

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 deaths are expected to rise to over eight million yearly by 2030 globally (GATS, 2010). Tobacco use is the leading cause of non-communicable diseases (John *et. al.*, 2009) and is a major contributing factor to tuberculosis mortality (Gupta *et. al.*, 2005; Pednekar & Gupta, 2007). India is home to the second largest number of tobacco consumers in the world (John *et. al.*, 2009) and it is estimated that in India one million deaths can be attributed to tobacco use (GATS, 2010).

Studies have shown that tobacco use is normalized and perpetuated by its positive portrayals in films and television content (Sargent, 2005). Research in India has found that media advertising is associated with higher smoking rates (Arora *et. al.*, 2008) and exposure to cigarette brand names or actors smoking on television is related to increased smoking among youth in India (Shah *et. al.*, 2008). 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 consumption (Shah *et. al.*, 2008; Gupta *et. al.*, 1986).

India is home to the largest film industry in the world. The film industry in Mumbai alone produces over 900 movies per year (WHO, 2003). 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 (WHO, 2003). 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 harm effects of tobacco a, 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 includes 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 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 program.

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

- I. The static message should be legible and readable.
- II. The font 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, only the anti-tobacco health spots and the health warning as static message (old television programmes) are applicable.

Evaluation of the Implementation of the Film Rule

The “Film Rule” has the ability to reach millions of viewers and warning them about the harms effects of tobacco and deter 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 in television programmes; 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 films played in 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 systematic observation of pre-recorded TV programmes to assess the Film Rule implementation in 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 through 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- and 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).



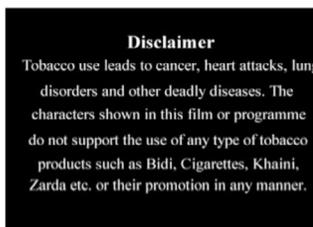
Health spot 1: Child



Health spot 2: Dhuan



Disclaimer



Static Message

Key Findings

Depiction of Tobacco in Film Theatres and TV

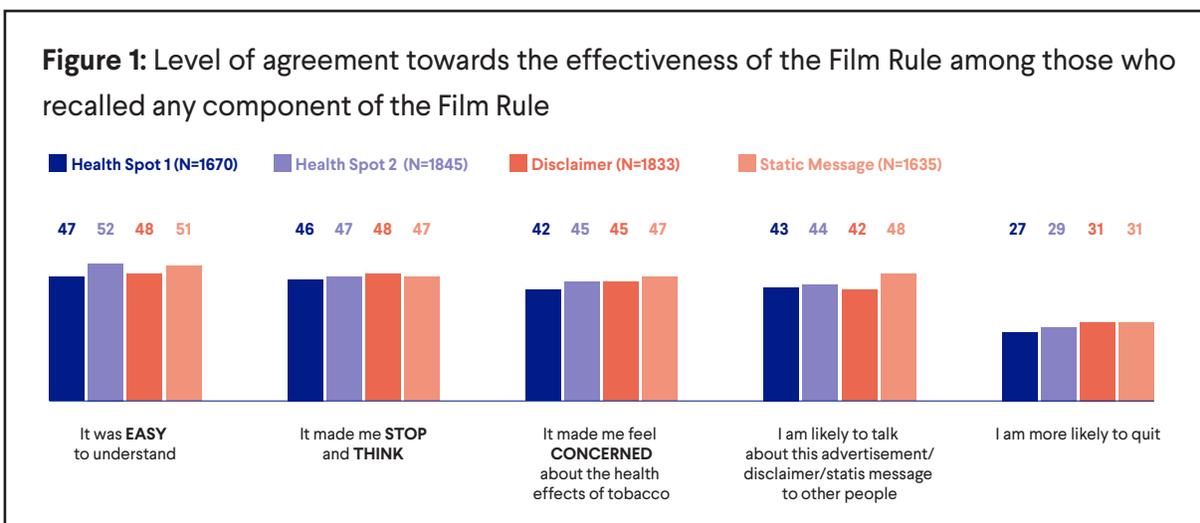
The study provided an opportunity to assess the frequency with which tobacco scenes are being shown on television and in films. Key findings across both studies are as follows.

- 149 tobacco scene movies were observed. 32% tobacco scene movies were observed in South region, followed by West (28%), East (21%) and North (20%) region. Of these, 39% of the movies showed tobacco five or more times during the film. 49% tobacco scene movies in South and West showed five or more times tobacco 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, when the chance of children and adolescents being exposed to it is more likely.
 - Newer than older programming (52% vs. 48%)*^{***1}.
 - Programmes on regional channels (38%) compared to 29% of national and 33% international channels.
 - 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 with tobacco scenes implemented at least one of all the three elements of the Film Rule – anti-tobacco health spots, audio-visual disclaimer and health warning as static message. Implementation of each element of the Film Rules was as follows: 97% included anti-tobacco health spots, 79% 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 the key elements of the Film Rules fully and in the approved manner. Some of the inaccuracies found were as follows:
 - Both the anti-tobacco health spots were fully and properly shown in only 52% of films with tobacco scenes: that is, shown in the beginning and middle of the films and in the same language as that of the film.
 - The audio-visual disclaimer was shown in the same language as the language of the movie in only 75% of tobacco scene movie.

- 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.



Implementation on Television:

4. Overall, implementation of the Film Rule in television programmes was low. Not even one programme on television implemented all the key elements mandated in the Film Rule. Only 4% of the TV Programmes, which were observed, implemented at least two of the three elements of the Film Rule.
5. Among the key elements of the Film Rule, 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 approved anti-tobacco health spots at the start

and in the middle of the programme. In 3% of programmes, incorrect anti-tobacco health spots were shown.

- The audio-visual disclaimer was shown in only 1 programme with tobacco scenes. The disclaimer shown was in the same language of the programme as per Film Rule, but was shown only before the program and not in the middle. Additionally, the disclaimer was shown incompletely and in low resolution.
 - The health warning as a static message was shown in 65% of TV content with tobacco scenes. 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 message.

Study Conclusion

- Higher overall implementation of the Film Rules was observed in film theaters than in television programmes.
- A number of gaps were observed in implementation of the Rules in both film theaters and on television programmes, including the incorrect and incomplete use and presentation of the government approved warnings i.e. both the anti-tobacco health spots as well as the audio-visual disclaimer on ill effects of tobacco use.
- Additionally, unapproved and non-compliant warnings (anti-tobacco health spots & audio-visual disclaimer), particularly on television, 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 enforcement of the Film Rule must be strengthened. To facilitate the implementation a clear guidelines/check list be developed for CBFC officials enlisting the key elements to look into while certifying the films and also on identification of scenes that glamorize tobacco use.
- 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.
- A platform needs to be established to provide pre-approved content especially the anti-tobacco health spots and audio-visual disclaimers 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 be rotated regularly preferably every 3 months so as to avoid over exposure of the same content to the audience.
- 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 complied and non-compliant anti-tobacco health spots, audio-visual disclaimer are replaced with the approved ones.
- National Consultation with stakeholders be organized to strengthen the implementation of the Film Rule. In particular, to strengthen implementation in television programmes, the appropriate administrative channels for the smooth and streamlined implementation of all the key elements under the Film Rules must be identified.

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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.