Evaluation of Tobacco Free Film and Television Policy in India

HIGHLIGHTS

Background

Tobacco use is the single most preventable cause of premature death and disease, currently leading to over five million deaths annually worldwide. These are expected to rise to over eight million annual deaths globally by 2030.1 Tobacco use is the leading cause of non-communicable diseases2 and is a major contributing factor to tuberculosis mortality3, 4. India is home to the second largest number of tobacco consumers in the world2 and it is estimated that in India one million deaths can be attributed to tobacco use1.

Studies have shown that tobacco use is normalized and perpetuated by its positive portrayals in films and television content5. Research in India has found that media advertising is associated with higher smoking rates6 and exposure to cigarette brand names or to visuals of actors smoking on television is related to increased smoking among youth in India7. Fortunately, policies that ban the advertising, promotion and sponsorship of tobacco, and the placement of anti-tobacco mass media messages that portray the truth about the deadly health harms of tobacco, have been found to be effective in countering pro-tobacco imagery and reducing tobacco consumption7, 8, 9.

India is home to one of the largest film and television industries in the world. The film industry in Mumbai alone produces over 900 movies per year10. Mainstream Indian films are watched by an estimated 250 million young adults in India and have a large following overseas. The size and popularity of the film and television industry has the power to influence the behavior and attitudes of millions of people in India and around the world. It is therefore vital that the industry joins hands to protect the health and well-being of those that it influences.

The Tobacco-Free Film Rule under Cigarettes and Other Tobacco Products Act (COTPA)

The Government of India, recognizing the harmful effects of tobacco, enacted a comprehensive legislation, the Cigarette and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act in 2003. The key provisions of the Act include the prohibition of smoking in public places, ban on direct/indirect advertisement, promotion and sponsorship, depiction of pictorial health warnings on tobacco products packages.

Section 5 of COTPA inter alia prohibits the advertisement, promotion and sponsorship of tobacco products and this prohibition extends to the depiction of tobacco products or their use in films and television programmes.
In pursuance of this, the Ministry of Health and Family Welfare, Government of India has issued amendments (2011, 2012) under the Cigarettes and Other Tobacco Products Act (COTPA) also known as the ‘Film Rules’. The Rules came into effect on October 2, 2012 and are applicable to all Indian as well as foreign films and television programmes broadcast in India. The Film Rules specify that all those films and TV programmes that have been produced on or after 2nd October 2012 and that depict tobacco – the product itself or its use – include the following:

1. A strong editorial justification explaining the necessity of the display of tobacco products or their use in films to CBFC
2. Anti-tobacco health spots of minimum 30 seconds duration at the beginning and middle of a film/TV programme
3. Anti-Tobacco ‘Health Warning’ as a prominent static message during the period of display of tobacco products or their use.
4. An audio-visual ‘Disclaimer’ on ill effects of tobacco use of minimum 20 seconds, at the beginning and middle of film/TV programme.

Specific requirements pertaining to the implementation of the health warning include:

I. The static message should be legible and readable and placed prominently at the bottom of the screen.

II. The font of the message should be in black color, on white background.

III. The static message should read as – “Smoking causes cancer” or “Smoking kills” for smoking forms of tobacco use; “Tobacco causes cancer” or “Tobacco kills” for chewing and other smokeless forms of tobacco; or other warnings that may be specified by the Government of India from time to time.

The Rules also prohibit the following:

1. Display of brands of cigarettes or other tobacco products or any form of tobacco product placement
2. Close ups of tobacco products and tobacco products packages
3. Depiction of any tobacco products or their usage in any form in promotional materials and posters of films and television programmes.

In case the brand names or logos of tobacco products form a part of the picture in any media, the same should be cropped or masked so that the brand name and logos are not visible.

For contents produced before October 2, 2012 (old television programmes), only the anti-tobacco health spots and the health warning as static message are applicable.
Evaluation of the Implementation of the Film Rule

The “Film Rule” has the ability to reach millions of viewers, warning them about the harmful effects of tobacco and deterring its uptake. However, to date, the extent of implementation and gaps in this are unknown. Hence, a study was conducted to gauge the extent of implementation of the various components of film rule in film theaters and on television to identify patterns in compliance and violations; and to identify opportunities for strengthening the Film Rule.

Study Details

The study was conducted in two parts. In the first part, implementation in film theaters was observed. Additionally, exit interviews were conducted with a randomly selected subset of film-goers to assess their reactions to the Film Rule. The second part comprised of systematic observations of pre-recorded TV programmes to assess the Film Rule implementation on TV.

Methodology

Film theaters were chosen across India using a multistage sampling procedure. Across each region of India, one metro city, two tier-one cities and two smaller cities were selected. Movie theaters were then selected within each city at random using a list of theaters obtained via the Ministry of Information and Broadcasting, Government of India. A single movie was chosen for study at each theater and a quota was set to ensure that 50% of these contained a tobacco scene. Trained researchers observed each movie systematically and completed a coding questionnaire to note implementation of the Film Rule. Subsequently, the interviewers conducted exit interviews with men and women aged 15 – 50 years. 308 movies across four regions in India were coded; exit interviews were conducted with 3,080 people.

Television content was likewise systematically observed and coded. Television content over a five-week period, just prior to the commencement of the study, from 20th November to 30th December 2015 was pre-recorded and then systematically observed and coded by trained researchers. To ensure that the content selected for observation and coding was representative of on-going television programming, a multistage random sampling procedure for the selection of content was implemented. From the universe of 446 television channels available in India, a subset of 45 channels were systematically sampled based on their ownership (international/ national/ regional), type of programming (e.g., movies/ kids/ entertainment etc.), and media reach. Within each channel, a minimum of 9 hours of programming were randomly selected and pre-recorded, with a third of the content from prime-time hours. Thus, in total, 413 hours and 27 minutes were observed and coded.

The observation questionnaire was designed to record each instance of tobacco depiction,
including the presence of surrogate advertising (through depiction of brands). The content was further coded for the presence or absence of each element of the Film Rule. Researchers for the study were trained to identify the Government approved health warnings under the Film Rule, which included the two pre-approved anti-tobacco health spots known as Child (a spot about the harms of second-hand smoke exposure) and Dhuan (spot supportive of the enforcement of the smoking ban in public places), audio visual disclaimer and health warning – as static message (see images).

A. Health spot 1: Child

B. Health spot 2: Dhuan

C. Disclaimer

D. Static Message
Key Findings

Depiction of Tobacco in Film Theatres and TV

The study provided an opportunity to assess the frequency with which tobacco was depicted on television and in films. Key findings across both studies are as follows.

- Of the 149 tobacco scene movies observed in this study, tobacco was most often depicted in movies shown in the South (32%), followed by the West (28%), East (21%) and North (20%) regions. 39% of movies depicted tobacco frequently (five or more times), and this was particularly high in movies in the South where 49% depicted tobacco five or more times during the film, followed by East (36%) and North (13%). In 54% of the films with tobacco scenes, a character was portrayed consuming tobacco. In the remaining cases, tobacco use was suggested by objects in the frame.

- 22% of television programmes depicted tobacco. The depiction of tobacco was greater in:
  - Non-prime time than prime time programming (71% vs. 29%)\(^*1\)
  - Newer than older programming (52% vs. 48%)\(^*3\)
  - Regional channels compared to national and international channels (38% vs. 29% vs. 33% respectively)
  - Of tobacco forms depicted, cigarettes were the most often depicted. Cigarettes were also more often depicted in prime time vs. non-prime time hours (93% vs. 73%), and in older than in newer programmes (93% vs. 65%).

Implementation in Film Theaters:

1. 99% of films that contained tobacco scenes implemented at least one of the three elements of the Film Rule – that is, either the anti-tobacco health spots, the audio-visual disclaimer or the health warning as a static message. Implementation of each element of the Film Rules was as follows: 97% included anti-tobacco health spots, 79% of films incorporated the audio-visual Disclaimer, and 86% of the films included the health warning as a static message.

2. However, only 27% of the films implemented all key elements of the Film Rules fully and appropriately. Common mistakes in implementation were as follows:

   - In only 52% of films with tobacco scenes, both the anti-tobacco health spots were fully and properly shown: that is, shown in the beginning and middle of the films and in the same language as that of the film. 48% did not show the anti-tobacco health spots correctly, as required.
   - The audio-visual disclaimer was shown in the same language as the language of the movie in only 75% of cases.
• The health warning static message was accurately shown in only 19% of films, that is, placed in black font on white background at the bottom of the screen, and in the same language as that of the film.

3. Despite the varying levels of implementation of the Film Rules, exit interviews with audiences indicated positive reactions towards the Film Rule among those who recalled them.

• Among audiences who recalled at least one aspect of the Film Rule, there was general agreement that the various aspects of the Film Rule were easy to understand and made them stop and think.

• One in two people who recalled any element of the Film Rule said that it increased their concern about tobacco's health harms.

• One in three tobacco users said that viewing any of the elements of the Film Rule made them more likely to quit.

**Figure 1:** Level of agreement towards the effectiveness of the Film Rule among those who recalled any component of the Film Rule

![Figure 1: Level of agreement towards the effectiveness of the Film Rule among those who recalled any component of the Film Rule](image)

**Implementation on Television:**

4. Overall, implementation of the Film Rule on television was low. Not one programme on television implemented all key elements required by the Film Rule. Only 4% of the TV programmes that were observed implemented at least two of the three elements of the Film Rule.

5. Among the key elements of the Film Rule on TV, implementation was highest for the health warning static message and lowest for the disclaimer. Implementation of specific requirements of the Film Rule was found to be as follows:

• None of the TV programmes with tobacco scenes carried both of the government approved anti-tobacco health spots (Child and Dhuan) at the beginning and in the middle of the programmes as required. Only 5% of programmes with tobacco scenes showed one of the two preapproved anti-tobacco health spots at the start and in the middle of the programme.
In 3% of programmes, anti-tobacco health spots that were not approved (not notified by the government) were shown.

- The audio-visual disclaimer was shown in only 1 instance. In this instance, the disclaimer was shown in the same language of the programme, as per Film Rule, but it was shown only before the program and not in the middle. Additionally, the disclaimer was not played completely and it was broadcast in low resolution rendering images of poor quality.

- The health warning as a static message was shown in 65% of TV content with tobacco scenes. However, the static message was not properly shown in any of these instances. Improper implementation in terms of the language, text of the warning, background and font color and placement on screen were found.

6. Additionally, 48% of television programmes were found to carry unapproved and non-compliant anti-tobacco health warnings as static messages.

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### Study Conclusion

- Overall implementation of the Film Rules was higher in film theaters than on television.
- A number of gaps in implementation of the Rules were observed in both film theaters and on television, including the incorrect and incomplete use and presentation of the government approved warnings.
- Additionally, unapproved and non-compliant warnings (anti-tobacco health spots & audio-visual disclaimer) were found to be in use.
- Despite the inconsistent implementation of the Film Rules, audience reactions to the anti-tobacco messages recalled were favorable and indicated an increased concern about tobacco’s harms and an increased intention to quit.

### Recommendations

- The appropriate implementation of the Film Rules must be supported. To facilitate implementation, clear guidelines with a check list may be developed as a reference tool for designated officials at the Central Board of Film Certification to refer to while reviewing and certifying films as compliant with the Rules.
- An online platform that provides pre-approved content, especially the anti-tobacco health spots and audio-visual disclaimers that are expected to be more frequently updated, may be considered to facilitate the dissemination of preapproved content to the implementers of film rule. The dedicated website developed by MOH for hosting of these anti-tobacco health spots and disclaimers needs to be revived and re-launched.
• The anti-tobacco health spots and the audio-visual disclaimers must be rotated regularly, preferably every 3 months, so as to avoid over exposure (and resultant ineffectiveness) of the content among target audiences.

• Monitoring and enforcement of the Film Rule must be strengthened. In particular, to strengthen implementation on television, the appropriate administrative channels for the smooth and streamlined implementation of all the key elements under the Film Rules must be identified.

• The Ministry of Information and Broadcasting should put in place a mechanism to monitor television programmes that display tobacco products or their use and ensure compliance.

• Regular advisory be sent to all the TV channels and Film producers to ensure that all the 4 key elements of the Film Rules are duly implemented. Non-compliant anti-tobacco health spots, audio-visual disclaimer must be replaced with the approved ones.

• National Consultation with stakeholders is recommended to strengthen the implementation of the Film Rule.

The study titled ‘Evaluation of Tobacco Free Film and Television Policy in India’ has been conducted by Vital Strategies with support from WHO Country Office for India under the guidance of Ministry of Health & Family Welfare, Government of India.

References


