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Jamaica

**TOBACCO  
INDUSTRY  
INTERFERENCE  
INDEX  
2023**

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## Background and Introduction

Tobacco use is a significant public health issue in Jamaica, with approximately 15% of the population aged 15 and over currently using tobacco products<sup>1</sup>. Among males aged 35-44, the rate of tobacco use is as high as 36%, while among females aged 25-34, the rate is 10%<sup>2</sup>. Tobacco is responsible for a significant portion of non-communicable diseases in Jamaica, including 11% of all NCDs and 6% of all cardiovascular diseases<sup>3</sup>. Furthermore, tobacco use is the leading cause of cancer of the trachea, bronchus, and lung in Jamaica, accounting for 71% of all deaths from this type of cancer<sup>4</sup>.

Despite these alarming statistics, the tobacco industry remains active in Jamaica, with Carreras<sup>5</sup> (BAT subsidiary) controlling much of the market share as the leading distributor of tobacco products. For many years, Carreras (whose major cigarette brands are Craven A and Matterhorn) and Musson Group Limited, the distributor of Marlboro cigarettes, dominated<sup>6</sup> the industry, accounting for 99% and 1% of the market share respectively. Recently, companies such as Nostic Agricultural & Manufacturing Limited<sup>7</sup>, Pacific Cigarette Company<sup>8</sup>, and Hamburg International Limited<sup>9</sup> have entered the market since 2016 and continue to operate to a lesser extent compared to Carreras and Musson Group.

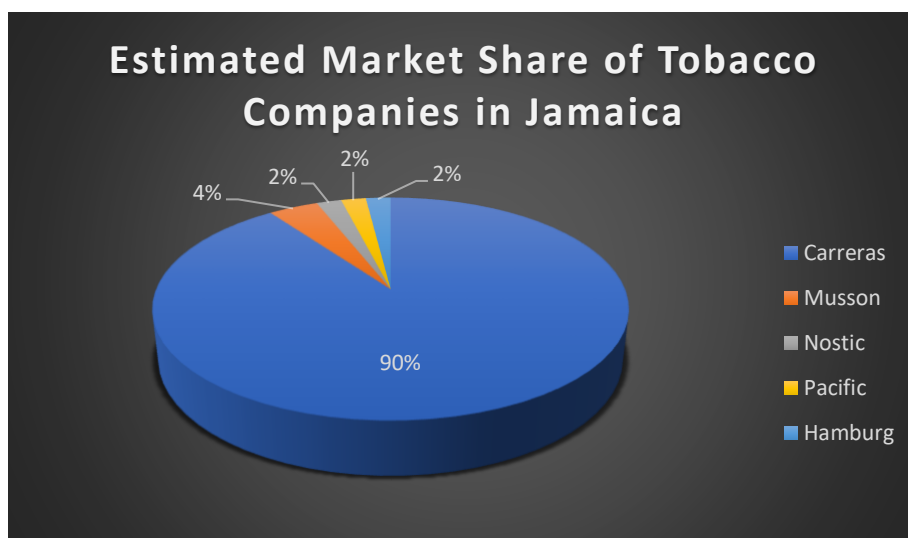


Fig 1: Market (approximate) Share of Tobacco Companies in Jamaica

<sup>1</sup> 2017 GYTS Fact Sheet Jamaica. <https://www.who.int/publications/m/item/2017-gyts-fact-sheet-jamaica>

<sup>2</sup> Jamaica Health and Lifestyle Survey III (2016 – 2017) – Ministry of Health & Wellness, Jamaica. <https://www.moh.gov.jm/jamaica-health-and-lifestyle-survey-iii-2016-2017/>

<sup>3</sup> WHO global report: mortality attributable to tobacco. <https://www.who.int/publications-detail-redirect/9789241564434>

<sup>4</sup> WHO global report: mortality attributable to tobacco. <https://www.who.int/publications-detail-redirect/9789241564434>

<sup>5</sup> Carreras. [https://www.carrerasltd.com/group/sites/BAT\\_AAPMDE.nsf/vwPagesWebLive/DO9T5K3S?opendocument](https://www.carrerasltd.com/group/sites/BAT_AAPMDE.nsf/vwPagesWebLive/DO9T5K3S?opendocument)

<sup>6</sup> Marlboro is latest cigarette brand jostling to expand Jamaican market share. <https://www.jamaicaobserver.com/business/marlboro-is-latest-cigarette-brand-jostling-to-expand-jamaican-market-share/>

<sup>7</sup> New cigarette manufacturer launched in Jamaica. <https://jamaica-gleaner.com/article/business/20161028/new-cigarette-manufacturer-launched-jamaica>

<sup>8</sup> New Africa-based Pacific Cigarette targets local smokers. <https://www.jamaicaobserver.com/business/new-africa-based-pacific-cigarette-targets-local-smokers/>

<sup>9</sup> Hamburg International Limited. <https://www.iseza.com/sez/hamburg-international-limited/>

In recent years, there has also been an increase in the availability and use of new tobacco products such as e-cigarettes in the country, with 11.7% of students aged 13-15 reporting using e-cigarettes and 11.2% smoking traditional cigarettes<sup>10</sup>. There are numerous vendors providing these products to Jamaican consumers. Two such proprietors are The Mez Vape & Smoke Shop<sup>11</sup> and The Vape Shoppe<sup>12</sup>. They have contributed to the recent debate on the harmfulness of vaping by maintaining that it is harmless<sup>13</sup> despite emerging data proving otherwise. According to a rapid assessment conducted by the National Council on Drug Abuse in 2022<sup>14</sup>, high school children in particular have a concerning ease of accessibility to e-cigarettes hence necessitating the need for strong regulations.

To address the public health threat posed by tobacco use, the Jamaican government, enacted the Public Health (Tobacco Control) Regulations 2013<sup>15</sup>. The legislation was amended in 2014 and prohibited smoking in public places and required graphic health warning labels on cigarette packages. Within six years, a Needs Assessment, led by the Convention Secretariat of the WHO/FCTC, PAHO, the UN Country Team and the MOHW informed the proposal of the Tobacco Control Act (2020)<sup>16</sup>. The Tobacco Control Bill is currently being reviewed by a joint select committee of Parliament. When passed, the bill will incorporate and strengthen existing tobacco control measures under the Public Health (Tobacco Control) Regulations 2013. The proposed regulations include banning smoking in public places, prohibiting all forms of Tobacco Advertisement, Promotion and Sponsorships (TAPS), and protecting tobacco control policies from interference of the tobacco industry. The Bill will also move closer to satisfying all the obligations of the country in accordance with the WHO FCTC in protecting the present and future generations from the devastating health, social, environmental, and economic consequences of tobacco consumption and exposure to tobacco smoke.

The tobacco industry in Jamaica has also engaged in corporate social responsibility (CSR) activities, including supporting education, environmental initiatives, and Covid-19 related efforts. For example, Carreras has been providing scholarships and financial support to students for almost 60 years<sup>17</sup>.

These CSR activities are used to build good will among the public and legislators. The tobacco industry also uses CSR to take advantage of the slow progress of the legislative process. Efforts to promote public health and reduce smoking rates must remain a top priority in Jamaica and around the world.

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<sup>10</sup> 2017 GYTS Fact Sheet Jamaica. <https://www.who.int/publications/m/item/2017-gyts-fact-sheet-jamaica>

<sup>11</sup> More Jamaicans turn to vaping to quit smoking. <https://www.jamaicaobserver.com/news/more-jamaicans-turn-to-vaping-to-quit-smoking/>

<sup>12</sup> The Vape Shoppe. [https://www.facebook.com/thevapeshoppeia/about\\_contact\\_and\\_basic\\_info](https://www.facebook.com/thevapeshoppeia/about_contact_and_basic_info)

<sup>13</sup> 'Harmless' vaping theory going up in smoke - Smoke shop operator defends practice, fatalities recorded in US. <https://jamaica-gleaner.com/article/lead-stories/20191003/harmless-vaping-theory-going-smoke-smoke-shop-operator-defends>

<sup>14</sup> Molly pills, vaping and edibles top drugs being abused by high schoolers – NCDA study. <https://jamaica-gleaner.com/article/news/20220901/molly-pills-vaping-and-edibles-top-drugs-being-abused-high-schoolers-ncda>

<sup>15</sup> The Public health (Tobacco Control) Regulations, 2013. chrome-extension://efaidnbnmnnibpcjpcglclefindmkaj/viewer.html?pdfurl=https%3A%2F%2Fjaparliament.gov.jm%2Fattachments%2F412\_The%2520Public%2520Health%2520(Tobacco%2520Control)%2520Regulations%2C%25202013.pdf&chunk=true

<sup>16</sup> The Tobacco Control Act, 2020.

<https://japarliament.gov.jm/index.php/component/search/?searchword=The%20Tobacco%20Control%20Act,%202020&searchphrase=all&Itemid=45>

<sup>17</sup> Carreras Annual Report 2022.

[https://www.carrerasltd.com/group/sites/BAT\\_AAPMDE.nsf/vwPagesWebLive/DOCHIMXY/\\$FILE/CARRERAS%20ANNUAL%202022.pdf?op=element](https://www.carrerasltd.com/group/sites/BAT_AAPMDE.nsf/vwPagesWebLive/DOCHIMXY/$FILE/CARRERAS%20ANNUAL%202022.pdf?op=element)

The report is based on a questionnaire developed by the Southeast Asia Tobacco Control Alliance. There are 20 questions based on the Article 5.3 guidelines. Information used in this report is obtained from the public domain only. A scoring system is applied to make the assessment. The score ranges from 0 - 5, where 5 indicates highest level of industry interference, and 1 is low or no interference. Hence the lower the score, the better for the country. The report includes information on incidents from April 2021 to March 2023, but also includes incidents prior to 2020 that still have relevance today.

# Summary Findings

## **1 INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT**

The government invited key stakeholders, including the tobacco industry, to make submissions on the Tobacco Control Bill. However, there is no evidence that the government endorsed policies or legislation drafted by or in collaboration with the tobacco industry.

## **2 INDUSTRY CSR ACTIVITIES**

Carreras has conducted multiple CSR activities over the years. These include handing out 90 scholarships worth \$20 million in 2022, contributions towards COVID-19 relief, and a national Labour Day tree-planting project with the Forestry Department. There is clear evidence of the government's involvement in tobacco industry CSR activities in some instances.

## **3 BENEFITS TO THE INDUSTRY**

Deliberations on the Tobacco Control Bill have suffered delays due to numerous postponements, some of which might be attributable to interference from the tobacco industry. Although there was only one instance of mentioning in public space on the part of the Government about attempts from the tobacco industry to request delays in the Tobacco Control Bill, the authors of this document are aware of several occasions wherein the request was made through correspondence to the members of the Joint Select Committee throughout the revision of the Bill. The committee however did not refer to these correspondences when identifying factors contributing to the delays. On balance, the delays have invariably worked to the benefit of the tobacco industry.

## **4 UNNECESSARY INTERACTION**

The authors of this document have reason to believe that the Government, to some extent, fostered questionable relations with the tobacco industry, however there is no record in the public domain. While the government has not fostered any unnecessary interactions with the tobacco industry, the National Insurance Fund is a major shareholder in Carreras. The state-owned pension fund will be obligated to divest its stakes from the tobacco company when the Tobacco Control Bill is enacted.

## **5 TRANSPARENCY**

As part of its non-price demand reduction measures, the government requires the tobacco industry to make annual disclosures of prescribed information to the Minister of Health. These include business contact information, national sales volumes, the distribution and supply chain, ingredients, and product characteristics.

## **6 CONFLICT OF INTEREST**

There appears to be no conflict of interest between the tobacco industry and government officials in the public sphere (recorded or available). While the current legislation does not have any prohibition on contributions from the tobacco industry or related entities to political parties or candidates, the proposed Tobacco Control Act (2020) includes a provision that prohibits individuals employed in public bodies from soliciting or accepting contributions of any kind from the tobacco industry.

## **7 PREVENTIVE MEASURES**

The government has laid the foundation, through the Tobacco Control Bill, for disclosing interaction with the tobacco industry, there is evidence of a draft code of conduct for public officials in their dealings with the tobacco industry, however, there is no evidence of this draft being advanced<sup>18</sup>. The tobacco industry is required to provide some information but not all, and there is an inferred commitment to protect tobacco control policies from industry interference. There is no specific policy to disallow contributions from the tobacco industry, but such interactions will be monitored under the proposed Tobacco Control Act (2020).

# **Recommendations**

## **RECOMMENDATION 1**

Create a national tobacco control strategy that outlines a clear roadmap for achieving the country's tobacco control objectives. This strategy should outline clear measurable targets (such as mechanisms for enforcement of the tobacco control regulations and a public education campaign), timelines, and indicators for monitoring progress. Additionally, it should be managed by a dedicated team of professionals in the Ministries, Departments and Agencies which are responsible for its implementation to ensure accountability. The national tobacco control strategy should be implemented with 12 months of the enactment of the proposed Tobacco Control Act (2020) and should be reviewed and updated regularly to maintain relevance.

## **RECOMMENDATION 2**

Enact the proposed Tobacco Control Act (2020) that prohibits individuals employed in public bodies from soliciting or accepting contributions of any kind from the tobacco industry. The Bill should also be strengthened by requiring the tobacco industry to disclose more information about affiliated organizations and prohibiting the tobacco industry from making political contributions. This should be done by the end of 2023 and should be accompanied by public awareness

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<sup>18</sup> WHO lauds Health Minister for progressive strides in tobacco control. <https://www.jamaicaobserver.com/news/who-lauds-health-minister-for-progressive-strides-in-tobacco-control/>

campaigns to educate the public and stakeholders about the key elements of the new legislation.

### **RECOMMENDATION 3**

Revise and implement the code of conduct for all public officials (with respect to Article 5.3 of the FCTC) in their dealings with the tobacco industry, including clear guidelines on how to handle conflicts of interest. This should be implemented within 12 months of the enactment of the proposed Tobacco Control Act (2020) and should be accompanied by mandatory training for all public officials to ensure effectiveness.

### **RECOMMENDATION 4**

Develop and implement a monitoring and evaluation system to track progress on the implementation and enforcement of the proposed Tobacco Control Act (2020) and other related policies. This system should be in place by the end of 2023 and should be reviewed and updated annually with evidence-based data to ensure accuracy and credibility. This system would be useful in providing suitable background information on the efficacy of tobacco control measures in Jamaica.



# Jamaica

## Tobacco Industry Interference Index 2023

### Results and Findings

	0	1	2	3	4	5
<b>INDICATOR 1: Level of Industry Participation in Policy-Development</b>						
1. The government accepts, supports or endorses any offer for assistance by or in collaboration with the tobacco industry or any entity or person working to further its interests in setting or implementing public health policies in relation to tobacco control.		1				
<p>The tobacco industry identified itself as a stakeholder in reference to the revision of the Tobacco Control Bill by the joint select committee<sup>19</sup>. In a newspaper article published Jan 13, 2021, Carreras was quoted saying “It is the company's wish that the soon-to-be-appointed joint select committee will be given the opportunity to hear the concerns and recommendations by such stakeholders as retailers, wholesalers, distributors, and drink-service proprietors and license holders.”</p> <p>Further into the article, Carreras claimed to have nurtured a relationship with law enforcement to address illicit tobacco trade and hinted at a recommendation to address the matter in the proposed legislation. No evidence was found on the part of the government refuting this relationship.</p>						
2. The government accepts, supports or endorses policies or legislation drafted by or in collaboration with the tobacco industry.						5
<p>In reviewing the Tobacco Control Bill, the joint select committee decided to utilize a collaborative approach by inviting key stakeholders, by way of a public notice, to make submissions to the committee to present their positions and recommendations regarding the Tobacco Control Bill. The committee wrote directly to some key stakeholders to make submissions, this included the tobacco industry and other entities furthering its interests. The presentations were as follows:</p> <p style="padding-left: 40px;">Jamaica Chamber of Commerce<sup>20</sup>: December 1, 2021 [time stamp 1:06:01-1:20:00]            Boot To Go Service Station<sup>21</sup>: December 1, 2021 [time stamp 1:21:00-1:29:00]            Carreras<sup>22</sup>: June 30, 2021 [time stamp 1:35:00- 2:23:00]            The Vape Shoppe limited<sup>23</sup>: October 14, 2021 [time stamp 1:43:40- 1:56:20]            Pier 1 Restaurant, Bar and Night Club<sup>24</sup>: November 2, 2021 [time stamp 1:09:10- 1:23:50]</p> <p>Each presentation was aired publicly and followed a question-and-answer session as well as comments from the members of the committee. There is no evidence however that the proceeding revision of the Bill was directly or disproportionately impacted by the positions of the tobacco industry compared to tobacco advocacy entities which also made presentations to the</p>						

<sup>19</sup> Carreras ready to work with Gov't on new tobacco law. <https://www.jamaicaobserver.com/news/carreras-ready-to-work-with-govt-on-new-tobacco-law/>

<sup>20</sup> Joint Select Committee on the Tobacco Control Act, 2020 - December 1, 2021. <https://www.youtube.com/watch?v=Q7zFtbDxhKY>

<sup>21</sup> Joint Select Committee on the Tobacco Control Act, 2020 - December 1, 2021. <https://www.youtube.com/watch?v=Q7zFtbDxhKY>

<sup>22</sup> Joint Select on the Tobacco Control Act, 2020 - June 30, 2021. <https://www.youtube.com/watch?v=GHCy9qJ4tl&t=2680s>

<sup>23</sup> Joint Select Committee on the Tobacco Control Act, 2020 - October 14, 2021.

<https://www.youtube.com/watch?v=UPCHYIFFtL8&t=3275s>

<sup>24</sup> Joint Select Committee on the Tobacco Control Act, 2020 – November 2, 2021. <https://www.youtube.com/watch?v=-vkNORT4CZ8>

	0	1	2	3	4	5
committee. At the time of preparing this report, the existing draft of the Tobacco Control Act <sup>25</sup> comprises mostly of elements which are pro-advocate.						
3. The government allows/invites the tobacco industry to sit in government interagency/ multi-sectoral committee/ advisory group body that sets public health policy. I Never 5 Yes		I				
The tobacco industry was not invited or allowed to sit or participate in the meetings of the joint select committee however the meetings were aired publicly and the WHO/PAHO country representative to Jamaica Mr. Ian Stein, was allowed to participate <sup>26</sup> in the discussions by providing guidance regarding the country's obligations under the WHO/FCTC. There is demonstrated evidence of transparency <sup>27</sup> wherein members of the joint select committee have indicated being approached by the tobacco industry during the review of the Tobacco Control Bill.						
4. The government nominates or allows representatives from the tobacco industry (including State-owned) in the delegation to the COP or other subsidiary bodies or accepts their sponsorship for delegates.		I				
Jamaica is a Party to the WHO FCTC, of delegates who participated <sup>28</sup> in COP9 a relationship with the tobacco industry was not found.						
<b>INDICATOR 2: Industry CSR activities</b>						
5. A. Government agencies or their officials endorse, support, form partnerships with or participates in activities of the tobacco industry described as "socially responsible" or "sustainable". For example, environmental programs.  B. The government (its agencies and officials) receives CSR contributions (monetary or otherwise, including CSR contributions) from the tobacco industry or those working to further its interests during the pandemic. <i>NOTE: this does not include enforcement activities.</i>						5
Carreras is known for funding education expenses for Jamaican students at the secondary, undergraduate, and graduate levels. In recent years, they have increased their efforts in this initiative such as their astonishing 50th anniversary celebration wherein they offered 55 <sup>29,30</sup> scholarships to students at the tertiary level. The company offered scholarships to over 180 <sup>31</sup>						

<sup>25</sup> The Tobacco Control Act, 2020.

<https://japarliament.gov.jm/index.php/component/search/?searchword=The%20Tobacco%20Control%20Act,%202020&searchphrase=all&Itemid=45>

<sup>26</sup> Joint Select Committee on The Tobacco Control Act, 2020 - May 10, 2022 <https://www.youtube.com/watch?v=OcWFyexfOVw&t=1306s>

<sup>27</sup> Joint Select Committee on The Tobacco Control Act, 2020 - August 30, 2022.

<https://www.youtube.com/watch?v=O5sqmwVs2WM&t=525s>

<sup>28</sup> Ninth Session of the Conference of the Parties to the WHO Framework Convention on Tobacco Control.

<https://untobaccocontrol.org/downloads/cop9/additional-documents/COP9-List-of-Participants.pdf>

<sup>29</sup> Carreras Annual Report 2013.

[https://www.carrerasltd.com/group/sites/BAT\\_AAPMDE.nsf/vwPagesWebLive/DOB6JDGU?opendocument](https://www.carrerasltd.com/group/sites/BAT_AAPMDE.nsf/vwPagesWebLive/DOB6JDGU?opendocument)

<sup>30</sup> Carreras celebrates 50: Donates 55 scholarships. <https://jamaica-gleaner.com/gleaner/20120907/social/social1.html>

<sup>31</sup> Carreras sets record with 90 scholarships. <https://jamaica-gleaner.com/article/news/20221028/carreras-sets-record-90-scholarships>

tertiary students over the past four years. They provided 56 scholarships<sup>32</sup> valued at over \$15 million in 2021. In 2022, they issued 90 scholarships valued at approximately \$20 million. They hosted an award ceremony and brunch in January 2023, in attendance and delivering the keynote speech, was the Acting Chief Education Officer at the Ministry of Education and Youth, Dr Kasan Troupe<sup>33</sup>.

Carreras claimed to have donated \$9.5M to government COVID-19 relief program<sup>34,35</sup>. The then, Carreras' Managing Director, Raoul Glynn participated in the distribution of food packages in Central Village, Spanish Town. The Private Sector Organization of Jamaica (PSOJ), Council on Voluntary Social Services, United Way of Jamaica, and American Friends of Jamaica were named as organizations managing the funds and the initiative. Jamaica, through the Ministry of Finance and the Public Service (MOFPS), had launched the COVID-19 Allocation of Resources for Employees ("CARE") Programme<sup>36</sup> in April 2020, however; none of the entities outlined by Carreras were identified as partners to the CARE programme. The CARE programme was funded by the Government (from Government taxes) and managed by the MOFPS<sup>37</sup>. Despite Carreras claiming to have donated funds to the government's COVID-19 relief program<sup>38</sup> within one month of its launch, no evidence was found on the part of the MOFPS refuting Carreras' claim. Further search of the PSOJ website which contribute to the management of the fund that Carreras donated the sum of \$9.5M revealed that the Jamaica Constabulary Force (JCF) and Jamaica Defense Force (JDF) were named among the partners to the Fund<sup>39</sup>. The JCF and JDF led the delivery and distribution of relief packages to those in need. Members of the JCF are captured in photos beside the Managing Director of Carreras delivering packages to citizens in need during the Pandemic<sup>40</sup>.



Fig 1. From left: Managing Director of Carreras, Raoul Glynn, Jamaican resident, Senior Superintendent of the JCF

<sup>32</sup> Carreras scholarship brings cheer to 11 recipients. <https://jamaica-gleaner.com/article/news/20211224/carreras-scholarship-brings-cheer-11-recipients#:~:text=FIFTY-SIX%20students%20have%20been%20awarded%20the%202021%20Carreras,Jamaica%2C%20including%20teachers%27%20colleges%2C%20community%20colleges%2C%20and%20universities.>

<sup>33</sup> Carreras honours record 90 scholarship recipients. <https://jamaica-gleaner.com/article/news/20230202/carreras-honours-record-90-scholarship-recipients>

<sup>34</sup> Carreras donates \$9.5m to COVID-19 relief programme. <https://www.jamaicaobserver.com/latest-news/carreras-donates-9-5m-to-covid-19-relief-programme/>

<sup>35</sup> Carreras drops major cash to help with COVID-19 Relief Programme. <https://www.jamaicaobserver.com/news/carreras-drops-major-cash-to-help-with-covid-19-relief-programme/>

<sup>36</sup> GOJ All Set to Launch CARE Programme, Compassionate Grant to be Available. <https://jis.gov.jm/goj-all-set-to-launch-care-programme-compassionate-grant-to-be-available/>

<sup>37</sup> COVID-19 CARE Programme Update. <https://jis.gov.jm/videos/covid-19-care-programme-update-april-15-2020/>

<sup>39</sup> Private Sector Organization of Jamaica <https://www.psoj.org/donate/>

<sup>40</sup> The Private Sector Organization of Jamaica Twitter feed. <https://twitter.com/thepsoj/status/1264234488332238849>

A newspaper article published May 24, 2022 highlighted Carreras' Labour Day Tree Planting Project<sup>41</sup>. The company pledged to plant 900 fruit and ornamental trees in the areas between Rae Town and Rockfort in Kingston with the help of the Forestry Department and the Government's Housing, Opportunity, Production and Employment (HOPE) programme which was launched by the Prime Minister in 2017<sup>42</sup>. No evidence was found from these departments denying a partnership with Carreras on its Labour Day tree planting project.

Carreras was mentioned as one of the partners in the national tree planting project led by the Forestry department<sup>43</sup>. The Most Honorable Prime Minister Andrew Holness, on October 4, 2019 launched the National Tree Planting Initiative to plant three million trees in three years was launched by. The objective of the Initiative was to support national development in the areas of climate change and reforestation efforts to increase forest cover and establish high value urban green spaces for all Jamaicans. The Forestry Department led the implementation of the initiative with one of the objectives being to produce and plant 1.3 million seedlings through partnerships. On National Tree Planting Day- October 11, 2022, the department announced that 11,000 trees were planted through partnerships with several groups and organizations- Carreras ltd. being among those listed.

The Early Childhood Commission (ECC) which is an agency of the Ministry of Education, coordinates all activities, development plans and programmes within the early childhood sector. A search of the website revealed a list of its local and international partners; among those listed was Crayons Count/ Do Good Jamaica<sup>44</sup> - a non-government organization. Crayons Count is one of the major projects of the charitable organization Do Good Jamaica which is a campaign to support early childhood education in Jamaica<sup>45</sup>. The Crayons Count Project acknowledges the endorsement of the ECC on its website. The project began in 2011 and continues up to the time of preparing this report; the campaign activities have switched focus<sup>46</sup> to providing specialized resources to students. Mr. Novar Patrick McDonald, a director at Carreras<sup>47</sup> is listed as the director of Do Good Jamaica in his biographic information on Carreras' website. His involvement in the Crayons Count project or any other project affiliated with Do Good Jamaica could not be assessed.

The JCF collaborated with the PSOJ on a social and economic development initiative called Project STAR (Social Transformation and Renewal)<sup>48</sup>. The goal of the initiative is to bring about societal transformation through targeted interventions in under-resourced areas of Jamaica. Project STAR consults with local communities to identify needs which are addressed through collaboration with its partners to implement sustainable solutions. In an article published on May, 5, 2023 Sandals Foundation was highlighted as the most recent partner<sup>49</sup>, committing JMD \$50M. Further investigation revealed that the tobacco industry has played a major role in Project STAR. Carreras and Musson limited are recorded among the list of partners<sup>50</sup> to project STAR. In addition to the JCF, other government agencies are affiliated<sup>51</sup> with the initiative through the

<sup>41</sup> Carreras supports Gov't's tree-planting project on Labour Day <https://jamaica-gleaner.com/article/news/20220524/carreras-supports-govts-tree-planting-project-labour-day>

<sup>42</sup> PM Launches HOPE Programme. <https://jis.gov.jm/pm-launches-hope-programme/>

<sup>43</sup> Over 11,000 trees planted for 20th celebration of National Tree Planting Day. <https://www.forestry.gov.jm/newsDetails?newsID=79>

<sup>44</sup> The Early Childhood Commission. <https://ecc.gov.jm/about-us/local-international-partners/>

<sup>45</sup> Do Good Jamaica. Crayons Count. <https://dogoodjamaica.org/sponsors-partners/>

<sup>46</sup> Email communication with the founder of Do Good Jamaica, Deika Morrison.

<sup>47</sup> Carreras Ltd. [https://www.carrerastd.com/group/sites/BAT\\_AAPMDE.nsf/vwPagesWebLive/DOBYBCES?opendocument](https://www.carrerastd.com/group/sites/BAT_AAPMDE.nsf/vwPagesWebLive/DOBYBCES?opendocument)

<sup>48</sup> Project STAR. <https://www.projectstarja.com/>

<sup>49</sup> Sandals Foundation commits \$50m to Project STAR. <https://www.jamaicaobserver.com/news/sandals-foundation-commits-50m-to-project-star/>

<sup>50</sup> Project STAR donors. <https://www.projectstarja.com/#donors>

<sup>51</sup> Project STAR key collaborators. <https://www.projectstarja.com/#collaborators>

Social Development Commission<sup>52</sup> (an agency of the Ministry of Local Government & Rural Development) and the Violence Prevention Alliance<sup>53</sup> (which is a coalition of various organizations including the Ministry of Health and Wellness, Ministry of National Security, Ministry of Education, Youth & Information, Ministry of Labour and Social Security and others aimed at creating safe communities in Jamaica). The initiative continues to grow as an article published on June 15, 2023 indicated that “The Government of Jamaica has thrown its support behind Project STAR by making available representatives of key government ministries, departments and agencies to provide technical guidance to the project through a Technical Stakeholder Working Group.”<sup>54</sup>



Fig 2. President of the PSOJ Keith Duncan, speaking at the launch of Project STAR in Salt Spring, St James on August 24, 2022 with members of the JCF in attendance<sup>55</sup>.

### INDICATOR 3: Benefits to the Tobacco Industry

6. The government accommodates requests from the tobacco industry for a longer time frame for implementation or postponement of tobacco control law.					4	
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During the review of the Tobacco Control Bill by the Joint Select Committee (JSC), the deliberations suffered delays on numerous occasions. According to a letter to the editor of one of the local newspapers, the delays “have significantly lengthened the timeline of the overall process”<sup>56</sup>. The sittings of the JSC were often postponed upon short notice, leading to lengthy breaks between meetings. The deliberations were expected to conclude at the end of 2022, followed by its submission to Parliament and ultimate enactment. During one of these sittings<sup>57</sup> (August 30, 2022) the chairman of the joint select committee (Minister of Health and Wellness, Dr the hon Christopher Tufton) and another member of the committee indicated having been written by Carreras. They requested a meeting to further discuss with the committee to consider its

<sup>52</sup> Social Development Commission. <https://sdc.gov.jm/>

<sup>53</sup> Violence Prevention Alliance. <https://www.vpajamaica.org/about-vpa2>

<sup>54</sup> Govt agencies, Project STAR form stakeholder working group. <https://jamaica-gleaner.com/article/news/20230615/govt-agencies-project-star-form-stakeholder-working-group>

<sup>55</sup> ‘Project Star’ launched in Salt Spring, St James. <https://jamaica-gleaner.com/article/news/20220825/project-star-launched-salt-spring-st-james>

<sup>56</sup> Urgent action needed to push Tobacco Control Bill [Urgent action needed to push Tobacco Control Bill - Jamaica Observer](https://www.jamaicaobserver.com/news/urgent-action-needed-to-push-tobacco-control-bill)

<sup>57</sup> Joint Select Committee on The Tobacco Control Act, 2020 - August 30, 2022. <https://www.youtube.com/watch?v=O5sqmwVs2WM&t=5247s>

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recommendations during the ongoing review. Following the meeting on August 30<sup>th</sup> two more meetings were held on October 4<sup>th</sup> and 13<sup>th</sup>. After the meeting on October 13, 2022 the last two meetings which were scheduled for November 2<sup>nd</sup> and 4<sup>th</sup> were postponed to November 29<sup>th</sup> and December 8<sup>th</sup>. Those meetings were later postponed until further notice; the meetings did not resume until March 16, 2023 whereby another postponement had occurred on March 7<sup>th</sup><sup>58</sup>. There were no other public mention of Carreras corresponding with the JSC however, the authors of this report are aware of two more incidents wherein Carreras wrote to the JSC requesting that the deliberations be postponed until its positions were carefully considered.

At the meeting held on March 16, 2023, the committee remarked on some of the challenges which contribute to the delays in the deliberations namely, a systemic lack of priority for health-related legislation and poor inter-agency coordination<sup>59</sup>. Following this meeting a letter to the editor<sup>60</sup> at one of the local newspapers was published criticizing the Minister of Health and Wellness for wanting to “rush through the legislation without due care”. The extent to which the letters from Carreras contributed to the delays in the legislative process was difficult to assess but cannot be ignored.

7. The government gives privileges, incentives, tax exemptions or benefits to the tobacco industry.		1				
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The last decision by the Government regarding tax on tobacco products was in 2017 when the Special Consumption Tax (SCT) per stick on tobacco and tobacco products, was increased to \$17 per stick from \$14 per stick. There has been no tax increase since then.

In 2016, Carreras began a court enquiry regarding a customs refund on goods which it contends that despite not having submitted the required documentation before removal of the products, it had provided sufficient documentation to the Jamaica Customs Agency (JCA) to prove that the goods were sold duty-free to customers. In December 2020, the Supreme Court declared that the JCA acted unreasonably toward Carreras in its decision to apply a customs duty levy in 2015. The JCA has since however hesitated to pay over the \$58.38 million ordered by the Supreme Court and is consulting lawyers to ascertain an appropriate response<sup>61</sup>.

The government allows international travellers to bring duty free 200 cigarettes or 50 cigars or 230 grams of other tobacco products into the country<sup>62</sup>.

#### INDICATOR 4: Forms of Unnecessary Interaction

8. Top level government officials (such as President/ Prime Minister or Minister) meet with/ foster relations with the tobacco companies such as attending social functions and other events sponsored or organized by the tobacco companies or those furthering its interests.	0					
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A search of the Jamaican government websites and newspapers did not yield any references to meetings between top-level government officials and the tobacco industry.

<sup>58</sup> Urgent action needed to push Tobacco Control Bill [Urgent action needed to push Tobacco Control Bill - Jamaica Observer](#)

<sup>59</sup> Joint Select Committee on The Tobacco Control Act, 2020 - March 16, 2023. [https://www.youtube.com/watch?v=rbBplOW\\_uW4](https://www.youtube.com/watch?v=rbBplOW_uW4)

<sup>60</sup> No “I” in “Team”, Dr. Tufton. <https://jamaica-gleaner.com/article/letters/20230329/no-i-team-dr-tufton>

<sup>61</sup> Carreras wins court battle for Customs refund. <https://jamaica-gleaner.com/article/business/20201209/carreras-wins-court-battle-customs-refund>

<sup>62</sup> Jamaica Customs Agency. <https://www.jacustoms.gov.jm/content/what-are-my-duty-free-allowances-and-exemptions>

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9. The government accepts assistance/ offers of assistance from the tobacco industry on enforcement such as conducting raids on tobacco smuggling or enforcing smoke free policies or no sales to minors.	0					
No such evidence was found.						
10. The government accepts, supports, endorses, or enters into partnerships or non-binding agreements with the tobacco industry or any entity working to further its interests. <i>NOTE: This does not involve CSR, enforcement activity, or tobacco control policy development.</i>				3		
<p>The National Insurance Fund (NIF) (a fund formed from statutory deductions which is invested on the stock market and other financing options to maximize returns to remit government pensions) is a major shareholder in Carreras<sup>63</sup>. The NIF holds 214.18 shares in Carreras, equaling 4.41% ownership of the company worth \$2.01 billion as of August 2022. The state-owned pension fund will be obligated to divest its stakes from the tobacco company when the Tobacco Control Bill is enacted. Until then, the NHF retains its shares in Carreras.</p>						
<b>INDICATOR 5: Transparency</b>						
11. The government does not publicly disclose meetings/ interactions with the tobacco industry in cases where such interactions are strictly necessary for regulation.	0					
No such incidents were identified.						
12. The government requires rules for the disclosure or registration of tobacco industry entities, affiliated organizations, and individuals acting on their behalf including lobbyists.				4		
<p>The Public Health (Tobacco Control) Regulations, 2013<sup>64</sup>, requires tobacco manufacturers, importers, and exporters to make disclosures to the Minister of Health. The required information includes business name and address; contact information of the principal place of business and manufacturing facilities; the locations of all distribution offices, and the transportation units, including fleet and license numbers; national sales volumes; the brands sold or distributed to each customer and the pricing of each brand; the distribution and supply chain; the prices for each stock keeping unit of tobacco product; ingredients, and product characteristics. It however, does not require the tobacco industry to disclose information regarding affiliated organizations and individuals.</p>						
<b>INDICATOR 6: Conflict of Interest</b>						
13. The government does not prohibit contributions from the tobacco industry or any entity working to further its interests to political parties, candidates, or						5

<sup>63</sup> Carreras has 'grave concerns' over large shareholder NIF. <https://jamaica-gleaner.com/article/business/20220821/carreras-has-grave-concerns-over-large-shareholder-nif>

<sup>64</sup> Ministry of Health and Wellness. Tobacco Control. <https://www.moh.gov.jm/programmes-policies/tobacco-control/>

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campaigns or to require full disclosure of such contributions. 1 Never 5 Yes						
<p>The Public Health (Tobacco Control) Regulations, 2013<sup>65</sup> does not prohibit contributions from the tobacco industry or any entity working to further its interests to political parties, candidates, or campaigns or to require full disclosure of such contributions. However, the proposed Tobacco Control Act (2020)<sup>66</sup> states that “A person employed in a public body shall not solicit or accept contributions of any kind from the tobacco industry.”</p>						
14. Retired senior government officials form part of the tobacco industry.	0					
No such incidents were identified.						
15. Current government officials and relatives hold positions in the tobacco business including consultancy positions.	0					
No such incidents were identified.						
<b>INDICATOR 7: Preventive Measures</b>						
16. The government has put in place a procedure for disclosing the records of the interaction (such as agenda, attendees, minutes and outcome) with the tobacco industry and its representatives.					4	
<p>The proposed Tobacco Control Act (2020) includes provisions for the disclosure of interaction between the government and the tobacco industry. Section 7(i) states that “the public health policy of the Government which relates to tobacco control shall provide for... ensuring that there are documented interactions between Government and the tobacco industry.”</p>						
17. The government has formulated, adopted or implemented a code of conduct for public officials, prescribing the standards with which they should comply in their dealings with the tobacco industry.				3		
<p>Following the implementation of the Public Health (Tobacco Control) Regulations, 2013 and its amendment in 2014, a Stakeholder's consultation on the Implementation of Article 5.3 of the WHO FCTC was held in 2015<sup>67</sup>. The consultation was hosted by the Ministry of Health in collaboration with PAHO/WHO to develop a code of conduct for public officials with respect to Article 5.3. The code of conduct was subsequently drafted with support from civil society such as the Jamaica Coalition for Tobacco Control (JCTC) and circulated within the Government Ministries, Departments and Agencies in 2015. The full development and enforcement of the code of conduct was, however, halted. A search of the government websites did not yield a copy of the draft.</p>						

<sup>65</sup> Ministry of Health and Wellness. Tobacco Control. <https://www.moh.gov.jm/programmes-policies/tobacco-control/>

<sup>66</sup> The Tobacco Control Act, 2020.

<https://japarliament.gov.jm/index.php/component/search/?searchword=The%20Tobacco%20Control%20Act,%202020&searchphrase=all&Itemid=45>

<sup>67</sup> WHO lauds Health Minister for progressive strides in tobacco control. <https://www.jamaicaobserver.com/news/who-lauds-health-minister-for-progressive-strides-in-tobacco-control/>



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18. The government requires the tobacco industry to periodically submit information on tobacco production, manufacture, market share, marketing expenditures, revenues and any other activity, including lobbying, philanthropy, political contributions and all other activities.						5
<p>Although the tobacco control Bill requires the tobacco industry to provide information on the distribution and supply chain, prices of each brand of products sold, and national sales volumes, it does not require information on market share, revenues or expenditure on lobbying, philanthropy, political or other contributions. Some of these information<sup>68</sup> can however be accessed from the annual reports of publicly listed tobacco companies such as Carreras. Carreras has publicly dismissed the proposed disclosure of information system under the Tobacco Control Bill<sup>69</sup>.</p>						
19. The government has a program / system/ plan to consistently raise awareness within its departments on policies relating to FCTC Article 5.3 Guidelines.					4	
<p>There is an inferred commitment from the government, through the Tobacco Control Bill, to protect the tobacco control policies from interference of the tobacco industry. Section 5 speaks to the implementation of measures to promote public awareness of the dangerous health implications of tobacco consumption and the benefits of demand reduction strategies within various settings. Section 7 also stipulates provisions for protecting the public against the influence of, or interference by the tobacco industry. There is however no conclusive evidence that the education campaign referred to in the Bill will include raising awareness within the government department and agencies on policies relating to Article 5.3 of the FCTC.</p>						
20. The government has put in place a policy to disallow the acceptance of all forms of contributions/ gifts from the tobacco industry (monetary or otherwise) including offers of assistance, policy drafts, or study visit invitations given or offered to the government, its agencies, officials and their relatives.					4	
<p>There is no current, specific policy to disallow contributions from the tobacco industry. However, such interactions are expected to be monitored under the proposed Tobacco Control Act (2020) and its accompanying policies.</p>						
<b>TOTAL SCORE</b>	<b>50</b>					

<sup>68</sup> Carreras Ltd. Annual Reports.

[https://www.carrerasltd.com/group/sites/BAT\\_AAPMDE.nsf/vwPagesWebLive/DOB6JDGU?opendocument](https://www.carrerasltd.com/group/sites/BAT_AAPMDE.nsf/vwPagesWebLive/DOB6JDGU?opendocument)

<sup>69</sup> Carreras Cries Foul. <https://www.jamaicaobserver.com/news/carreras-cries-foul/>

## Annex A: Sources of Information

	TOP TOBACCO COMPANIES/ DISTRIBUTORS	MARKET SHARE	BRANDS	SOURCE
1	Carreras Limited	~90%	Craven A; Matterhorn; Dunhill; Rothmans; Pall; Mall; Newport; Parliament	<a href="https://www.carrerasltd.com/group/sites/BAT_AAPMDE.nsf/vwPagesWebLive/DO9T5K3S?opendocument">https://www.carrerasltd.com/group/sites/BAT_AAPMDE.nsf/vwPagesWebLive/DO9T5K3S?opendocument</a>
2	Musson Group of Companies	~4%	Marlboro	<a href="https://www.jamaicaobserver.com/business/marlboro-is-latest-cigarette-brand-jostling-to-expand-jamaican-market-share/">https://www.jamaicaobserver.com/business/marlboro-is-latest-cigarette-brand-jostling-to-expand-jamaican-market-share/</a>
3	Nostic Agricultural & Manufacturing Limited	~2%	D&J Royal	<a href="https://jamaica-gleaner.com/article/business/20161028/new-cigarette-manufacturer-launched-jamaica">https://jamaica-gleaner.com/article/business/20161028/new-cigarette-manufacturer-launched-jamaica</a> <a href="https://jamaica-gleaner.com/article/business/20161206/new-cigarette-maker-already-victim-fake-products">https://jamaica-gleaner.com/article/business/20161206/new-cigarette-maker-already-victim-fake-products</a>
4	Pacific Cigarette Company	~2%	Pacific Storm; Pacific Breeze	<a href="https://www.jamaicaobserver.com/business/new-africa-based-pacific-cigarette-targets-local-smokers/">https://www.jamaicaobserver.com/business/new-africa-based-pacific-cigarette-targets-local-smokers/</a>
5	Hamburg International Limited	~2%	Sunny	<a href="https://www.jseza.com/sez/hamburg-international-limited/">https://www.jseza.com/sez/hamburg-international-limited/</a>

	TOP MEDIA/ NEWSPAPERS	URL
1	Jamaica Gleaner	<a href="https://jamaica-gleaner.com/">https://jamaica-gleaner.com/</a>
2	Jamaica Observer	<a href="https://www.jamaicaobserver.com/">https://www.jamaicaobserver.com/</a>
3	Loop News Jamaica	<a href="https://jamaica.loopnews.com/">https://jamaica.loopnews.com/</a>
4	Jamaica Information Service	<a href="https://jis.gov.jm/">https://jis.gov.jm/</a>

	MAIN TOBACCO INDUSTRY ALLIES/ FRONT GROUPS	TYPE (FRONT GROUP, LOBBY GROUP, INDIVIDUAL)	SOURCE
1	The Vape Shoppe	Alli	<a href="https://www.facebook.com/thevapeshoppeja/about_contact_and_basic_info">https://www.facebook.com/thevapeshoppeja/about_contact_and_basic_info</a>