

Robert Proctor's *Golden Holocaust*

- Main purpose of the cigarette filter for tobacco industry:
 - to lower the cost of manufacturing (cellulose acetate is cheaper than tobacco leaf);
 - to keep tobacco bits from entering the mouths of smokers;
 - to convince people into thinking that filtered brands were somehow 'safer' than unfiltered brands.
- 'Safer cigarette': Fraudulent marketing tool;
- Light, low tar terms now prohibited.



Current TPW Mitigation Efforts

- Awareness raising for smokers and non-smokers
 - PR Campaigns: See www.UNDO.ORG (Calif Dept of Public Health)
 - Social Media campaigns See www.truthinitiative.org
 - Butt cleanups: See www.oceanconservancy.org
- Banning outdoor smoking
 - Beaches, parks, restaurants, streets
- Anti-litter laws (fines of up to \$1000 per event)
- Take back and recycling?

Extended Producer Responsibility/Product Stewardship Approaches

- Economic responsibility for tobacco product waste mitigation and prevention
 - Direct costs
 - Secondary costs
- Hazardous waste applications
- Clean Water Act—Trash Amendment
- Microplastics mitigation
- Product stewardship: changing product to reduce hazard---banning sales of filtered cigarettes
- Must avoid any involvement of tobacco industry in EPR
 - PMI “Our World Is Not an Ashtray” Initiative
 - Keep America Beautiful, Keep Britain Tidy, etc., etc.

San Francisco Litter Fee, 2009

Calculation of Per-Pack Maximum Permissible Fee



Measure	Estimate
Cigarette Packs Purchased in SF (2008)	30,611,026
Total Litter Mitigation Costs (2009) ^a	\$7,487,916
Total Litter Mitigation Costs Adjusted for Immigration (2009) ^b	\$6,649,270
Total Litter Mitigation Costs per Pack (2009)	\$0.20

- Due to increased labor costs and inflation over time, fee now is **\$1.05** per pack.
- Potential for adding to price without taxation challenges

Outcomes of San Francisco Litter Fee

- ‘Citizen Initiative’ by industry and retailers achieved Proposition 26...requiring 2/3 vote of constituents in State in order to establish such fees (as taxes);
- Fee adjusted annually;
- Annual report by City Controller: “Evaluators found less litter and grime across the City’s streets and sidewalks, and approximately twice as many more routes were free of ‘excessive’ litter compared to FY 2014-15.”
- Impact on per capita consumption?

Developing a Model to Estimate TPW Environmental Costs*

- Direct:
 - Marginal costs of cleanup and disposal estimated from total litter cleanup costs and number of cigarettes sold in jurisdiction as an attributable fraction estimate
- Secondary:
 - Impact of litter on businesses and tourism
 - Quality of life
 - Human health effects
 - Ecological services



* A project of the California Tobacco Control Program

Tobacco industry's “initiatives and programs”: Sponsoring “clean ups”



<https://www.pmi.com/sustainability/reducing-plastic-litter>



Who We Are ▾ What We Do ▾ Take Action ▾ What's Happening ▾ #DoBeautifulThings

Home > Programs & Initiatives > Great American Cleanup

GREAT AMERICAN CLEANUP

The Keep America Beautiful® Great American Cleanup® is the nation's largest community improvement program, which takes place annually in an estimated 15,000 community events nationwide.

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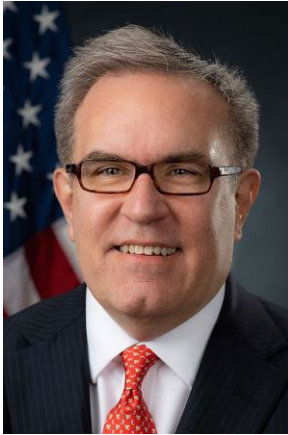
Recommendations for Dealing with Tobacco Industry

- Policies should address the industry as the source of tobacco product waste, NOT as a stakeholder;
- Environmental impact assessment of new products needed (FDA);
- Question environmental commitments of the tobacco industry: agriculture, production, product stewardship;
- Resist any partnerships with industry or affiliates;
- Point out lack of evidence for industry-sponsored environmental efforts.

What's Next?

- Local legislation to ban sale of filtered cigarettes
 - Same arguments as for banning flavors PLUS environmental impact
- Limit retailer density—limit supply and concentration of butt waste
- Clean Water Act requirements (capture items >5 mm in storm drains)
- Litigation
 - public nuisance theories used in lead paint and opioid contexts (e.g. JUUL lawsuit brought by State of California)
- Hazardous waste law applications?
- Plastics: California developing strategy to address plastics in aquatic biome

US Environmental Protection Agency: E-cigarettes are hazardous waste



Andrew Wheeler EPA Administrator
under Donald Trump

“ . . . without controls on the concentration of nicotine in e-cigarettes and e-liquids or FDA’s approval of these products as being safe and effective for people to use. . . . the Agency cannot support exempting e-cigarettes and nicotine-containing e-liquids from the (hazardous waste) listing.”

Hazardous wastes are **wastes** with properties that make them dangerous or potentially harmful to human health or the environment.

CIGWASTE.ORG



Photo: Courtesy of Surfers Against Sewage, UK

Stay Involved



Have you seen tobacco industry interference in public health policymaking? Email us the details at info@ash.org!



NEXT WEBINAR:

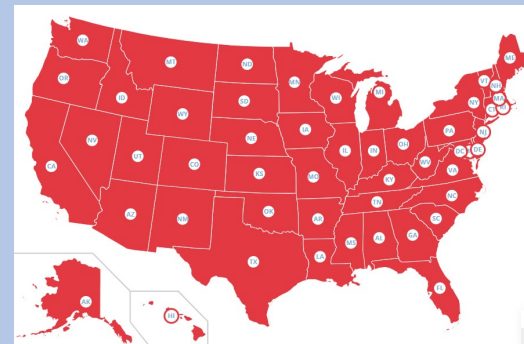
May 19th at 12pm ET

Lessons Learned from Menthol Bans Around the World

Tools for Advocates

Tobacco & Human Rights Hub

ash.org/hrhub



U.S. Tobacco Lobbyist & Lobbying Firm Registration Tracker

ash.org/tobacco-money