



Strengthening Tobacco Control in Taiwan: A Consumer Protection Perspective

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Abstract

The government has a critical responsibility to protect public health by implementing measures to prevent health issues, such as those caused by tobacco products. Among the most effective interventions are regulatory actions, particularly through the law. Regulatory bodies must also balance the interests of various stakeholders while safeguarding consumers' rights. This study examines Taiwan's Tobacco Hazards Prevention Act (THPA) Amendment through the lens of consumer protection, aiming to protect citizens from the harmful effects of tobacco products. It offers recommendations for the government to amend regulations, implement stricter policies, and provide education, particularly in schools, to ensure the health and well-being of the nation.

Keywords: Tobacco Hazards Prevention Act; Consumer Protection; Tobacco Control

Introduction

In the realm of tobacco control, the World Health Organization (WHO) Framework Convention on Tobacco Control (WHO FCTC) represents the most significant global tobacco control instrument, containing legally binding obligations aimed at reducing both the demand for and supply of tobacco products [1]. To align with the WHO FCTC and address gaps in the existing Taiwan Tobacco Hazards Prevention Act (THPA), the Taiwan Executive Yuan passed an amendment to the Act at the end of 2017. This revision seeks to address the inadequacies of the previous law, particularly by imposing stricter restrictions on tobacco products to meet the legislative trends of other advanced nations [2].

Tobacco-related legislation varies by country, influenced by local conditions and cultures. Some nations set the legal age for tobacco consumption at adulthood, while others restrict it to high school students. Additionally, regulations concerning tobacco use in public spaces differ globally [3]. Some countries enforce stringent controls, such as banning smoking in public areas, while others restrict it to specific places like public transportation. Taiwan's THPA has yet to address e-cigarettes, and the government must act to protect public health by including these products in the legislation [4].

The government holds the responsibility to protect citizens' health, and the authorities must amend the THPA to include e-cigarettes and further strengthen the regulation of tobacco products. Such amendments are necessary to fill current legal gaps, providing stronger consumer protection through legislative means.

The Tobacco Hazards Prevention Act (THPA) in Taiwan is a pivotal piece of legislation aimed at curbing the harm caused by tobacco use. This Act was first enacted in 1997 and has undergone various amendments to address the emerging challenges posed by the tobacco industry, including the rise of new smoking products like e-cigarettes. The fundamental objective of the THPA is to protect public health by reducing smoking-related illnesses and promoting a smoke-free environment. This discussion will analyze the strengths and weaknesses of the THPA from a consumer protection perspective and provide recommendations for further improvements to better safeguard public health [5].

Discussion

The role of government in tobacco control

Governments worldwide have a significant role in regulating tobacco products to protect citizens' health. In Taiwan, the government has acknowledged the dangers of tobacco consumption and enacted laws to control its use. However, the effectiveness of such measures depends on how well these laws are enforced and how comprehensive they are in covering new risks.

The government's responsibility lies not only in enforcing the law but also in ensuring that public health policies are proactive rather than reactive. For example, tobacco products, including the newly introduced e-cigarettes, have posed additional challenges that require timely legal interventions. The government should expand the scope of the THPA to cover these new products to prevent potential health hazards from emerging. While the THPA currently addresses traditional tobacco products, e-cigarettes, which have become increasingly popular, remain inadequately regulated, leaving a significant gap in the legal framework [6,7].

Moreover, as the tobacco industry is powerful and influential, the government must balance the interests of consumers, businesses, and public health advocacy groups. Regulatory agencies should ensure that the rights and interests of consumers are protected against misleading advertising, unsafe products, and the promotion of tobacco consumption, particularly to vulnerable populations such as youth.

Consumer protection: the need for stricter regulations

From a consumer protection standpoint, the primary goal of the THPA is to safeguard the public from the detrimental effects of tobacco

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use. Tobacco consumption, which leads to numerous health problems including cancer, cardiovascular diseases, and respiratory disorders, continues to exact a heavy toll on public health in Taiwan. According to statistics, tobacco-related diseases kill approximately 27,000 people annually in Taiwan, with smoking-related conditions accounting for a substantial number of deaths. This underscores the urgent need for more stringent regulations to protect citizens from the harmful consequences of tobacco consumption.

One of the key areas where the THPA needs to be strengthened is in regulating e-cigarettes. The lack of clarity regarding the restrictions on e-cigarettes under the current law is concerning, given the rising popularity of these products, particularly among younger populations. Unlike traditional cigarettes, e-cigarettes have been marketed as a safer alternative, but research on their health effects is still inconclusive. The absence of clear regulations regarding their sale, use, and marketing in Taiwan makes it difficult for consumers to make informed decisions about the risks they are exposed to. Therefore, the government must include e-cigarettes within the THPA and implement regulations that ensure these products are safe for consumers and do not lead to new health crises in the future.

Furthermore, to prevent the exploitation of consumers, it is essential to impose stricter controls on the tobacco industry. This includes tighter regulations on tobacco advertising, particularly targeting youth. Tobacco products should not be marketed in a way that appeals to children or young adults, a practice that has been common in many countries. Moreover, clear and visible health warnings on tobacco products must be mandated, along with educational programs that increase consumer awareness about the health risks of smoking [8,9].

Emphasizing education alongside enforcement

While the legal enforcement of tobacco control policies is vital, education also plays a crucial role in the prevention of tobacco-related health issues. Public education campaigns that target both current smokers and non-smokers, particularly the younger population, can help reduce smoking rates and increase public awareness about the dangers of tobacco consumption.

In Taiwan, efforts to educate the public, especially schoolchildren, about the dangers of smoking have been made through health education programs in schools. These programs are essential to prevent the initiation of smoking at an early age and to encourage smoking cessation. Incorporating tobacco hazards education into school curricula, providing training for teachers on tobacco control laws, and offering resources for smoking cessation can create a more informed society that is better equipped to resist the tobacco industry's influence.

Moreover, the government should invest in public health campaigns that promote the benefits of quitting smoking. The success of such campaigns in other countries suggests that public awareness can lead to behavioral changes, particularly when combined with stronger regulatory measures. Educating consumers about the harmful effects of smoking and the benefits of quitting can support efforts to reduce tobacco consumption in the population.

The economic impact of tobacco use

In addition to its health consequences, tobacco use also imposes a significant economic burden on society. In Taiwan, the economic cost of smoking is substantial, with direct national health expenditures of NT\$ 65 billion and indirect productivity losses of NT\$ 120.9 billion annually. This amounts to 1.15% of Taiwan's GDP. These costs

highlight the importance of effective tobacco control policies, as reducing smoking rates would not only improve public health but also decrease the economic strain caused by smoking-related diseases.

Strengthening the THPA to address the full spectrum of tobacco-related risks, including second-hand smoke and the economic costs associated with tobacco use, would help reduce these economic burdens. By implementing more comprehensive tobacco control policies, the government can promote a healthier and more productive workforce, ultimately benefiting the nation's economy.

The global context and international cooperation

The efforts to strengthen the THPA are not happening in isolation but are part of a global movement to combat the tobacco epidemic. Taiwan's actions align with the World Health Organization's Framework Convention on Tobacco Control (WHO FCTC), which urges member states to implement policies to reduce tobacco consumption and exposure to second-hand smoke. Taiwan's proposed amendments to the THPA, which include expanding smoke-free areas, increasing the size of warning labels, banning favored tobacco products, and regulating e-cigarettes, are consistent with international best practices in tobacco control.

International cooperation and learning from the experiences of other countries that have successfully implemented tobacco control measures can provide valuable insights for Taiwan. By continuously improving the THPA based on international evidence, Taiwan can stay at the forefront of global tobacco control efforts and protect the health of its citizens [10-12].

Protection

The concept of consumer protection is crucial in the management of the healthcare industry, and Taiwan's tobacco laws must reflect this. The government must intervene early to prevent harmful products from entering the market. For example, in Texas, the Office of the Attorney General has jurisdiction over health-related products, ensuring that harmful products do not reach consumers. Early intervention to protect consumers' health is more effective than reactive measures. By viewing tobacco regulation from a consumer protection perspective, it becomes clear that consumer health should take precedence over the interests of the tobacco industry. Legislation and regulatory policies must be crafted to safeguard the public, ensuring that tobacco-related risks are minimized.

Conclusion

Tobacco use remains a leading cause of preventable death and disease worldwide. The government must take proactive steps to protect citizens' health by strengthening tobacco control laws. Before enacting new policies, it is essential to secure public support and engage with various stakeholders to minimize resistance. Regulatory agencies must strike a balance between the interests of consumers, the tobacco industry, and the government, ultimately prioritizing the protection of public health. Tobacco-related illnesses claim millions of lives each year, with the number expected to rise significantly by 2030. In Taiwan, smoking is responsible for thousands of deaths annually, and the economic burden of smoking-related diseases is substantial. The government must act swiftly to amend the THPA to address the evolving landscape of tobacco use, including new products like e-cigarettes, and protect the health of its citizens. With a comprehensive approach that includes strong legislation, public education, and consumer protection, Taiwan can significantly reduce the harm caused by tobacco use and

promote better health outcomes for all.

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Conflict of Interest

None

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