



MURANG'A COUNTY ASSEMBLY

THIRD ASSEMBLY-SECOND SESSION

SECTORAL COMMITTEE ON HEALTH SERVICES

**A REPORT ON A WORKSHOP HELD AT NYERI ORGANISED BY TOBACCO CONTROL BOARD ON
STATE OF TOBACCO ABUSE AND INTERVENTION MEASURES**



CA HBRC

List in the OP

15/2/2023

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ABBREVIATIONS AND ACRONYMS

CEM	- County Executive Member
KEMRI	- Kenya Medical Research Institute
NEMA	- National Environment Management Authority
NGO	- Non-Governmental Organization
WHO	- World Health Organization

1.0 Preface

On behalf of Members of the Health Committee, I hereby table the Committee's report on a workshop held at White Rhino Hotel, Nyeri, with Health Services Committee of the second assembly organized by tobacco control board on state of tobacco abuse and intervention measures.

1.1 Committee Mandate

The Committee on Health Services was established under Standing Order No.204 and is responsible for all matters related to county health services, including county health facilities and pharmacies, ambulance services, promotion of primary health care, licensing and control of undertakings that sell food to the public, cemeteries, funeral parlours and crematoria.

1.2 Committee Membership

The Committee comprises of the following Members:-

- | | |
|----------------------------------|--------------------------|
| 1. Hon. John Mwangi Kamau | -Chairperson |
| 2. Hon. Boniface Ng'ang'a Mbau | -Vice Chairperson |
| 3. Hon. Liz Muthoni Mbugua | -Member |
| 4. Hon. Morris Thuku | -Member |
| 5. Hon. Elizabeth Wambui | -Member |
| 6. Hon. Steven Muigai Kimani | -Member |
| 7. Hon. Caroline Wairimu Njoroge | -Member |
| 8. Hon. Grace Nduta Wairimu | -Member |
| 9. Hon. Kenneth Kamau Mwangi | -Member |
| 10. Hon. James Karanja Kabera | -Member |
| 11. Hon. Julian Njiri | -Member |
| 12. Hon. Peter Munga Njuguna | -Member |
| 13. Hon. John Ngugi Kibaiya | -Member |
| 14. Hon. Moses Macharia Mirara | -Member |

1.3 Acknowledgement

The Committee wishes to sincerely thank the Offices of the Honorable Speaker and the Clerk of the County Assembly for the support and services extended to the Members to enable the Committee complete this report.

The Chairperson of the Committee takes this opportunity to thank all the members for their profound contribution through dedication of time and efforts towards the realization of the mandates of the Committee.


SIGNED:
HON. John Mwangi Kamau
Chairperson, Health Services Committee

DATE..... 25/1/2023

2.0 Background

Tobacco epidemic is one of the biggest public health threats the world has ever faced killing more than 8 million people in a year. More than 7 million of these deaths are as a result of direct tobacco use while around 1.2 million are as a result on non-smokers being exposed to second hand smoke.

Tobacco industry has developed and continues to aggressively market new and re-emerging products such as electronic cigarettes, tobacco pouches for sucking, snuff, vaporized products amongst others.

In a response to above stated threats, state parties signed and ratified the framework for tobacco control (FCTC) 2003. Kenya being a signatory to WHO FCTC 2003 ratified the convention in 2004. The Tobacco Control Act (TCA 2007) and the Tobacco Control Regulations 2014 implement and enforce the obligations of FCTC.

One of the state obligations under the CONVENTION and the ACT is to promote public awareness about health consequences, addictive nature, moral threat posed by tobacco consumption, exposure to smoke and harmful effects of tobacco growing and handling through a comprehensive nationwide education and information campaign. It is in this regard that the Ministry of Health in collaboration with Tobacco Control Board organized a nationwide public awareness sensitization program aimed at raising awareness to the public on dangers of tobacco and its newly emerging products.

3.0 Rationale for convening the workshop between the county executive and the county assemblies

An invitation letter to Health Services Committee of the second assembly to attend the workshop meeting was received from the Ministry of Health-Tobacco Control Board and directed to the County Executive Member (CEM), Health and Sanitation. The workshop theme was on tobacco control through a major intervention on generating a legislation to govern the same.

Since the dominant role of the county assembly is law making, the County Executive Member (CEM) for Health and Sanitation therefore invited representatives from Health Services Committee of the county assembly.

The expected result of the workshop would be that the CEC Member for Health and Sanitation would follow-up with Tobacco Control Board and ensure that a draft bill was provided and shared with the county assembly for consideration.

4.0 Methodology

In order to undertake effective sensitization, Tobacco Control Board through the County Executive Members for Health and Sanitation in Murang'a, Nyeri and Kirinyaga Counties organized for a workshop at White Rhino Hotel-Nyeri.

Presentations on the topic were done by officers from Tobacco Control Board whereas other participants commented on the subject matter and raised various queries as well.

4.1 Welcoming remarks

Mr. Adan, Chief Officer, Health and Sanitation of the host County-Nyeri welcomed participants from Kirinyaga and Murang'a Counties.

In regards to the day's agenda, he indicated that;

- ✓ Smoking was done by the elderly in ancient times
- ✓ The youth were now the key players
- ✓ There was need for a legislation on tobacco control
- ✓ There was need for the Ministry of Health to cascade the feeling at the County level
- ✓ A fund was necessary to cater for the same
- ✓ Stakeholders were supposed to be involved
- ✓ It was paramount to take care of the young people who had not become victims
- ✓ The meeting was supposed to mark a beginning of that journey.

4.2 Remarks-Nancy Gachoka, Tobacco Control Board

Madam Nancy Gachoka a member of Tobacco Control Board indicated that;

- ✓ The board was inaugurated in the year 2009 and was currently in its fourth cycle
- ✓ The mandate of the board was to control production, retailing, marketing sponsorship and use of tobacco
- ✓ Tobacco epidemic has proved to be a menace as it has killed more than 8 million people a year around the world
- ✓ The age bracket that has registered many deaths is between 30-69 years
- ✓ There was need for a multi-sectoral approach to combat the problem
- ✓ The vice had now spread in schools
- ✓ Therapies to recover from the same were very expensive thus to an extent unmanageable.
- ✓ There was need for counties to allocate more funds to hospitals in a bid to undertake the above-mentioned therapies as interventions.
- ✓ There exists a ban on some tobacco products especially in entertainment joints but enforcement was a challenge.

4.3 Remarks by Dr. Kanyi Gitau, Chief Officer, Health and Sanitation, Murang'a County Government

Dr. Gitau made the following remarks;

- ✓ That he thanked the Tobacco Control Board for earmarking Murang'a County as one of the counties that regulations were needed to control tobacco use
- ✓ There was need for a legislation and a supporting policy in an effort to achieve the above
- ✓ Murang'a County executive would gladly support in setting up structures for ensuring smooth implementation of a possible law to be generated.

5.0 Presentation on topic of the day-Nancy Gachoka, Tobacco Control Board

Madam Nancy Gachoka while introducing the day's topic indicated that;

Tobacco Act of 2007 builds on other two legal frameworks namely; -

(a) Framework on convention of Tobacco Act, 2004

The agenda was shared through treaties whereby countries signed by facilitation from World Health Organization (WHO) and there was a requirement to adhere to conventions stipulated therein.

The framework was developed into Law which was assented to by the then President H.E Mwai Kibaki.

The theme of the law is protection and was aimed at limiting demand and supply of tobacco products.

It was anchored on Constitution of Kenya, 2010 on the bill of rights and specifically on the right to health and clean environment.

(b) Health Act and specifically in reference to Article 43(1) (a), 42 and 46.

5.1 Other supporting legislations

There were additional laws that supported tobacco use regulation such as;

- ✓ Constitution of Kenya, 2010
- ✓ Tobacco Control Act, 2007
- ✓ Tobacco Control Regulations of 2014
- ✓ Public Health Act

5.2 Aims of Tobacco Control Act, 2007

The following were provided as the aims of Tobacco Control Act, 2007;

- ✓ To protect non-smokers from second hand smoking
- ✓ To protect tobacco farmers by alternative economic activities
- ✓ To protect government by dealing with illicit tobacco.

5.3 Legal provision on supply and demand of tobacco

- ✓ The following was envisaged in the law in regards to supply and demand of tobacco;
- ✓ Prohibition and ban of tobacco sale by minors
- ✓ Smoking ban in public places
- ✓ Curbing sale of single stick cigarettes
- ✓ Banning self-service displays in shopping outlets
- ✓ Prohibition of exposure to second hand smoking
- ✓ Prohibition of advertisement

6.0 Vision

The vision for Tobacco Control Board was outlined as "Healthy Society Free of Tobacco".

6.1 The Tobacco Control Board composition

Tobacco Control Board comprises of the following membership;

- ✓ Chairperson appointed by the Cabinet Secretary Health
- ✓ Director General
- ✓ Chief Public Health Officer who is the Secretary to the Board
- ✓ Children's department representative
- ✓ Representative from KEMRI
- ✓ Director General NEMA
- ✓ Representative from Ministry of Devolution
- ✓ Representative from Attorney General's office
- ✓ Doctor from KMA
- ✓ Kenya National Chamber of Commerce
- ✓ NGO Council
- ✓ Representative from National Caucus Women of Kenya
- ✓ Law Society of Kenya

6.2 Role of Tobacco Control Board

Tobacco Control Board was mandated to undertake the following;

- ✓ Advising the Cabinet Secretary in matters relating to control of tobacco
- ✓ Guiding the National Policy to be adopted in line with tobacco production. This is due to the fact that manufacturers have innovated new forms of tobacco
- ✓ Advising the Cabinet Secretary on testing methods used in tobacco
- ✓ Advising on information that should be provided to the public in regards to tobacco
- ✓ Working in committees formed in regards to tobacco control.

6.3 Achievements

The following were the outlined achievements made by Tobacco Control Board;

- ✓ Continuously advising the Cabinet Secretary on tobacco use in the country
- ✓ Awareness creation especially through graphic health warnings
- ✓ Capacity building for testing. This has been achieved through soil testing whereby fertilizers and pesticides were found to decimate soils after being sprayed on tobacco plants.

7.0 Tobacco menace in the country-Ann Kendagor

Madam Ann Kendagor from Tobacco Control Board issued the following statistics in support of tobacco menace both worldwide and in the country;

- ✓ Tobacco was estimated to cause 8 million deaths worldwide in a day
- ✓ 80,000 to 100,000 people were estimated to use tobacco everyday
- ✓ Half of tobacco related deaths occurred between 30-69 years
- ✓ 11.6 % of the world population use tobacco with a majority starting at the age of 21 years
- ✓ 90% of smokers use manufactured cigarettes
- ✓ 4.5 % of adults use smokeless tobacco
- ✓ 25% of smokers use hand rolled cigarettes
- ✓ 6% of the country's population use the outlawed shisha
- ✓ 38% of the people in the country use chewing tobacco

7.1 Tobacco products

The following were listed as tobacco products;

- ✓ Cigarettes
- ✓ Electronic cigarettes
- ✓ Pipe
- ✓ Chewing tobacco
- ✓ Shisha

7.2 Chemicals in cigarettes

The following were outlined as some of the chemicals in cigarettes;

- ✓ Methoprene
- ✓ Nicotine
- ✓ Arsenic
- ✓ Vinyl Chloride
- ✓ DDT
- ✓ Carbon monoxide

7.3 Health effects of smoking

The following were cited as health effects of smoking;

- ✓ Reproductive conditions such as infertility, impotence, low birth weight and reduced libido
- ✓ Cardiac and circulatory diseases
- ✓ Cancers such as lung and throat
- ✓ Aesthetics conditions such as smelly breath, wrinkles and hair loss
- ✓ Respiratory diseases such as asthma and bronchitis

7.4 Effects of second-hand smoking in children

The following were listed as effects of second-hand smoking in children;

- ✓ Respiratory infections
- ✓ Middle ear infection

7.5 Environmental effect

Desertification was experienced as a result trees usually cut to generate wood for curing tobacco.

7.6 Role of counties towards tobacco control

The following were highlighted as the role of counties towards tobacco control;

- ✓ Advocacy and public awareness
- ✓ Offering and prioritizing tobacco cessation and rehabilitation
- ✓ Enforce Tobacco Act and regulations
- ✓ Screening and counselling mothers who attend ANC clinics
- ✓ Develop legislation in support of tobacco control
- ✓ Empowering enforcement agencies in a bid to crack down on tobacco use violators in the country
- ✓ Undertaking review meetings to assess milestones achieved on tobacco control.

7.7 Remarks by the then Chairperson, Health Services Committee, Murang'a County Assembly

The Chairperson made the following remarks;

- ✓ That he appreciated the invitation to the workshop meeting extended by the County Public Health Officer
- ✓ The County was finalizing on budget estimates for FY 2022/23 and as such, it was too late to slot a vote head on tobacco control
- ✓ There was however a need to generate mitigating measures to liberate young people from tobacco use
- ✓ Fund on tobacco control could be created from the onset of a new budget cycle for FY 2023/24
- ✓ A legislation on tobacco control in the counties was paramount and that it was the prerogative of the county executive department of Health to ensure that the county assembly received a draft on the same for consideration.

8.0 Findings

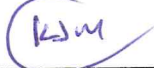
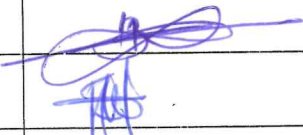

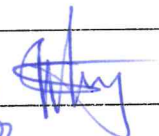






1. Tobacco epidemic had claimed more than 8 million people a year around the world. More than 7 million of these deaths were as a result of direct tobacco use while around 1.2 million were as a result on non-smokers being exposed to second hand smoke
2. There lacked enforcement measures to implement some tobacco products bans in the Country
3. 4.5 % of the Kenyan adults had adopted the use of smokeless tobacco while 38% were using chewing tobacco. This was an indicator of how tobacco use had evolved overtime. The statistics without proper measures would balloon in the near future.
4. Most of tobacco products in the country are fairly affordable hence the rampant abuse of the same.

9.0 Recommendations

1. Ministry of Health through Tobacco Control Board should forward to the department of Health and Sanitation, a prototype of a legislation on Tobacco Control in the county. The executive department should discuss the document together with the county assembly and develop it in a law.
2. The County Executive Member for Health and Sanitation should consider spearheading allocation of more funds to county hospitals. This is to facilitate them undertake therapies as interventions towards rehabilitation persons affected by tobacco abuse.
3. The department of Health and Sanitation should encourage county residents to whistle-blow on use of shisha which was previously banned but still being used especially in night clubs.
4. The proposed tobacco control legislation should have a provision on consultation between the county government and national security organs based in the counties on matters related to tobacco control since security was not a devolved function.
5. The department of Health and Sanitation should undertake research on the newly adopted tobacco products in the county. This would provide statistics on the same and help in planning on generation of a mechanism to avert further use of these newly invented products.
6. The County department of Health and Sanitation in consultation with the department of Finance and Planning should propose tax increases to reduce intake of alcohol products either at the national or county level especially during parliament's budget making process.
7. A toll-free help line should be established for use by addicts who wished to be rehabilitated. This should be managed by Murang'a County Level 5 Hospital.

Report adoption

The following Honorable Members of the Committee adopted the report;

S/NO	HON. MEMBER	Designation	SIGNATURE
1	Hon. John Mwangi Kamau	Chairperson	
2	Hon. Boniface Ng'ang'a Mbau	Vice Chairperson	
3	Hon. Liz Muthoni Mbugua	Member	
4	Hon. Morris Thuku	Member	
5	Hon. Elizabeth Wambui Mwangi	Member	
6	Hon. Steven Muigai Kimani	Member	
7	Hon. Caroline Wairimu Njoroge	Member	
8	Hon. Grace Nduta Wairimu	Member	
9	Hon. Kenneth Kamau Mwangi	Member	
10	Hon. Julian Njiiri	Member	
11	Hon. James Karanja Kabera	Member	
12	Hon. Peter Munga Njuguna	Member	
13	Hon. John Ngugi Kibaiya	Member	
14	Hon. Moses Macharia Mirara	Member	