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## ***ROMANIA - political mapping and advocacy strategy in tobacco control***

### ***=Draft Research Paper=***

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## 126-TOB-RAD-RO

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## **Introduction**

This research, developed under the framework of the Open Society Institute – International Policy Fellowship Programme, aims is to identify the current situation in Romania on the tobacco related problems.

In Romania and generally in Eastern Europe after the social and economic reforms that took place from 1989 death rate and morbidity patterns, which relates to tobacco products consumption have considerably changed. New issues became manifest in the tobacco market, which was, at that time, fed only by the internal production. Opening the borders have meant for the multinational companies then the finding of a new, empty market, thus appropriate for placing their products.

The statistics do still not comprise the real dimensions of smoking, individually and socially, within the Romanian society and it is for the moment a real need for evaluation from the point of view of consequences, to health, to the social life, to the environment and maybe first of all to the economy of the country.

It should be underlined that The Tobacco Atlas published by the World Health Organization in 2002 ranked Romania on the top ten countries with an estimated 44% smoking rate, men and women combined.

There are at present various very active actors into the anti-tobacco field. Representatives of governmental agencies, nongovernmental organizations, mass-media even private institutions are more and more interested in smoking prevention and, actually, make significant efforts in anti-tobacco campaigns. In spite of some attempts of establishing of a real communication and some partnerships, it is still not the situation of a solid alliance on the anti-tobacco field.

The final objective of this research is to publish in Romanian language a comprehensive book about tobacco and tobacco consumption in Romania. International and local experts will be invited to contribute with their experience and ideas to the content of this book.

## **Romania general overview**

**Capital City: Bucuresti (Bucharest)**

**Romania is located in the South Eastern Europe with the following neighbours:**

- **Republic of Moldova, Ukraine and the Black Sea on the east**
- **Bulgaria on the south**
- **Serbia and Montenegro (former Yugoslavia) on the south and south-west**
- **Hungary on the west**
- **Ukraine on the north**

**Area: 238.391 square km, (91.699 square miles) ranking 12<sup>th</sup> in Europe.**

**Population: 21.689.181 (March 2002).**

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**Ethnic Structure:** Romanians 89,5%; Hungarians 6,6%; Roma 2,5%; other ethnic groups 1,4%.

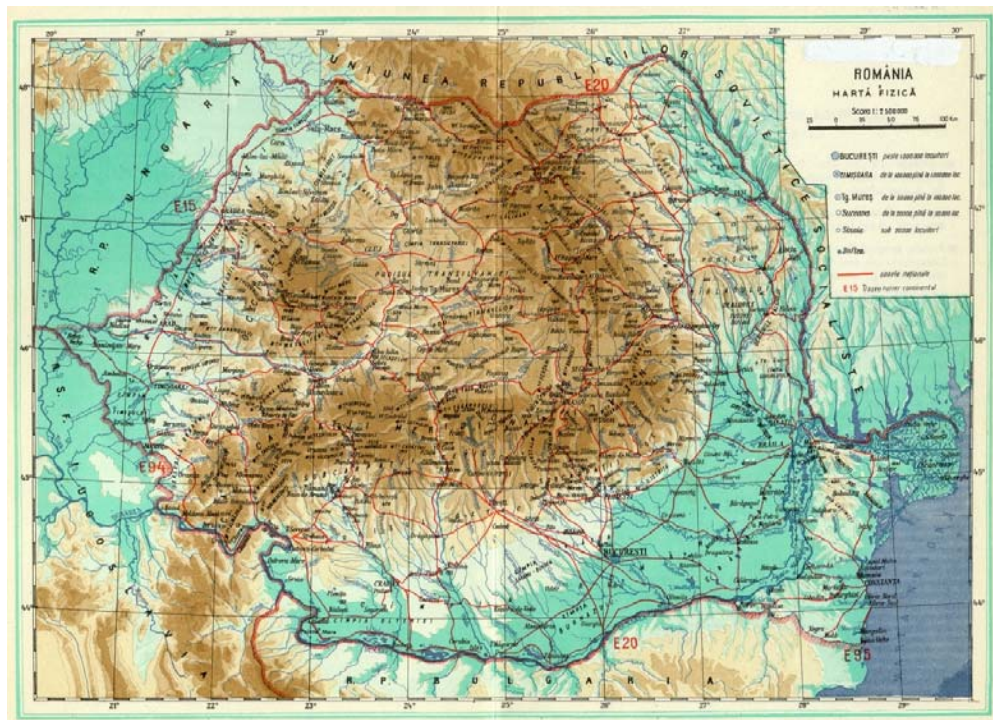
**Religion:** Eastern Orthodox 86,7%; Roman Catholic 4,7%; Reformed 3,2%; Greek Catholic 0,9%; Evangelical 0,2%; Unitarian 0,2%; other religions 4%.

**Official language:** Romanian.

**Administrative Organisation:** 41 counties (including the Municipality of Bucharest), comprising 263 towns and cities as well as 2.685 communes with 13.285 villages.

**Government:** Presidential Republic.

**Legislative Power:** The Parliament of Romania (485 members in the 2000-2004 legislature) has two houses: the Senate of Romania (140 members) and the Chamber of Deputies (345 members).



Romania possesses an important natural, economic, social and geostrategic potential, as part and parcel of the European wealth, and this potential should be known and turned to good account. Romania has to apply a firm policy to develop a functional market economy, able to cope with the competition pressure and with the market forces within the European Union, as well as to assume the obligations resulting from accession.

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## **Methodology**

The present research is based on the text of the Framework Convention on Tobacco Control (FCTC) combined with data collected in Romania from different sources: legislation, statistics, studies, media, stakeholders involved in tobacco control.

Examples from tobacco industry documents obtained from Internet on-line search and thanks to the Visiting Scholars Programme organized by London School of Hygiene and Tropical Medicine (LSHTM) for studying BAT Guildford documents are used to show and underline the position and influence of the tobacco industry in Romania.

The 56th World Health Assembly adopted the World Health Organization (WHO) Framework Convention on Tobacco Control unanimously on 21 May 2003 and now countries continue to sign the WHO Framework Convention on Tobacco Control at the United Nations Headquarters in New York. Unfortunately, until today, Romania doesn't sign the Convention.

I chose this methodology because ...”The Framework Convention process will activate all those areas of governance that have a direct impact on public health. Science and economics will mesh with legislation and litigation. Health ministers will work with their counterparts in finance, trade, labor, agriculture and social affairs ministries to give public health the place it deserves. The challenge for us comes in seeking global and national solutions in tandem for a problem that cuts across national boundaries, cultures, societies and socio-economic strata<sup>1</sup>.”

On the way to integration to the European Union the Romanian legislation will be harmonized with the European one and in this moment the role of nongovernmental organization is to advocate for speed-up the signature ratification and application of the FCTC.

All policy recommendation developed based on this research will be presented by, AER PUR ROMANIA<sup>2</sup>, to all Romanian politicians and media showing the steps that our country and region must follow for joining the global world and European movement for regulating tobacco production and consumption.

This kind of research was never done in Romania and my opinion is that Romania represents in this moment a very good model for studying all Tobacco Industry strategies for penetrating a new market including influencing political factors.

---

<sup>1</sup> Dr Gro Harlem Brundtland, Director-General Emeritus, World Health Organization.

<sup>2</sup> Romanian NGO active in the tobacco control field.

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# Chapter one - The new democracy

CHESTER G. ATKINS  
17TH DISTRICT, MASSACHUSETTS  
  
COMMITTEES  
APPROPRIATIONS  
STANDARDS OF OFFICIAL CONDUCT  
  
AT LARGE DEMOCRATIC WHIP  
  
LINDA J. HARTKE  
ADMINISTRATIVE ASSISTANT

**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515

January 25, 1990

REPLY TO:  
 WASHINGTON OFFICE  
504 CANNON BUILDING  
WASHINGTON, DC 20515-9998  
(202) 225-3411  
 DISTRICT OFFICE  
134 MIDDLE STREET, SUITE 320  
LOWELL, MA 01852-1886  
(508) 459-0101  
Toll free (800) 831-3125

Ms. Marian Succoso  
Director of Advertising & Marketing  
Loews Corporation  
1 Park Avenue, 15th Floor  
New York, New York 10016

Dear Ms. Succoso:

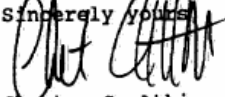
Having just returned from Romania, I must object to the full page Kent ad trivializing the overthrow of Nicolae Ceausescu (New York Times, Jan. 17).

According to the ad, "In Romania, Kents are too valuable to smoke. Fortunately, we live in America." Yes, it is fortunate we live in America, but not because of Kent cigarettes. The last thing developing countries need are the disastrous health consequences and the economic stagnation associated with cigarette addiction.

While most of the world is celebrating freedom in Eastern Europe, the cigarette industry is poised for a massive campaign to sell American brands. If recent history is any example, the industry will enlist the United States Trade Representative to open markets for their product.

After heroically overthrowing Ceausescu, the fledgling Romanian democracy needs U.S. support, not U.S. cigarettes. The new Romanian Health Minister Dan Enechescu, has made the reduction of cigarette use a top priority as scarce Romanian resources are absorbed to pay the frightening cost of tobacco-related health care.

Kent cigarettes were very popular under Ceausescu when Romanian people had little to live for. Now, as they "relish discovering life in a world without Mr. Ceausescu," Romanians, who have the shortest life expectancy in Europe, may relish a longer and healthier life without Kents.

Sincerely yours,  
  
Chester G. Atkins  
Member of Congress

~~cc: Mr. Lawrence A. Tisch~~

part

9274A050

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We can consider the above letter the preamble of a long story, a story that sometime seems to be an endless story for the Romanian people. This is the tobacco story.

Among all Eastern European countries Romania has suffered the “big tobacco invasion” after the fall of the communist regime in December 1989.

During last 14 years the Transnational Tobacco Companies (TTC) have imposed and dictated the policy they wanted and all statistics show that they obtain the domination on the market.

As the Philip Morris documents show (Bates No: 2500120503-0537) the strategy is to work very closely with the high level officials:

PM'S STRATEGY HAS BEEN TO WORK VIA TOP-LEVEL  
POLITICAL CONTACTS IN EASTERN EUROPE MARKETS,  
NOTABLY IN THE FINANCE MINISTRIES. PM IS ALSO  
MAKING USE OF US DIPLOMATIC MISSIONS IN THE EASTERN  
COUNTRIES TO CONVEY OUR POINT OF VIEW. THIS EFFORT  
IS BEING DONE IN CO-ORDINATION WITH OUR WASHINGTON  
OFFICE, WHILE OUR MONITORING AND LOBBYING  
CAPABILITIES IN EE ARE BEING BEEFED UP.

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(11)

One example that shows that this strategy adopted by all TTC is the effective one is the position of the US Ambassador Alfred Moses addressed in 1994 an audience at the grand opening of a new American cigarette factory near Bucharest:

"I am sure that Camel and the other splendid products of the RJ Reynolds Tobacco Co. will prosper in Romania."

The same strategy is followed by BAT during the phase of their interest for privatization of the Romanian Tobacco Monopoly:

Letter from Lazard Brothers to Nigel Gourlay, Director of Operations – New Business Development BAT (Bates no: 203843233-234)

.....In Romania, as in all countries where ownership rights were not clearly defined because of the old centrally planned economic system, a consensus among several officials is usually sought since individual players are unsure as to whether they have the authority to take important decisions such as the privatization of a tobacco company. And of course they are often fearful of making a mistake which they could be accused of later.

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Given the above, I believe the following steps should be taken:

- (i) Approach Mr. Adrian Epure, general Director of Food Industry with Banca Agricola, perhaps the major leader to the tobacco sector. Mr. Epure is well known to the European Bank for Reconstruction and Development where I have close contacts, as you know. (The EBRD has lent US\$80 million to Banca Agricola for on-lending)
- (ii) Ask him to introduce us to Mr. Stan Dragomir, the newly appointed Secretary of State for Tobacco within the Ministry of Agriculture. I believe he will be the key man in the negotiating process.
- (iii) We should also continue discussions with Mr. Vasile Grigore, head of the Regie Autonome for Tobacco, the management of the selected tobacco company and begin discussions with Mr. Mircea Cosea, head of the Council for Economic Reform.

Only few people involved in NGO's, working almost without money but with moral support from similar organizations around the world tried during this "transition period" to stop this aggression. In this sense the statement presented jointly by Aer Pur Romania and Smoke Free Maryland at the Philip Morris annual meeting in April 2002 was a key moment:

"Good morning Mr. Bible (CEO of Philip Morris).

My name is Mark Breaux and I'm here representing Smoke Free Maryland and Aer Pur of Romania. Philip Morris and other tobacco companies have taken advantage of Romania and its people through your campaign of lies and manipulation. Your market share in that country has grown by over 14% in the past year alone. You have made millions of dollars through the suffering of your victims, but you will not win. You are dealing with organizations like Aer Pur Romania, who have the moral courage to work day in and day out to defeat Philip Morris and the tobacco industry that tries to take the very soul of a nation for its own profit.

Smoke Free Maryland has made much progress here at home, but will not allow our country to export its tobacco epidemic to more vulnerable nations. Philip Morris cannot hide behind a new name. We know who you are, we know what you do, and we will NEVER give up the fight.

(paraphrase) My question to you is... with all the problems that Romania and other countries in Eastern Europe have faced since the wall came down... with all of the burden on their health care systems... when do you plan to reduce your activities that cause so many health related problems in those countries?"

RESPONSE: Mr. Bible responded basically by saying that "Democracy" in Eastern Europe now gives people the choice to smoke.

This is the understanding of the democracy for the rich companies the same companies that in 1999 join the forces to stop a new Romanian law that tried to regulate the tobacco and tobacco products aspects in Romania and that appear dangerous for the TTC.



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30/07/1999 12:02

+49-221-1646-658

RJRTG COLOGNE

S. 06



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**R.J. REYNOLDS TOBACCO ROMANIA S.R.L.**

**To:** RUSSELL GREENWOOD  
FERNAND DUCARROZ

**Cc:** ADRIAN POPA  
PETER IMRE

**From:** MICHEL HEITZMANN

**Cc:** GILDA LAZAR

Bucharest, July 30, 1999

**RE: Governmental Decision Concerning Tobacco and Tobacco Products**

The latest draft of the Governmental Decision Concerning Tobacco and Tobacco Products issued by the Public Health Institute seems to pose serious problems to the tobacco industry, concerning the scientific aspects.

We have engaged all our resources and managed to considerably improve the conceptual side of the document.  
As for the scientific side, we would appreciate the involvement of your specialists.

In this respect please find enclosed the following documents:

1. The latest Romanian version of the Project of the Governmental Decision Concerning Tobacco and Tobacco Products, issued by the Public Health Institute – Bucharest;
2. The Romanian and English versions of the same Governmental Decision, containing the provisions suggested by us.

We consider this a non competitive issue and urge your involvement.

Sincerely yours,

Michel Heitzmann  
General Manager

2505563649

---

**Bucharest, 9-9A, Dimitrie Pompei St., District 2**  
tel. (00 40 1) 204 31 11; fax 204 31 00

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30/07/1999 12:02

+49-221-1645-658

RJRTG COLOGNE

S. 03

Lutz Mueller

July 27, 1999

***Comments on the Romanian Draft Governmental Decision  
Concerning Tobacco and Tobacco Products  
in its pre-July 28 Version***

.....  
Here are my comments (focussed on scientific/technical issues):

**Article 2 (1):** say "dried/cured leaves of *Nicotiana tabacum* and *Nicotiana rustica*". The species *Nicotiana rustica* is still used and should not be excluded.

**Article 2 (5):** say "raw material (leaves or strips or reconstituted tobacco)".

**Article 2 (6) – (10):** the English translation may not always be adequate; I hope the definitions are correct when expressed in Romanian language.

**Article 2 (16) - (21):** these definitions need to be made more precise; some - but not all - uncertainties may be due to the translation.

**Article 3 (2):** are we sure that "the standards in force or .. the technical product specifications" pose no problem?

**Article 5 (2):** this is a very unusual way of setting a limit for a smoke fraction and makes no sense. The material defined in Article 2 (22) includes water the amount of which is always several mg and can be quite variable depending on experimental conditions. The difference of only 4 mg between the material defined in Article 2 (22) and the material defined in Article 2 (24) (representing nicotine and water) is definitely too small and is certain to cause us a lot of trouble if implemented!

**Article 3:** this Article is going to kill us if it is kept in the Governmental Decision! We, and the whole industry, are hardly in a position to demonstrate that the additives which we use for manufacturing our products comply with the specifications set forth in Annex I. Nowhere in the world does this requirement exist and, if it existed, nowhere in the world could we meet it! For more details, see my comments below on Annex No. I.

**Article 8:** are we sure that "the regulations in force" pose no problem?

**Article 9 (1):** the term "coloranti alimentari = edible dyes" requires a definition. It may be possible to refer to the so-called E-numbers (granted by a European Union expert body) but this needs to be looked into in detail.

**Article 10:** are we sure that "the regulations issued by the Ministry of Health" pose no problem?

**Annex No. I:** This Annex - and the reference to it in Article 3 - is the most critical aspect of the draft Governmental Decision. To start with, I would like to pose a whole series of questions and then make a few statements:

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06/08/1999 12:48 +49-221-1646-658 RJRTG COLOGNE S. 02/02

R. J. REYNOLDS TOBACCO COMPANY  
COLOGNE OFFICE

DR. LUTZ MUELLER  
Research & Development  
Scientific Affairs



Razvan Bocaneala	BAT Romania	Bucharest
Jean-Bernard Boder	Philip Morris Europe	Neuchâtel
Ecaterina Iovanescu	RJR Romania	Bucharest
Eva Schumacher	BAT Germany	Bayreuth

August 6, 1999

Dear Colleagues:

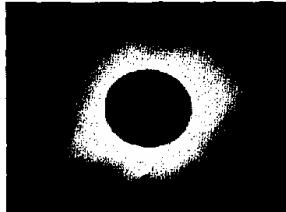
A meeting has been arranged for the discussion of the Romanian draft "Project of Governmental Decision concerning Tobacco and Tobacco Products"

*on Wednesday, August 11, 1999, at 11:00 hours  
at the Munich Airport Business Service Center, Room 14.*

The Business Service Center is located opposite Terminal D and is clearly signposted in the airport as "BSC Konferenzzentrum".

Room 14 in the BSC Conference Center is available from 10:00 hours on. Frau Schumacher, parking is available at the parking lot P25 (behind the Business Service Center) where you have four hours free parking as a guest of the BSC.

I am looking forward to welcoming you in Munich and to a pleasant and productive meeting on the regulatory challenge in Romania. During the meeting we may even be able to see the stars.



With kindest regards,

(My mobile phone is always on duty:  
+49 - 171 - 355 9346)

2505563679

MARIA-ABLASS-PLATZ 15 · D-50668 COLOGNE  
TELEPHONE: (+ 49) 221 - 16 46 - 379 · TELEFAX: (+ 49) 221 - 1646 - 658

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**The TTC “democracy” was again imposed to the Romanian society, the Draft were never adopted and the following document where is underlined that the “Romanian legislators had a more limited interpretation in mind” is a clear prove of sarcasm and manipulation.**

2078378922

---

**From:** Prince, James  
**Sent:** Tuesday, November 16, 1999 4:10 PM  
**To:** Gatenby, Dermot  
**Cc:** Williams, David L.; Hurwitz, Even; Kiss, Emese; Jackson, James  
**Subject:** Romania - Draft Tobacco Ordinance, Annex 3

Dermot, after our call I discussed this issue in more detail with David Williams. He thinks it's OK to leave the "and its derivatives" phrase referred to in his 28 October e-mail, insofar as the reference appears to be limited to derivatives of the substances in question rather than widely-used unrelated flavorings such as nutmeg and mace oil (which are widely accepted for use and not derived from the substances in question).

If it turns out down the line that due to translation or other reasons the Romanian legislators had a more limited interpretation in mind, we will work with them to ensure our compliance with their regulatory intent.

Kind regards,

Jamie

**In this time the poor Romanian smoker did not understand anything and the mass of non-smokers and passive smokers fought an unequal battle. On one hand the “serious investors” selling death and on the other all diseases coming from the habit of smoking.**

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## **Chapter two - What is FCTC**

The framework convention (protocol) approach allows law-making to proceed incrementally, beginning with a framework convention that establishes a general system of governance for an issue area, and then developing more specific commitments and institutional arrangements in protocols. This method has been used with considerable success in the environmental arena, to address such problems as acid rain and stratospheric ozone depletion.

Elements of a framework convention may include:

- A statement of the convention's overall objective and guiding principles.
- Basic obligations, including commitments to take national measures to address the relevant problem, to exchange information, to cooperate in scientific research, and to submit periodic reports.
- Institutions, including at a minimum, a regular conference of the parties and secretariat, and also possibly a scientific advisory body, implementation body, and financial mechanism.
- Mechanisms to review implementation, promote compliance, and resolve disputes.
- A law-making process for the adoption of more specific commitments, usually in protocols.

The idea of an international instrument for tobacco was initiated with the adoption of Resolution WHA 48.11 in May 1995, requesting the Director General to report to the Forty-ninth Session of the World Health Assembly (WHA) on the feasibility of developing an international instrument such as guidelines, a declaration, or an international convention on tobacco control.

192 member states of the 56th World Health Assembly unanimously adopted on 21 May 2003, the first global health treaty, the Framework Convention on Tobacco Control (FCTC).

The full text of the FCTC can be read at:

[http://www.who.int/tobacco/fctc/text/en/fctc\\_en.pdf](http://www.who.int/tobacco/fctc/text/en/fctc_en.pdf)

The Framework Convention on Tobacco Control (FCTC) is a new legal instrument that could address issues as diverse as tobacco advertising and promotion, agricultural diversification, smuggling, taxes and subsidies.

From June 2003 when the FCTC was open for signature until mid of September 2003, 53 countries from all six World Health Organization regions, as well as the European Community, had officially signed the treaty. The next step will be to get these countries to ratify. Forty countries need to ratify the treaty before it enters into force, after which protocol negotiations can proceed and a subsidiary body will begin meeting to review country compliance and provide technical (and possibly) financial assistance.

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The final text of the FCTC, reached after four years of diplomatic negotiations, provides the basic tools for countries to enact comprehensive tobacco control legislation. Key obligations in the treaty encourage countries to:

- enact comprehensive bans on tobacco advertising, promotion, and sponsorship
- obligate the placement of rotating health warnings on tobacco packaging that cover at least 30% (but ideally 50% or more) of the principal display areas and can include pictures or pictograms
- ban the use of misleading and deceptive terms such as "light" and "mild"
- protect citizens from exposure to tobacco smoke in workplaces, public transport, and indoor public places
- combat smuggling, including the placing of final destination markings on packs
- increase tobacco taxes.

## Tobacco industry position regarding the FCTC

### British American Tobacco

The treaty calls for a comprehensive ban on all advertising but British American Tobacco is concerned about how this could limit the Group's ability to tell consumers about potentially reduced risk products which, over time, it aspires to develop.

Martin Broughton said: "To have sensible regulation that can really contribute to reducing the health impact of tobacco, we need to move away from the adversarial approach of the WHO, to one of co-operation and inclusion. On public smoking, for example, it would be helpful if the WHO could base its views on sound scientific evidence, rather than continuing to promote the belief that smokers pose a significant threat to non-smokers' health."

As the world's first international health agreement, the tobacco control treaty sets a precedent that could in future affect many other industries, such as alcohol and fastfood.

### Philip Morris (Altria)

....

### Japan Tobacco International

....(More comments and analysis will be added during the next phases of the research.)

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### Chapter three - Romanian legislation for Tobacco Control

**This chapter will provide a comprehensive analysis of the Romanian legislation (1990 – 2003) linked to the tobacco related issues. More than 60 relevant acts were identified.**

**Restrictions on public smoking were first introduced through Law No 6 July in 1978. This resulted in a ban on smoking on public transport and restrictions in public places such as cinemas, shops, educational and healthcare facilities. Smoking is still permitted in cafés and restaurants and at venues such as sports facilities.**

1. H.G. nr.1.190/08-11-1990  
HOTARÂRE privind stabilirea preturilor cu ridicata si cu amănuntul la tigarete si produse din tutun din fabricatie interna
2. H.G. nr.1.214/20-11-1990  
HOTARÂRE privind infiintarea Regiei Autonome a Tutunului din Romania
3. O.G. nr.23/11-08-1995  
ORDONANTA privind instituirea sistemului de marcare pentru tigarete, produse din tutun si bauturi alcoolice
4. L. nr.132/29-12-1995  
LEGE pentru aprobarea Ordonantei Guvernului nr.23/1995 privind instituirea sistemului de marcare pentru tigarete, produse din tutun si bauturi alcoolice
5. O. nr.213/05-02-1996 (M.F.)  
ORDIN pentru aprobarea Normelor metodologice de aplicare a Ordonantei Guvernului nr.23/1995 privind instituirea sistemului de marcare pentru tigarete, produse din tutun si bauturi alcoolice –
6. H.G. nr.196/26-03-1996  
HOTARÂRE privind exceptarea temporara de la plata taxelor vamale a unor bunuri din import destinate sistemului de marcare la tigarete si produse din tutun
7. O.U.G. nr.17/12-05-1997  
ORDONANTA DE URGENTA pentru modificarea si completarea Ordonantei Guvernului nr.23/1995 privind instituirea sistemului de marcare pentru tigarete, produse din tutun si bauturi alcoolice
8. L. nr.133/15-07-1997  
LEGE privind aprobarea Ordonantei de urgenta a Guvernului nr.17/1997 pentru modificarea si completarea Ordonantei Guvernului nr.23/1995 privind instituirea sistemului de marcare pentru tigarete, produse din tutun si bauturi alcoolice
9. O. nr.1.419/01-08-1997 (M.F.)  
ORDIN pentru aprobarea Normelor de modificare si de completare a Normelor metodologice de aplicare a Ordonantei Guvernului nr.23/1995 privind instituirea sistemului de marcare pentru tigarete, produse din tutun si bauturi alcoolice, aprobate prin Ordinul ministrului de stat ministrul finantelor, nr.213 din 5 februarie 1996
10. O. nr.2.045/27-11-1997 (M.F.)  
ORDIN pentru aprobarea Normelor de modificare si de completare a Normelor metodologice de aplicare a Ordonantei Guvernului nr.23/1995 privind instituirea sistemului de marcare pentru tigarete, produse din tutun si bauturi alcoolice –
11. O. nr.2.143/10-12-1997 (M.F.)  
ORDIN pentru aprobarea Normelor de completare a Normelor metodologice de aplicare a Ordonantei Guvernului nr.23/1995 privind instituirea sistemului de marcare pentru tigarete, produse din tutun si bauturi alcoolice
12. H.G. nr.918/29-12-1997  
HOTARÂRE privind infiintarea Societatii Nationale "Tutunul Romanesc" S.A.
13. O. nr.22/24-03-1998 (M.A.A.)  
ORDIN privind aprobarea Programului de restructurare a Societatii Nationale "Tutunul Românesc" - S.A. –
14. O. nr.998/20-05-1998 (M.F.)  
ORDIN al ministrului finantelor privind aprobarea Normelor metodologice pentru modificarea si completarea Normelor metodologice de aplicare a Ordonantei Guvernului nr.23/1995 privind instituirea sistemului de marcare pentru tigarete, produse din tutun si bauturi alcoolice –
15. O.G. nr.86/25-08-1998  
ORDONANTA pentru modificarea si completarea Ordonantei Guvernului nr.23/1995 privind instituirea sistemului de marcare pentru tigarete, produse din tutun si bauturi alcoolice –
16. O. nr.1.772/11-09-1998 (M.F.)  
ORDIN al ministrului finantelor pentru aprobarea Normelor metodologice de aplicare a Ordonantei Guvernului nr.23/1995 privind instituirea sistemului de marcare pentru tigarete, produse din tutun si bauturi alcoolice, republicata, cu modificarile ulterioare –
17. O. nr.2.689/30-12-1998 (M.F.)  
ORDIN al ministrului finantelor privind aprobarea formularelor specifice cu regim special, utilizate în comercializarea alcoolului, bauturilor alcoolice, produselor din tutun si a sortimentelor de cafea –
18. O. nr.55/21-01-1999 (M.F.)

## 126-TOB-RAD-RO

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ORDIN al ministrului finantelor privind aprobarea formularelor specifice cu regim special utilizate în comercializarea alcoolului, bauturilor alcoolice, produselor din tutun si a sortimentelor de cafea –

19. O. nr.91/05-02-1999 (M.F.)

ORDIN al ministrului finantelor privind aprobarea formularului specific cu regim special Autorizatie de comercializare pentru alcool, bauturi alcoolice, produse din tutun si sortimente de cafea –

20. O. nr.178/31-03-1999 (M.M.P.S.)

ORDIN al ministrului muncii si protectiei sociale privind aprobarea Normelor specifice de protectie a muncii pentru industria de prelucrare a tutunului –

21. D.C.C. nr.56/13-04-1999

DECIZIE referitoare la exceptia de neconstitucionalitate a prevederilor art. 15 din Ordonanta Guvernului nr.23/1995 privind instituirea sistemului de marcare pentru tigarete, produse din tutun si bauturi alcoolice, republicata, si ale art. I pct. 9 din Ordonanta de urgenta a Guvernului nr.17/1997 pentru modificarea si completarea Ordonantei Guvernului nr.23/1995 –

22. O.U.G. nr.55/29-04-1999

ORDONANTA DE URGENTA pentru interzicerea publicitatii produselor din tutun în salile de spectacol si interzicerea vânzarii produselor din tutun minorilor

**The Romanian government approved a Bill in February 1999 that will limit the use of electronic and printed media for the promotion of tobacco products thereby bringing Romanian law into line with the EU. Furthermore the use of radio and advertisements on the covers and backs of newspaper and magazines, already outlawed under the voluntary agreement, was banned. Cinema advertising is now prohibited. Outdoor advertising using billboards was not included in the ban. Health warnings are to be required on advertisements for the first time under this new legislation.**

23. O.U.G. nr.60/13-05-1999

ORDONANTA DE URGENTA pentru modificarea alin. 4 al art. 5 din Ordonanta Guvernului nr.23/1995 privind instituirea sistemului de marcare pentru tigarete, produse din tutun si bauturi alcoolice –

24. O. nr.318/519/13-05,18-05-1999 (M.S., M.F.)

ORDIN al ministrului sanatatii si al ministrului finantelor privind aprobarea Normelor metodologice de aplicare a Ordonantei de urgenta a Guvernului nr.55/1999 pentru interzicerea publicitatii produselor din tutun în salile de spectacol si interzicerea vânzarii produselor din tutun minorilor –

25. O. nr.980/31-08-1999 (M.F.)

ORDIN al ministrului finantelor pentru modificarea Normelor metodologice de aplicare a Ordonantei Guvernului nr.23/1995 privind instituirea sistemului de marcare pentru tigarete, produse din tutun si bauturi alcoolice, republicata, cu modificarile ulterioare –

26. O. nr.137/11-11-1999 (M.A.A.)

ORDIN al ministrului agriculturii si alimentatiei pentru aprobarea Programului de restructurare a Societatii Nationale "Tutunul Românesc" - S.A –

27. O.U.G. nr.47/05-05-2000

ORDONANTA DE URGENTA pentru modificarea si completarea Ordonantei Guvernului nr.23/1995 privind instituirea sistemului de marcare pentru tigarete, produse din tutun si bauturi alcoolice –

28. D.C.C. nr.95/11-05-2000

DECIZIE referitoare la exceptia de neconstitucionalitate a prevederilor art. 15 alin. 2 din Ordonanta Guvernului nr.23/1995 privind instituirea sistemului de marcare pentru tigarete, produse din tutun si bauturi alcoolice, prevederi modificate si completate prin Ordonanta Guvernului nr.86/1998 –

29. L. nr.151/26-07-2000

LEGE privind aprobarea Ordonantei de urgenta a Guvernului nr.55/1999 pentru interzicerea publicitatii produselor din tutun în salile de spectacol si interzicerea vânzarii produselor din tutun minorilor

30. D. nr.330/26-07-2000

DECRET pentru promulgarea Legii privind aprobarea Ordonantei de urgenta a Guvernului nr.55/1999 pentru interzicerea publicitatii produselor din tutun în salile de spectacol si interzicerea vânzarii produselor din tutun minorilor –

31. O. nr.667/15-08-2000 (M.S.)

ORDIN al ministrului de stat ministrul sanatatii, privind stabilirea textului si dimensiunilor inscriptiilor -avertisment de pe produsele din tutun –

32. O. nr.853/17-10-2000 (M.S.)

ORDIN al ministrului de stat ministrul sanatatii, privind stabilirea textului si dimensiunilor inscriptiilor-avertisment ale formelor de publicitate referitoare la produsele din tutun –

33. D. nr.489/28-11-2000

DECRET pentru promulgarea Legii privind modificarea alin 2 al art 2 din Ordonanta de urgenta a Guvernului nr.55/1999 pentru interzicerea publicitatii produselor din tutun în salile de spectacol si interzicerea vânzarii produselor din tutun minorilor –

34. L. nr.225/30-11-2000

LEGE privind modificarea alin. 2 al art. 2 din Ordonanta de urgenta a Guvernului nr.55/1999 pentru interzicerea publicitatii produselor din tutun în salile de spectacol si interzicerea vânzarii produselor din tutun minorilor –

35. H.G. nr.242/15-02-2001

HOTARÂRE privind unele masuri de redresare financiara la Societatea Nationala "Tutunul Românesc" - S.A

36. D. nr.178/30-03-2001



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DECRET pentru promulgarea Legii privind modificarea și completarea articolului 1 din Ordonanța de urgență a Guvernului nr.55/1999 pentru interzicerea publicității produselor din tutun în salile de spectacol și interzicerea vânzării produselor din tutun minorilor –

37. L. nr.125/03-04-2001

LEGE privind modificarea și completarea articolului 1 din Ordonanța de urgență a Guvernului nr.55/1999 pentru interzicerea publicității produselor din tutun în salile de spectacol și interzicerea vânzării produselor din tutun minorilor

38. H.G. nr.743/26-07-2001

HOTARĂRE pentru modificarea Hotărârii Guvernului nr. 242/2001 privind unele măsuri de redresare financiară la Societatea Națională "Tutunul Românesc" - S.A.

39. H.G. nr.924/20-09-2001

HOTARĂRE pentru aprobarea bugetului de venituri și cheltuieli pe anul 2001 al Societății Naționale "Tutunul Românesc" - S.A., aflată sub autoritatea Ministerului Agriculturii, Alimentației și Padurilor

40. D.C.C. nr.314/20-11-2001

DECIZIE referitoare la excepția de neconstituționalitate a dispozițiilor art.15 alin.2 din Ordonanța Guvernului nr.23/1995 privind instituirea sistemului de marcă pentru țigărețe, produse din tutun și băuturi alcoolice, aprobată prin Legea nr.132/1995, modificată și completată prin Ordonanța Guvernului nr.86/1998 –

41. O.U.G. nr.180/20-12-2001

ORDONANȚA DE URGENȚĂ privind unele măsuri de redresare financiară la Societatea Națională "Tutunul Românesc" - S.A.

42. O.U.G. nr.186/20-12-2001

ORDONANȚA DE URGENȚĂ privind instituirea sistemului de declarații de livrare a tutunului brut

**Under paragraph 10, the Emergency Ordinance No. 186/2001 (EO 186), those cigarette manufacturers who use 5,000 tones of locally grown tobacco annually have been granted a 40 per-cent excise reduction by the Romanian government. The ordinance has been attacked by international organizations, such as the IMF and the EU, and the major industry players, accusing the government of unfair competition. They argued that the entire 2001 tobacco crop, which amounted to slightly over 8,000 tones of green leaf, would only suffice to supply Romanian Tobacco's six cigarette plants. Although the Romanian Parliament then softened the text of EO 186, the harm had already been done. On 30 January 2002, the Director General for the Expansion of the European Union Eneko Landaburu sent a letter to the Romanian authorities, reminding them of Romania's obligation under Article 27 of the EU agreement regarding the accession of eastern European countries to the EU, to refrain from "any fiscal measure establishing, whether directly or indirectly, a discrimination between the products of one Party and like products in the territory of the other Party". Under pressure from the Landaburu letter and also from the IMF, the Romanian minister of public finances, Mr Tanasescu, gave in and in February informed the IMF that paragraph 10 had been deleted from EO 186/2001.**

**Owing to the controversial impact of paragraph 10 of EO 186/01, the Romanian government announced a meeting for the second week of March with all the interested parties, including the Ministry for European Integration with the Ministry of Agriculture, Food and Forestry, the Ministry of Public Finances, as well as representatives of Romanian Tobacco and all major industry players. The meeting was held to find alternative solutions to help the Romanian tobacco leaf sector. The solutions will be oriented towards the direct support of the farmers, rather than of the cigarette manufacturers using Romanian tobacco.**

43. D.C.C. nr.93/21-03-2002

DECIZIE referitoare la excepția de neconstituționalitate a dispozițiilor art. 15 alin. 1 lit. b) din Ordonanța Guvernului nr. 23/1995 privind instituirea sistemului de marcă pentru țigărețe, produse din tutun și băuturi alcoolice, republicată

44. D. nr.329/19-04-2002

DECRET privind promulgarea Legii pentru aprobarea Ordonanței de urgență a Guvernului nr. 180/2001 privind unele măsuri de redresare financiară la Societatea Națională "Tutunul Românesc" - S.A –

45. L. nr.222/23-04-2002

LEGE pentru aprobarea Ordonanței de urgență a Guvernului nr. 180/2001 privind unele măsuri de redresare financiară la Societatea Națională "Tutunul Românesc" - S.A

46. H.G. nr.439/30-04-2002

HOTARĂRE pentru aprobarea Normelor metodologice de aplicare a Ordonanței de urgență a Guvernului nr. 186/2001 privind instituirea sistemului de declarații de livrare a tutunului brut

47. D. nr.461/24-05-2002

DECRET privind promulgarea Legii pentru aprobarea Ordonanței de urgență a Guvernului nr. 186/2001 privind instituirea sistemului de declarații de livrare a tutunului brut –

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48. L. nr.326/27-05-2002

LEGE pentru aprobarea Ordonantei de urgenta a Guvernului nr. 186/2001 privind instituirea sistemului de declaratii de livrare a tutunului brut

49. D. nr.494/04-06-2002

DECRET privind promulgarea Legii pentru prevenirea si combaterea efectelor consumului produselor din tutun

50. O. nr.237/05-06-2002 (M.A.A.P.)

ORDIN al ministrului agriculturii, alimentatiei si padurilor privind organizarea activitatii de control administrativ al livrarilor de tutun

51. L. nr.349/06-06-2002

LEGE pentru prevenirea si combaterea efectelor consumului produselor din tutun

52. H.G. nr.831/31-07-2002

HOTARÂRE privind completarea masurilor pentru diminuarea fenomenelor de fraudă si evaziune fiscala în domeniul bauturilor alcoolice si al produselor din tutun

53. H.G. nr.1.269/13-11-2002

HOTARÂRE privind trecerea în proprietatea publica a statului a unor bunuri imobile si dotari specifice activitatii din patrimoniul Societatii Nationale "Tutunul Românesc" - S.A., supuse executarii ilite

54. H.G. nr.1.270/13-11-2002

HOTARÂRE privind declararea "Zilei Nationale fara Tutun"

55. O.G. nr.13/30-01-2003

ORDONANTA privind modificarea si completarea Legii nr. 349/2002 pentru prevenirea si combaterea efectelor consumului produselor din tutun

56. H.G. nr.161/13-02-2003

HOTARÂRE privind transferul pachetului de actiuni detinut de stat la Societatea Nationala "Tutunul Românesc" - S.A. din administrarea Ministerului Agriculturii, Alimentatiei si Padurilor - Agentia Domeniilor Statului în administrarea Autoritatii pentru Privatizare si Administrarea Participatiilor Statului

57. H.G. nr.274/13-03-2003

HOTARÂRE pentru modificarea anexei nr. 1 la Hotarârea Guvernului nr. 1.269/2002 privind trecerea în proprietatea publica a statului a unor bunuri imobile si dotari specifice activitatii din patrimoniul Societatii Nationale "Tutunul Românesc" - S.A., supuse executarii silite –

58. O. nr.22/11-04-2003 (A.P.A.P.S.)

ORDIN al ministrului Autoritatii pentru Privatizarea si Administrarea Participatiilor Statului privind instituirea procedurii de administrare speciala la Societatea Nationala "Tutunul Românesc" - S.A. Bucuresti

59. D. nr.342/29-05-2003

DECRET pentru promulgarea Legii privind organizarea pietei tutunului brut în România –

60. L. nr.236/02-06-2003

LEGE privind organizarea pietei tutunului brut în România –

61. D. nr.400/19-06-2003

DECRET privind promulgarea Legii pentru aprobarea Ordonantei Guvernului nr. 13/2003 privind modificarea si completarea Legii nr. 349/2002 pentru prevenirea si combaterea efectelor consumului produselor din tutun –

62. L. nr.275/23-06-2003

LEGE pentru aprobarea Ordonantei Guvernului nr. 13/2003 privind modificarea si completarea Legii nr. 349/2002 pentru prevenirea si combaterea efectelor consumului produselor din tutun –

63. D.C.C. nr.261/24-06-2003

DECIZIE referitoare la exceptia de neconstitutionalitate a dispozitiilor art. 15 alin. 11 din Ordonanta Guvernului nr. 23/1995 privind instituirea sistemului de marcare pentru tigarete, produse din tutun si bauturi alcoolice, republicata, aprobata cu modificari si completari prin Legea nr. 132/1995, modificata si completata ulterior prin Ordonanta Guvernului nr. 86/1998, cu modificarile ulterioare

64. O. nr.502/04-08-2003 (M.A.P.A.M.)

ORDIN al ministrului agriculturii, padurilor, apelor si mediului privind contractul-tip de vânzare-cumparare a tutunului brut –

65. O. nr.503/04-08-2003 (M.A.P.A.M.)

ORDIN al ministrului agriculturii, padurilor, apelor si mediului privind autorizarea unitatilor prim-procesatoare de tutun

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## Chapter four - Stakeholders involved in tobacco related issues

The general objective of this part of the research is to identify the key players in tobacco related fields in Romania, to analyze their position and the extent and degree of concentration of power and interests.

### Governmental authorities

#### Romanian Government

AUG 23 '95 09:39 PHILIP MORRIS INT'L P.2/2

**PHILIP MORRIS INTERNATIONAL INC. INTER-OFFICE CORRESPONDENCE**  
800 WESTCHESTER AVENUE, RYE BROOK, N.Y. 10573-1301  
23 1995

TO: Mr. Murray H. Bring      DATE: August 22, 1995

FROM: Owen C. Smith

SUBJECT: Highlights - Week Ending May August 18, 1995

**Confidential** *JH*

The Romanian Ministry of Finance has written to Philip Morris explaining that under the proposed monopoly law licenses for the production of cigarettes would be granted to all qualified companies, and that the government did not wish to deter foreign investors.



2073950707

Ministry of Health and Family

<http://www.ms.ro>

Ministry of Education

<http://www.edu.ro>

Ministry of European Integration

<http://www.mie.ro>

Child Protection Directorate

Public Health Institute

<http://www.ispb.ro>

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Public Health Directorates

## **Professional organization**

Romanian Society of Pneumology

Romanian Society of Cardiology

Student Leagues

## **Nongovernmental organizations**

Aer Pur Romania

<http://www.aerpur.ro>

AER PUR ROMANIA is a Non Governmental and Non-Profit Organization. The main goal of this organization is to protect the non-smokers, mainly by defending their right to breathe a clean-fresh air.

For this, AER PUR takes the following actions:

- it continuously inform the public about the effect of active and passive smoking
- it undertakes campaigns for educating children and teenagers to convince them to maintain their "non-smoker" status they have been born with
- it acts in line with the international strategies for preventing smoking and defending the non-smokers
- it fights against all types of cancer caused by smoking and polluted air.
- it seeks to create a Center for the recovering the people who suffered because of active or passive smoking or who want to give up the habit of smoking
- it militates for the adoption of a proper legislation in this field

Only volunteers carry out activities inside the organization. Any person regardless of age, profession, sex, smoker or non-smoker, which wants to protect the rights of non-smoker, can be a member of "AER PUR"

AER PUR ROMANIA Statute clearly stipulates that the organization is engaged to fight against cancer. Other objective of the organization is to carrying out a mass movement aimed to protect and to defend the rights of non-smokers, especially the right to breathe a clean air. It informs the public about the harmful effects of smoking and second-hand smoking.

Aer Pur Romania is a member organization of Framework Convention Alliance (<http://www.fctc.org>), INGCAT, Globalink, European Union of Nonsmokers, and associate organization to the European Network for Smoking Prevention (<http://www.ensp.org>).

During last three years Aer Pur Romania was mainly financed by the American Cancer Society and Open Society Institute.

The activity of AER PUR Romania is also reflected in the tobacco industry documents:

July 1997 – PM Docs

## 126-TOB-RAD-RO

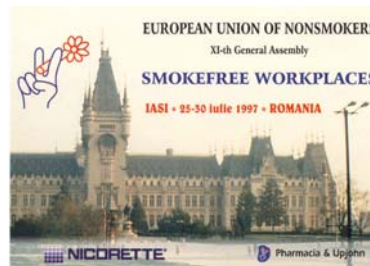
*Note: This draft research paper is prepared only for the OSI-IPF interim report and cannot be use by other parts. The draft form will be changed according with future developments of the research.*

### Bates no. 2074651987A-1991

Country:ROMANIA

Issue:ADVOCACY ISSUES

The anti-smoking organisation "Aer Pur" published the first edition of its 4-page magazine. The brochure announced the 1997 programme of the organisation, which includes a national public campaign to advocate the adoption of a new law prohibiting the sale of tobacco products to minors and any form of encouragement for children to smoke. In preparation of the campaign, "Aer Pur" is planning to do a comparative study of existing legislation in other countries and to draft a law proposal to be submitted to Parliament. The public campaign includes collecting signatures in support of the draft law. The association also plans to organise the 11th Conference of the European Union of Non-Smokers in Romania in July 1997.



### Centre for Health Policies and Services

<http://www.cpss.ro>

### Romtens Foundation

<http://www.romtens.ro>

### Romanian Cancer League

<http://www.cancerleague.ro>

### « Pupaza din Tei » Association

## Other organizations and institutions

### Romanian Patriarchy

### Adventist Church

## Tobacco Industry

### National Company Romanian Tobacco SA (SNTR)

<http://www.sntr.ro>

## **126-TOB-RAD-RO**

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**From TJI – 16 June 1993  
RTM-Faces the Hard, Cold Facts of Freedom  
By. Glenn A. John**

**“Don’t look for the privatization of the RTM...In fact, a new law will solidify RTM,s control in all aspects of the tobacco industry”  
Victor Negomireanu – Director RTM**

**February 1992 – Contract signed with Papastratos for cooperation with Tg. Jiu factory.  
In July 1993- joint brand COLOANA  
(Evenimentul zilei 5 martie 1993)**

**August 1992 – B&W offer production line to Bucharest factory (maker, packer and filter making machinery)**

**February 1993 -BUCURESTI- brand designed in co-operation with B&W**

**Discussion with PM for Timisoara factory**

**With Rothmans for Sf. Gheorghe factory**

**With SEITA for Iasi factory.**

**Privatization of the Romanian tobacco monopoly SNTR seems to be a difficult issue. SNTR was privatized two years ago, but when the new majority shareholder did not pay the debts of the company, it came back to the state by assets re-evaluation. Now SNTR is once again up for sale.**

**The privatization of the National Company Romanian Tobacco SA (SNTR) started three years ago; for the last period, the majority shareholder with 53 per cent was the Romanian holding InterAgro, owned by Ioan Niculae. In last December, owing to outstanding debts to the exchequer, SNTR was denied the fiscal license to produce cigarettes in 2003.**

**The stocks were exhausted during the next two to three months. Now, the traditional Romanian brands which in 2002 occupied some 27 per cent of the market volume, although much less in value share, are no longer present on shelves. Last March, the Romanian ministry of agriculture and food handed over its minority participation of 43 per cent to the privatization agency APAPS, headed by minister Ovidiu Musetescu; by re-evaluation of company assets, the state, once again, became majority shareholder of SNTR with a participation of 56.4 per cent.**

**In mid April 2003, Mr Musetescu stated on television: “I brought SNTR to the position of obtaining all the necessary approvals in order to resume the manufacturing activity. Whatever happened in the past, a tax payer which contributes every year between ROL 2,500 and 3,000 billion to the exchequer (E 82 to 98 million) cannot be ignored; the more so a tax payer which provides bread to more than 50,000 small farmers from whom he buys tobacco every year cannot be ignored.”**

## 126-TOB-RAD-RO

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**After obtaining the majority package, APAPS had changed the entire managerial team and appointed a special administrator. On 25 April, SNTR received the much-expected license and resumed cigarette production on May 12, 2003.**

**It might be worth mentioning that APAPS, the majority shareholder, is a structure which will end its activity, according to the law, at the end of 2003. If not sold by that time, SNTR might become a sore thumb for the present government.**

### **British American Tobacco**

<http://www.bat.com>

Keynote speech to the World Tobacco Symposium  
Wednesday 22<sup>nd</sup> September 1993  
Moscow

Ulrich Herter, Managing Director Tobacco  
B.A.T. Industries Plc.

Bates No. 500002008 – 18  
First Page 500001873  
Last Page 500002032

“Here in the Eastern half of our European continent, the struggle for freedom and liberalization has led to the opening up of markets and to privatization. It has created opportunities for local firms to work with their foreign counterparts to develop old business and discover new ones; to create prosperity and jobs for the future. The tobacco industry is an important part of this process” – page 1

“ It is more likely that long term funds will come from international funding organizations like World Bank and the European Bank for Reconstruction and Development and established entrepreneurs – like BAT” – page 6

“Trust has to be earned and not demanded. We and another international company, already spend, and must continue to spend, a lot of time winning hearts and minds, trying to explain our commitment to the people in our business” – page 8

“Those of us who have the opportunity of investing for the first time in Central and Eastern Europe and Central Asian states are constantly aware of the tremendous courage and sacrifice that continues to be shown, day by day, as governments and people move towards new concepts of freedom and different, untried, forms of a market economy. The challenges are awesome”.....”BAT’s involvement in this part of the world, demonstrates our Company’s confidence that the countries here will be able to achieve prosperity” – page 11

### **1997- The start of operations of BAT’s tobacco factory in Ploiesti**

#### **Philip Morris**

<http://www.philipmorris.com>

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March 1997 – PM Docs  
Bates no. 2074162247-2249

### ROMANIA

#### Corporate Image

The annual "Crans Montana Forum", of which PM is one of the main sponsors, took place on March 21-23 in Bucharest. Foreign investment was encouraged by President Constantinescu and mention was made in the media about PM's intention to invest in Romania. The Forum accommodated over 150 foreign business representatives and all key ministers of Romanian government.

**Philip Morris completed and officially opened its new plant in September 2001, which is already running at full capacity.**

**Japan Tobacco International**  
<http://www.jti.com>

**RJ Reynolds was the first to set up operations back in 1995, the factory being acquired by JT International in 1999, when it took over RJRI.**



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**PRESS RELEASE**

April 27, 1995

BUCHAREST, ROMANIA -- R.J. Reynolds Tobacco International, Inc. announced that it has completed the implementation of a cigarette making-and-packing factory in Romania, under a sister company called Reynolds Manufacturing (Romania). The project has been approved by the Romanian Development Agency.

The company said it has converted an existing 1700 square meters facility located in Bucharest. The plant has a production capacity equivalent to approximately 6% of the Romanian market.

The project has created over 120 jobs (end of 1994) during the initial phase and is part of a \$40 million expenditure earmarked for Romania by RJR Tobacco International over the next ten years, including capital investments and investments in marketing and distribution. The new manufacturing facility will establish the company firmly in the Romanian cigarette market which is considered the second largest market in Central Europe, with significant demand for American-blend cigarettes, and a considerable potential for several of RJR's best-selling international brands, including CAMEL, MONTE CARLO, and WINCHESTER. The company plans to introduce its full range of leading international brands for the Romanian market.

The company said its sizable investment demonstrates a strong, long-term commitment to Romania and its people. The RJR investment opens up a competitive situation in the Romanian tobacco industry by giving Romanian smokers a larger choice of cigarette products, based on RJR's quality standards for its products internationally. RJR plans to manufacture CAMEL cigarettes and eventually other premium-brands in its Romanian factory for the domestic market at the moment the excise tax for these brands is lowered to the point where consumers can afford them. In the meantime, small quantities of CAMEL cigarettes are being manufactured for export.

"Our main objective, short-term, is to develop the franchise of our international brands, which are already very favorably perceived by Romanian smokers. Our locally produced RJR brands will be manufactured with the same standards of high quality and materials as in RJR factories in the United States, Germany, and Switzerland," said Gerard Cayla, Country Manager of RJR Romania.

"We view this investment and its growth and development to be of strategic importance to Reynolds now and in the forthcoming years," said Geoff Carlson, General Manager of Eastern Europe. "RJR will participate in the local business community actively to meet the demands of smokers and to develop strong links to, and cooperation with, the emerging distribution and retail sectors as well as the domestic tobacco industry."

###

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**Other tobacco companies**

**In addition to the multinationals, the Greek manufacturers Papastratos and Sekap have operations in Romania and there are also five smaller producers including V Tabac, RGS Industries and REL Tobacco operating on the fringe of the market along with importers.**

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## Front groups of the tobacco industry

### Foundation for Pluralism

This organization take during year 2002 the leader role of the “Educational Program” “The decision is mine” launched in 2000 by the BAT Romania and PM Romania with support of the Ministry of National Education, Ministry of Young and Sports and Ministry of Health. The following two images of the adverts in Romanian media show clearly the change of the TTC strategy regarding the presence of this action in Romania.

It is interested also to underline that the President of this NGO is a former counselor of the President of Romania for the relationship with Romanian NGO’s.

Advert in the Romanian newspapers - May 2000



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**Advert in the Romanian newspapers - May 2002.**



Programul educațional "Decizia e a mea!", primul de acest gen din România, aflat în al treilea an de existență, este un real succes.

Programul educațional "Decizia e a mea!", coordonat de către Fundația pentru Pluralism, este sprijinit de:

- Ministerul Educației și Cercetării
- Ministerul Sănătății și Familiei
- Ministerul Tineretului și Sportului
- Președinția României

Sprijinind programul "Decizia e a mea!" ajuți adolescenții din România să ia decizii corecte în viață.

Află mai multe despre programul educațional "Decizia e a mea!" contactând Fundația pentru Pluralism:  
tel 01.212.51.43, e-mail: fpp@ines.ro

**Decizia e a mea!**

**The educational program**

**"The decision is mine" the first in Romania is in the third year of existence a real success.**

**The educational program**

**"The decision is mine" coordinated by Foundation for Pluralism is supported by:**

- **Ministry of Education and Research**
- **Ministry of Health and Family**
- **Ministry of Youth and Sports**
- **Romanian Presidency**

## **126-TOB-RAD-RO**

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### **Mass-media**

#### **International organizations**

**World Health Organisation**

<http://www.who.int>

**World Bank**

[www.worldbank.org](http://www.worldbank.org)

**Open Society Institute**

<http://www.soros.org>

**American Cancer Society**

<http://www.cancer.org>

**Advocacy Institute**

<http://www.advocacy.org>

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## Chapter five – Economics and Tobacco

This part of the research is under development in cooperation with the Centre for Health Policies and Services in the framework of the project supported by the Open Society Institute New York.

Cigarette Consumption, 1990-2001			
	Million Pieces	% Annual Change	Index 1990 = 100.0
1990	18,190	- 18.1	100.0
1991	25,780	+ 41.7	141.7
1992	27,220	+ 5.6	149.6
1993	29,760	+ 15.4	163.6
1994	29,530	- 0.8	162.3
1995	30,500	+ 3.2	167.7
1996	31,860	+ 4.5	175.2
1997	30,509	- 4.2	167.7
1998 <sup>r</sup>	33,740	+ 10.6	185.5
1999 <sup>r</sup>	27,070	- 19.8	148.8
2000 <sup>r</sup>	30,710	+ 13.4	168.8
2001 <sup>f</sup>	32,250	+ 5.0	177.3

Source: ERC estimates based on trade enquiries.

Note: Legitimate sales only.

Per Capita Consumption, 1990-2001						
	Population Millions	Per Capita Consumption				Index 1990 = 100.0
		Pieces/Day	Pieces/Week	Pieces/Year	% Change	
1990	23.21	2.1	15.0	784		100.0
1991	23.19	3.0	21.3	1,112	+ 14.3	141.8
1992	22.79	3.3	22.9	1,194	+ 7.3	159.3
1993	22.76	3.6	25.1	1,308	+ 9.5	166.8
1994	22.73	3.6	24.9	1,299	- 0.7	165.7
1995	22.68	3.7	25.8	1,345	+ 3.5	171.6
1996	22.61	3.9	27.0	1,409	+ 4.8	179.7
1997	22.55	3.7	25.9	1,353	- 4.0	172.6
1998	22.50	4.1	28.8	1,500	+ 10.9	191.3
1999	22.46	3.3	23.1	1,205	- 19.7	153.7
2000	22.41	3.8	26.3	1,370	+ 13.7	174.7
2001 <sup>f</sup>	22.36	4.0	27.7	1,442	+ 5.3	183.9

Source: ERC estimates based in UN and trade enquiries.

Note: Based on legitimate sales only and total population.

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<b>Market Breakdown: Domestic v Imported Products, 1995-2000</b>						
<b>Billion Pieces</b>						
	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>
Domestically	8.42	23.28	25.94	31.28	25.16	27.24
Imported	22.08	8.58	4.57	2.46	1.91	3.47
<b>TOTAL</b>	<b>30.50</b>	<b>31.86</b>	<b>30.51</b>	<b>33.74</b>	<b>27.07</b>	<b>30.71</b>
<b>% of Total</b>						
Domestically	27.6	73.1	85.0	92.7	92.9	88.7
Imported	72.4	26.9	15.0	7.3	7.1	11.3
<b>TOTAL</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

Source: ERC based on industry sources and UN.

<b>Manufacturer Sales &amp; Shares, 1997-2000</b>				
<b>Million Pieces</b>				
	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>
BAT Romania	610	5,365	6,199	8,599
SNTR	19,526	18,894	9,745	7,678
Philip Morris Romania	*	2,024	3,790	6,603
JTI Romania	5,217	5,736	6,497	6,603
Papastratos	*	*	*	1,013
Others	5,156	1,721	839	215
<b>TOTAL</b>	<b>30,509</b>	<b>33,740</b>	<b>27,070</b>	<b>30,710</b>
<b>% Volume</b>				
BAT Romania	2.0	15.9	22.9	28.0
SNTR	64.0	56.0	36.0	25.0
Philip Morris Romania	*	6.0	14.0	21.5
JTI Romania	17.1	17.0	24.0	21.5
Papastratos	*	*	*	3.3
Others	16.9	5.1	3.1	0.7
<b>TOTAL</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

Source: ERC from combined sources.

Note: \* Included in others.

## 126-TOB-RAD-RO

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Summary of Retail Price Position of Cigarette Brands, 1997-1999				
Brand	Manufacturer	US\$ per Pack		
		1997	1998	1999
Locally Manufactured		0.10-0.25	0.20-0.40	0.24-0.50
BT	Bulgartabac	0.40-0.45	0.40-0.45	na
Assos	Papastratos	0.65-0.71	0.80-0.90	na
Monte Carlo	RJ Reynolds	na	0.55-0.65	0.43-0.45
Pall Mall	BAT	0.71-0.77	0.85-0.95	na
Winston	RJ Reynolds	0.77-0.84	0.90-0.95	0.52-0.54
L&M	Philip Morris	na	0.90-0.95	0.52-0.54
Rothmans	Rothmans	na	1.40-1.45	0.70-0.95
Dunhill	Rothmans	na	1.45-1.50	na
Kent	BAT	1.03-1.16	1.15-1.30	0.70-0.95
Marlboro	Philip Morris	1.16-1.30	1.40-1.50	0.70-0.95

Source: ERC based on trade sources.

Cigarette Production, 1990-2000			
	Million Pieces	% Annual Change	Index 1990 = 100.0
1990	18,090	- 18.2	100.0
1991	17,781	- 1.7	98.3
1992	17,722	- 0.3	98.0
1993	15,222	- 14.1	84.1
1994	14,532	- 4.5	80.3
1995	14,747	+ 1.5	81.5
1996	16,536	+ 12.1	91.4
1997	25,943	+ 56.9	143.4
1998	25,600	- 1.3	141.5
1999	30,800	+ 20.3	170.3
2000	29,800	- 3.2	164.7

Source: ERC based on UN and National Commission for Statistics.

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Consumption Forecasts to 2010							
	Population Millions	Total Market			Per Capita		
		Million Pieces	% Change	Index 2000 = 100.0	Pieces/ Year	% Change	Index 2000 = 100.0
2000	22.41	30,710	- 13.4	100.0	1,370	+ 13.7	100.0
2001	22.36	32,250	+ 5.0	105.0	1,442	+ 5.3	105.3
2002	22.32	30,750	- 4.7	100.1	1,378	- 4.4	100.6
2003	22.27	31,500	+ 2.4	102.6	1,414	+ 2.6	103.2
2004	22.23	32,500	+ 5.7	105.8	1,462	+ 3.4	106.7
2005	22.18	33,500	+ 3.1	109.1	1,511	+ 3.4	110.3
2006	22.13	34,500	+ 3.0	112.3	1,559	+ 3.2	113.8
2007	22.08	35,500	+ 2.9	115.6	1,608	+ 3.1	117.4
2008	22.03	36,750	+ 3.5	119.7	1,668	+ 3.7	121.8
2009	21.98	38,000	+ 3.4	123.7	1,729	+ 3.7	126.2
2010	21.93	39,250	+ 3.3	127.8	1,790	+ 3.5	130.7

Source: ERC forecasts.

Note: Excludes contraband supplies.



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## Chapter six – Knowledge’s, attitudes and practices linked to the tobacco consumption among Romanian general population

Smoking Population, 1995-2000						
	1995	1996	1997	1998	1999	2000
Total Population (millions)	22.68	22.61	22.55	22.50	22.46	22.41
- Adult Males (15+)	8.75	8.78	8.80	8.81	8.82	8.84
- Adult Females (15+)	9.29	9.33	9.37	9.39	9.42	9.45
- Adult Total	18.04	18.12	18.17	18.20	18.23	18.28
-----						
Of Which Smokers (%)						
- Adult Males (15+)	42.7	na	na	na	na	48.0
- Adult Females (15+)	15.2	na	na	na	na	25.0
- Adult Total	28.5	31.2	34.0	34.7	35.4	36.1
-----						
Number of Smokers (millions)						
- Adult Males (15+)	3.74	na	na	na	na	4.24
- Adult Females (15+)	1.41	na	na	na	na	2.36
- Adult Total	5.15	5.66	6.18	6.32	6.46	6.60

Source: ERC estimates based on UN/USCB demographic data, National Health Statistics and trade sources.

The research in this field is based on the study performed by the Centre for Health Policies and Services (CHPS) compared with other available data. This chapter will be completed after the CHPS study will be published officially at the end of 2003.

### Main objectives:

- Identification of the relevant statistic indicators linked to the tobacco consumption among Romanian general population.
- Identification of the knowledge’s attitudes and practices linked to the tobacco consumption among Romanian general population (smokers/nonsmokers).
- Identification of the social and health consequences of the tobacco consumption.
- Identification of the role of mass-media and advertising for tobacco consumption promotion and quitting smoking.

**Target population:** men and women’s, from general population with age between 15 and 60 years.

**Methodology:** Research quantitative techniques (questionnaires).

- **Number of subjects:** 1300 individuals (men and women’s, smokers and non-smokers) from urban and rural areas, 10 counties and Bucharest representative for the Romanian general population.
- The places where the study is performed were random choose.
- The database is analyzed with SPSS software.

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**Example from the above mentioned study:**

**Q81:**

<b>Did you talk with medical personnel representatives about negative effects of tobacco consumption?</b>	<b>Total (%)</b>	<b>Smokers (%)</b>	<b>Nonsmokers (%)</b>
<b>YES</b>	<b>13,1</b>	<b>20,8</b>	<b>9,0</b>
<b>NO</b>	<b>83,0</b>	<b>76,2</b>	<b>86,6</b>
<b>I don't know/I don't remember</b>	<b>3,5</b>	<b>2,8</b>	<b>3,9</b>
<b>Number of subjects</b>	<b>1209</b>	<b>423</b>	<b>786</b>

The answers show clearly that the Romanian medical personnel (doctors, nurses) don't talk with their patients about the negative effects of tobacco consumption.

Many doctors are relatively well informed of the health risk of smoking but the primary impediment to their accepting responsibility for tobacco control lies in their failure to recognize that their professional responsibility extends beyond the treatment and cure of tobacco caused diseases and includes the prevention and cessation of tobacco use. Especially in Romania this lack of recognition is reinforced by medical compensation system that doesn't pay for counseling and cessation services.

According with the provision of the Article 4 point 1 of the FCTC (every person should be informed of the health consequences, addictive nature and mortal threat posed by tobacco consumption and exposure to the tobacco smoke...) and taking in to account that doctors and other health professionals are respected and influential community leaders in Romania, one policy paper which will result after this research will be developed especially for this professional category.

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## **Chapter seven – Current situation in Romania compared with the FCTC provisions**

As is stated in the Framework Convention on Tobacco Control the objective of FCTC (Article 3) is to protect present and future generations from devastating health, social, environmental and economic consequences of tobacco consumption and exposure to tobacco smoke by providing a framework for tobacco control measures to be implemented at the national, regional and international levels in order to reduce continually and substantially the prevalence of tobacco use and exposure to tobacco smoke.

### **General obligations**

#### **Price and tax measures to reduce the demand for tobacco**

#### **Non-price measures to reduce demand for tobacco**

#### **Protection from exposure to tobacco smoke**

#### **Regulation of the contents of tobacco products**

#### **Regulation of tobacco products disclosure**

#### **Packaging and labeling of tobacco products**

#### **Education, communication, training and public awareness**

#### **Tobacco advertising, promoting and sponsorship**

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**Demand reduction measures concerning tobacco dependence and cessation**

**Illicit trade in tobacco products**

**Sales to and by minors**

**Provision of support for economically viable alternative activities**

**Protection of the environment and the health of persons**

**Liability**

**Research surveillance and exchange of information**

**Reporting and exchanging of information**

**Cooperation in the scientific, technical and legal fields and provision of related expertise**

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## **Policy papers**

### **Motivation**

- **Low interest of Romanian politicians to the tobacco related problems.**
- **Low interest of Romanian mass media to the tobacco related problems.**
- **Low education of the general population to the tobacco related problems.**
- **Need to gain support for a strong FCTC from decision makers and the general public.**
- **Needs of the Romanian tobacco control movement to be on line with FCTC regulations.**
- **Low number of physicians implied in the smoking cessation and lack of interest for this domain**
- **Lack of skills and resources in this field**

### **Policy recommendation for Romanian politicians**

### **Policy recommendation for Romanian mass-media**

### **Policy recommendation for the NGO's involved in tobacco control**

### **Policy recommendation for health professionals**

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