



Misuse of the Official Information Act by the tobacco industry in New Zealand

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Table 1 Theme of smoking-related articles from 2000 to 2008 in China

Themes	2000	2001	2002	2003	2004	2005	2006	2007	2008	Total
Health	10	23	13	28	31	40	134	185	71	535*
Government law/policy/regulation	7	1	3	4	10	13	17	21	127	203*
Tobacco prevention/cessation program	18	9	4	21	11	26	54	71	72	286*
Affiliated organisation news	2	1	2	4	5	11	24	32	96	177*
Negative social effects	1	1	1	3	4	10	10	21	27	78*
Other	5	1	3	11	7	21	12	11	16	87*
Total	43	36	26	71	68	121	251	341	409	1366*

*Poisson heterogeneity test $p < 0.001$.

RESULTS

A total of 1366 articles about smoking or smoking control were located (table 1). There was a significant difference in the number of articles appearing each year ($p < 0.001$). Except for small decreases in 2001 and 2002, press attention to smoking increased every year, indicating increasing attention paid to smoking-related matters in recent years. The total number of articles was highest in May (234 articles, $p < 0.05$) because of press reports of 'World No Tobacco Day' on 31 May.

The principal focuses of 1366 smoking-related articles, as judged by headline, are shown in table 1. For each theme, there was a significant difference in the number of articles appearing each year ($p < 0.001$). Almost 2 in 5 of all articles (535/1366) focused on the effects of smoking on health with tobacco prevention/cessation programs being the next most frequent category. Examples included 'Smoking increases the incidence of lung cancer', 'Smoking addiction is a risk factor for coronary heart diseases' and 'Smoking is harmful to eye health'. However, in 2008 stories about government law/policy/regulation concerning tobacco appeared most frequently.

In the years prior to 2005 there were less than 10 reports on secondhand smoke, but in 2007 and 2008 this increased to 44 and 37 reports, respectively.

References to smoking and the Olympics numbered just 3 in 2006, and then rose sharply to 30 in 2007, and further to 67 in 2008, suggesting that the then-forthcoming Olympics stimulated this increase.

The total volume of articles (1366) reflects an ongoing presence of tobacco issues in the news, with an average of nearly one article per day in 2007 and 2008 in Chinese newspapers. The growing coverage may reflect increasing attention to smoking and the endeavours being made to promote tobacco control in China. In our previous research, we found 7643 newspaper reports about cancer in newspapers between 2000 and 2007. Smoking-related articles (1366) were far less frequent over the same period. More attention should be paid to promoting newspaper coverage about smoking in newspapers.

The coverage of issues in newspapers is typically highly correlated with the presentation of the same issues in other media such as radio and television.⁹ Indeed, newspaper and

magazines articles are often cited by the public as common sources of health information.¹⁰

In the US and Australia, secondhand smoke was the most prevalent tobacco-related theme.¹¹ Its low ranking in Chinese newspapers suggests there is plenty of scope to raise coverage of this issue in the news media in China.

There are limitations to our study. For example, we only examined newspapers, but did not analyse the slant of articles. The development of strategies aimed at improving health news reporting deserves more focused attention from the media and researchers.

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Misuse of the Official Information Act by the tobacco industry in New Zealand

The purpose of the Official Information Act (OIA) in New Zealand is to facilitate the democratic process by promoting the accountability of government.¹ Tobacco companies exploit freedom of information acts which make official information publicly available. For example, they disrupted and discredited tobacco control work with information gained from public records requests to the California Department of Health Services in the 1990s.²

We examined all OIA requests to the Ministry of Health (MoH) New Zealand, about tobacco control and smoke-free services from 2005 to August 2009 to determine their origin, content and the charges made for information. Internet searches were

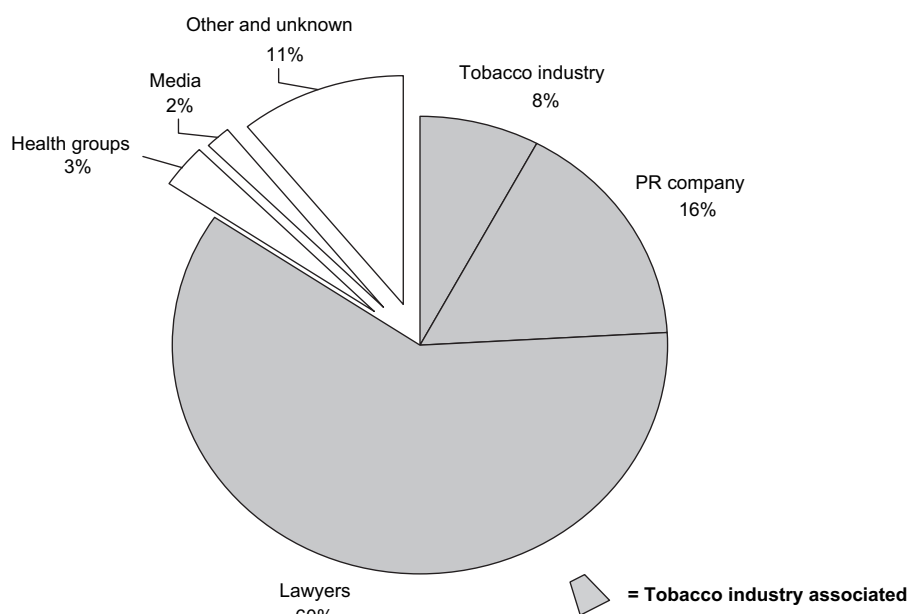


Figure 1 Sources of Official Information Act inquiries to the Ministry of Health about tobacco control 2005–2009 (n=129).

undertaken to determine the associations of requestors with the tobacco industry.

There were 129 requests in total. Charges totalled over \$NZ13 000. They were in accordance with official guidelines.³ They included staff time for searching for information, and photocopying. Figure 1 shows that most (84%) of the requests were from tobacco industry related sources. They were a public relations company whose managing director was previously director of public relations, Communications and Corporate and Regulatory Affairs for British American Tobacco (BAT) New Zealand⁴; law firms who have represented tobacco companies^{5 6}; and tobacco companies.

Topic areas included the 2006 review of the tobacco packaging, labelling and display provisions of the Smoke-free Environments Amendment Act (59% of requests); a review of point-of-sale tobacco product displays (11%); provisions of the existing act (10%); tobacco control spending (8%); tobacco control research (5%); the industry (4%); reduced harm products (2%); and personal rights (2%). Two requests solicited information about more than one topic.

Tobacco industry related sources asked for copies of presentations, tobacco control service purchase agreements, contracts and information 'including, but not limited to papers, minutes, reports, briefings, memoranda and correspondence (including emails) caught by the wording'. They included the legal obligation to provide information within 20 working days (n=107). Requests increased from three in 2005 to 79 in 2006 when the review of the Smoke-free Environments Amendment Act was under way. During this time, the lawyers, Philips Fox, sent one person 67 letters which differed only in the name of the organisation they

sought information about. They also sent identical requests to six different people. With regard to tobacco control spending, 10 of 13 requests were from industry-related sources. Two asked for details about government funded delegates to international tobacco control conferences.

The majority of public requests for information about tobacco control and tobacco control expenditure were from the industry. The work of public health officials was disrupted at a critical juncture in tobacco control action by an influx of repetitive and time consuming OIA requests from the tobacco industry. Each required assessment to determine if the information existed; if the request was frivolous or vexatious; if the information could be released; and to provide quotes for services since only a limited amount of photocopying and time for searching is free.^{1 3}

Tobacco companies portray themselves as socially responsible corporate citizens.^{7 8} Yet they abuse legal avenues designed to protect the public's right to access to official information. This should be included in a campaign exposing the activities of the tobacco industry to support achieving the New Zealand tobacco control workforce's vision of a tobacco free society by 2020.⁹

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Third-hand smoking: indoor measurements of concentration and sizes of cigarette smoke particles after resuspension

In a previous study¹ of 'secondhand' cigarette smoke, we showed that 75% of the particles added to indoor air were of ultra-fine sizes and had a half-life in air of 18 minutes at 25°C. These particles after their deposition on household surfaces could be later put back in suspension and constitute a toxic 'thirdhand' smoke² which has not, as yet, been documented through quantitative data. Consequently, we undertook direct measurements of the concentration and sizes of smoke particles after their deposition and resuspension in a closed room.

A smoking device burned 10 cigarettes in 30 minutes in a non-ventilated furnished room that was then kept closed. On the next