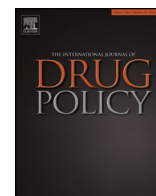




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Research Paper

Regulating the sale of tobacco in New Zealand: A qualitative analysis of retailers' views and implications for advocacy

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ABSTRACT

Background: In contrast to the sale of alcohol and other psychoactive substances, the retail availability of tobacco in New Zealand (NZ) is relatively unregulated. Tobacco is almost universally available, and the absence of a licensing scheme for tobacco retailers makes enforcement of retail-level legislation challenging. As a key stakeholder group, the views of tobacco retailers are likely to influence the tobacco retail policies that gain political support. We explored NZ tobacco retailers' views towards mandatory licensing of tobacco retailers, and how they perceived policies that would reduce tobacco availability.

Methods: We conducted face-to-face interviews with tobacco retail store owners and managers throughout NZ ($n = 21$). A semi-structured interview guide was used, and interviews explored participants' views of existing tobacco retail policies, the NZ government's goal of becoming a smokefree country by 2025, possible future policies, such as licensing of tobacco retailers, and perceptions of selling tobacco. Qualitative content analysis was conducted using the interview transcripts as the data source.

Results: The tobacco retailers interviewed expressed varying views on how tobacco sales should be regulated. Around half of the study participants were positive or indifferent about mandatory retailer licensing, and several believed licensing would not have a large impact on them. The idea of restricting the sale of tobacco within 500 m of a school was generally well received by participants, and had more support than policies that would prohibit certain outlet types from selling tobacco.

Conclusion: In contrast to claims made by industry-related organisations, a proposed licensing policy is unlikely to be met with blanket opposition from tobacco retailers. Advocacy efforts may garner more support for tobacco retail policies if the purpose of policies was framed in terms of protecting young people from smoking.

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Introduction

As with many developed countries, tobacco control policy in New Zealand (NZ) has traditionally focused on demand-side interventions, such as media campaigns to deter smoking, health warnings on packaging, restrictions on tobacco advertising and sponsorship, and provision of smoking cessation interventions (Edwards, Russell, Thomson, Wilson, & Gifford, 2011). In comparison to the regulation of the sale of alcohol and other psychoactive substances, NZ has enacted relatively few policies to modify the tobacco retail environment.

The *Smokefree Environments Amendment Act 2011*, which prohibits tobacco product displays at the point-of-sale, was

therefore an important milestone. All forms of tobacco promotion are now prohibited in retail stores in NZ; tobacco products are stored in closed cupboards or drawers, and standardised price lists are the only information available about brands. However, there remain some significant inadequacies regarding the regulation of tobacco sales. The NZ government has committed to a goal of making NZ a smokefree country by the year 2025; this goal is widely understood as reducing the smoking prevalence among all population groups to no more than five percent. To help achieve this goal, tobacco control advocates have suggested that policies should be broadened to reduce the supply and availability of tobacco products (Edwards et al., 2011). Some jurisdictions in Australia and the U.S., for example, have enacted tobacco retail licensing or zoning regulations (e.g. Bowden, Dono, John, & Miller, 2014; Centers for Disease Control and Prevention, 2012; Coxe et al., 2014; Henriksen, 2012).

Since no licence is required to sell tobacco in NZ, no register or accurate database of tobacco retailers exists to support

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enforcement of current smokefree legislation (Marsh, Doscher, & Robertson, 2013). Existing legislation prohibits the sale of tobacco to people under 18 years old, yet a small proportion of minors report retail stores as their usual source of supply (Gendall, Hoek, Marsh, Edwards, & Healey, 2014). Legislative enforcement is conducted by approximately 40 Smokefree Enforcement Officers (SEOs) (Brendon Baker, email to author, March 3, 2015), the majority of whom work part-time. Consequently, capacity for policing under-age sales among the estimated 7800 premises that sell tobacco (Euromonitor, 2014) is very limited. The absence of tobacco retail licensing also means that anyone may sell tobacco, anywhere, and at any time; as a result, tobacco is available ubiquitously (Marsh et al., 2013). Researchers have argued that the widespread availability of tobacco is a primary form of tobacco promotion in countries where there are strong restrictions on tobacco marketing (Paul et al., 2010). The lack of tobacco supply regulation is considered to be inconsistent with public health messages about the dangers of using tobacco and with the NZ government's goal of becoming a smokefree nation by 2025 (Maubach et al., 2013). Furthermore, the ease with which people may access tobacco influences smoking patterns. A greater density of tobacco retail outlets is associated with higher rates of smoking among both adults and youth (Chuang, Cubbin, Ahn, & Winkleby, 2005; Novak, Reardon, Raudenbush, & Buka, 2006). This association may be explained by greater exposure to cigarette advertising in jurisdictions that do not have a point-of-sale display ban (Henriksen, Schleicher, Feighery, & Fortmann, 2010), greater likelihood of impulse purchasing among attempting quitters (Burton, Hoek, Nesbit, & Khan, 2015), and the creation of more competitive local markets, which may lead to lower cigarette prices (McCarthy, Scully, & Wakefield, 2011) and sales to minors (Leatherdale & Strath, 2007). Higher numbers of tobacco outlets around a school may also be associated with smoking initiation among students (Henriksen et al., 2008).

Consequently, tobacco control advocates have called for mandatory licensing of tobacco retailers, a measure that could support stronger restrictions on where tobacco can be sold and by whom (Jaine, Russell, Edwards, & Thomson, 2014; New Zealand Smokefree Coalition, 2012). These propositions have strong support from non-smokers and smokers alike (Edwards et al., 2012; Thomson, Wilson, & Edwards, 2010; Whyte, Gendall, & Hoek, 2013). For jurisdictions considering strategies to reduce the availability of tobacco, evidence of how the public views these policies can support advocacy for greater tobacco control efforts. The views of key stakeholder groups, such as tobacco retailers, may also influence adoption of policies such as tobacco retailer licensing. A NZ study conducted in 2012 found that many tobacco retailers were ambivalent about selling tobacco and that several supported the idea of tobacco retail licensing. However, an in-depth analysis of views on licensing was not reported, and the study did not investigate retailers' views on different policy options to reduce tobacco availability (Jaine et al., 2014). Overall, retailers' opinions have so far received relatively little attention among tobacco control researchers. By contrast, the tobacco industry has often claimed to represent tobacco retailers' views, most recently when opposing plain packaging policies (Deloitte, 2011; Roy Morgan Research, 2013; Savell, Gilmore, & Fooks, 2014). Similarly, national retailer organisations such as the NZ Association of Convenience Stores (NZACS) frequently make submissions on proposed tobacco control policy. Yet given the presence of tobacco industry executives on the NZACS Board (New Zealand Association of Convenience Stores, 2015), their submissions are highly likely to represent industry interests, which may not mirror those that individual retailers hold (Hoek, Vaudrey, Gendall, Edwards, & Thomson, 2011). We explored tobacco retailers' views

of mandatory licensing and other policies that could reduce the availability of tobacco products. We probed factors underlying retailers' views, as their perceptions may be amenable to change through media advocacy or education. As a secondary aim we explored retailers' relationships with the tobacco industry, as very little NZ research has examined this area.

Methods

Sample

Known tobacco retailers in NZ were drawn from a NZ database developed in a previous study, which identified 5008 outlets (Marsh et al., 2013). While reasonably comprehensive, the database likely underestimates the actual number of retailers in NZ: British American Tobacco report having 7800 retail customers throughout NZ (Euromonitor, 2014). A purposeful sampling strategy was used (Patton, 2002), with retailers stratified by outlet type, neighbourhood-level socioeconomic status (SES), and urban vs. rural location; approximately equal numbers of retailers were drawn from the North and South Islands of NZ. This procedure ensured we obtained broad representation of retailers in NZ. The following types of retail outlet were included in the sample: *dairies* (e.g. small corner stores); *small supermarkets* (typically a larger premises than a dairy with a wider range of products, often including alcohol, sometimes referred to as convenience stores or mini-marts); and *supermarkets*, *service stations* and *liquor stores*. These categories represent the main types of outlets selling tobacco in NZ and, collectively, they comprise approximately three-quarters of the known tobacco retail outlets (Marsh et al., 2013). We anticipated that saturation of themes would occur at around 22–25 interviews, therefore quotas of 4–5 retailers were set for each category of retailer. An address was defined as being “urban” if it was located within a “main urban area” according to Statistics New Zealand maps (Statistics New Zealand 2001); all other addresses were categorised as “rural”. Data on the SES of the neighbourhood of the outlet were obtained in a previous study using 2006 census data and GIS software (Marsh et al., 2013).

Qualitative approach

The approach used in this research was qualitative description, a highly pragmatic qualitative research method with an emphasis on obtaining information for practical application (Neergaard, Olesen, Andersen, & Sondergaard, 2009). The purpose of qualitative description is to provide “a rich, straight description” of the data, as opposed to a highly interpretive meaning of an experience, or theory development (Neergaard et al., 2009). Qualitative description uses generic qualitative methods, such as participant recruitment, interviews, reflection on the interviews, coding data into themes and analysis (Caelli, Ray, & Mill, 2003). A semi-structured interview was used, whereby the discussion topics were specified in advance, though flexibility in wording and sequencing of questions was retained by the researcher to ensure the interview remained natural and conversational (Patton, 2002). The interview guide consisted of general introductory questions about the most popular tobacco brands retailers sold. Following this introduction, the interview explored participants' views on existing tobacco control policies (including the point-of-sale display ban and the government annual tax increases of 10%); the 2025 goal; selling tobacco, and possible future policies, such as tobacco retailer licensing.

Procedure

Retail stores in the sampling frame were approached in person by the lead researcher (LR), who asked to speak with the owner of the store or the manager. If neither the owner nor manager were

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