Assessing Compliance with Tobacco Advertising, Promotion, and Sponsorship Bans:

A "How-to" Guide for Observing the Internet, Sponsored Events, and Corporate Social Responsibility

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Campaign for Tobacco-Free Kids

International Union Against Tuberculosis and Lung Disease

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How to Use This Guide

1. Read the entire guide from start to finish before beginning any of the STEPS (including background research and planning activities).

2. Make sure that you understand all of the terms used in the guide before planning your assessment. Refer to the Glossary of Terms (Appendix A) for further clarification.

3. This guide offers general instructions that are designed to be specifically tailored for individual assessments based on the legislation and TAPS trends in the jurisdiction of interest. Make sure you fully understand your local laws and TAPS context, and keep these factors in mind throughout the project planning and implementation process. Strategic assessments are specifically tailored to reflect the priorities of the jurisdiction of interest so that the results will be useful for supporting advocacy efforts and effective tobacco control policy.

4. Begin with STEP 1 and use a project timeline and assessment planning list to guide your assessment (examples provided in Appendices B and C). It may be necessary to return to earlier STEPS as you make decisions or learn new information during the planning process. This is okay and will help refine your assessment protocol and strategy.

5. Set appropriate limits for the assessment based on the TAPS priorities in your jurisdiction of interest and the capacity of your organization. The internet provides an abundance of easily accessible information, which can cause data collection to snowball. This guide is designed to be adapted and offers multiple options for adjusting the scope of your assessment. You may select a basic or in-depth assessment approach; determine your company/brand sample size, internet sub-channels, search terms, and items to include on the observation checklist. Each of these decisions may affect the time and work required during the planning process, while training data collectors, during data collection, and when analyzing your results. Consider your assessment goals and organizational capacity as you determine the scope of your project.

Introduction

The tobacco industry uses tobacco advertising, promotion, and sponsorship (TAPS) to increase consumption of their products. TAPS activities increase tobacco consumption among current users, attract new consumers, and encourage former customers to resume tobacco use. The tobacco industry uses deceptive, misleading, and predatory tactics to make tobacco use appear glamorous and socially acceptable, while downplaying products' adverse health effects.

Comprehensive bans on TAPS activities have been shown to reduce tobacco use. Partial bans are significantly less effective because the tobacco industry responds by shifting its marketing activities to areas that are not banned. The World Health Organization (WHO) calls for Parties to fully implement the tobacco control measures and protocols outlined in the Framework Convention on Tobacco Control (FCTC). Article 13 of the FCTC addresses bans and restrictions on tobacco advertising, promotion, and sponsorship, which encompass a diverse set of activities that are delivered through many channels and require different assessment methods. For this reason, the TAPS compliance assessment guidance provided by the Johns Hopkins Bloomberg School of Public Health (JHSPH), the Campaign for Tobacco-Free Kids (CTFK), and the International Union Against Tuberculosis and Lung Disease (The Union) will be comprised of a series of guides that will each focus on a narrow range of provisions typically included in a comprehensive TAPS ban.

This particular guide covers compliance assessment of TAPS activities as they occur on the internet, at sponsored events, and through Corporate Social Responsibility (CSR) programs. Although industry and/or brand sponsored events and CSR programs take place offline, these activities are often promoted on the internet, and collection of these data is easily incorporated into a protocol for assessing TAPS on the internet. These three areas were selected based on their use as components of larger, integrated marketing campaigns that connect tobacco promotional activities across multiple mediums with the use of new and innovative strategies for reaching existing and potential customers.

The tobacco industry has been expanding TAPS activities on internet channels, which comprise a rapidly evolving landscape. The internet exists within a thriving global communications network that approaches universal access and offers unprecedented opportunities for interacting with large groups of people, targeting messages, and collecting data at very low costs. The communication abilities of the internet may transcend the traditional physical boundaries of jurisdictions and their current legislation, if it exists (e.g. if a TAPS violation observed in one country originated from a company in a different country, how can the law be enforced?).

Integrated marketing utilizes creative campaigns and strategies (such as targeted advertising, public relations, product promotion, and social networking media) that are selected and implemented to achieve specific brand goals. Connecting these marketing elements yields a greater impact, and provides customers with a consistent brand voice and appearance. In 2013, Camel launched an integrated campaign to promote the 100th anniversary of their brand. Promotional activities spanned many months, and included such elements as an "Instant Win Sweepstakes", elaborate in-store displays, specialized packaging, and promotional messaging across all available channels. The campaign culminated with a party sponsored by Camel in the Netherlands. 900 guests were invited to enjoy the "Camel Experience" at a sponsored event that featured specialty foods, live music, Camel-inspired art and sculpture, and a laser show. Scenes from this event were promoted on social media networks, such as YouTube.

This guide offers a protocol that is scalable for a basic assessment approach, with the option for including additional in-depth observations, and is designed to be tailored to the geographic area, culture, and legislative context of the jurisdiction of interest. Compliance assessment studies such as those described in this guide can also be used to identify deficiencies in current legislation in order to further strengthen bans on TAPS activities.

STEP 1: Determine Your Jurisdiction of Interest and Know the TAPS Bans & Regulations

In order to assess compliance with the existing bans on tobacco advertising, promotion, and sponsorship, you will first need to determine your jurisdiction of interest, and then identify the most current legislation in that area.

Jurisdiction of Interest

The jurisdiction of interest will determine the geographic scope of your TAPS compliance assessment. Consider the policy level (national or subnational jurisdictions) that you seek to influence, and the parties that will be capable of taking action (enforcement agencies, policymakers, responsible parties). A key question to answer is how the results of your compliance assessment will be used (which is addressed in STEP 3). See Figure 1 for more information on indentifying responsible parties.

Tobacco control legislation varies significantly between different countries, and sub-nationally. Article 13 of the FCTC calls for Parties to mandate a comprehensive ban on all forms of tobacco advertising in all media, and on all direct and indirect tobacco promotion, and sponsorship. In areas where the Parties' governing bodies do not have the authority to impose comprehensive TAPS bans, Parties are expected to enact the most stringent legislation possible.

Tobacco advertising and promotion include any form of commercial communication, recommendation, or action with the aim, effect, or likely effect of promoting a tobacco product or tobacco use either directly or indirectly. Sponsorship is defined as any form of contribution to any event, activity or individual with the aim, effect, or likely effect of promoting tobacco directly or indirectly.[1] These definitions include developing technologies such as the internet and social networking media, where users are generally younger.

While assessing TAPS activities and compliance with regulations, you should also be aware of deficiencies in the current legislation. Poor definitions and bans that are not comprehensive can result in an expansion of products, advertising, and promotion that are not banned. Legislation regarding TAPS may include loopholes that are exploited by the tobacco industry and these areas should be incorporated into the observation checklist.

Knowing the law in detail will help you identify and document these loopholes during your compliance assessment. You should also consider laws among sectors beyond tobacco control (financial & trade, media & advertising, internet content regulation). Both national and sub-national restrictions on TAPS activities should be considered when planning a compliance assessment.

Tobacco Sales on the Internet

FCTC Article 13 explains that the sale of tobacco on the internet inherently involves advertising and promotion, and so should be banned completely. This ban should apply not only to tobacco companies, but also to other responsible parties, such as retailers, distributors, and importers. Other entities such as credit card companies and postal or delivery services should be included in the regulations as well. If jurisdictions have not banned the sale of tobacco on the internet, Article 13 stipulates that laws should restrict access to such services by age and location, and require retailers to display products in a plain listing, without featuring packaging or price promotions.

Tobacco Advertising and Promotion on the Internet

Legislation addressing internet content regulation, including those topics relevant to tobacco control, is a relatively new and developing area. Issues surrounding jurisdiction and sophisticated technology often limit an enforcement agency's ability to monitor internet activity, leaving many internet regulations unenforced or easy to circumvent. The internet serves as a powerful medium through which the tobacco industry can interact with a large, diverse, and targeted audience to promote their products and conduct market research. This point further strengthens the argument for comprehensive legislation in place of partial bans.

The guidelines for implementation of Article

13 elaborate on the obligations of all “responsible parties” involved in the production, placement, or dissemination of TAPS activities. Understanding the roles and obligations of these responsible parties and their presence in your jurisdiction of interest will help you define the purpose and scope of your compliance assessment, and strategically plan your advocacy efforts.

The guidelines for Article 13 recommend that “responsible parties” be held accountable based on their role in dissemination and their ability to control the presence of TAPS content. This guide offers a condensed framework for identifying the parties responsible for TAPS activities on the internet, based on the entities identified in the guidelines for Article 13 (See Figure 1 below).

Figure 1. Parties Responsible for TAPS on the Internet

Role in TAPS Dissemination	Responsible Party	FCTC Article 13 Recommendation
Primary: Producers or publishers that create or select content before it is made available to internet users	• Tobacco industry (companies and brands) • Advertising agencies* • Producers of media or games • Internet sites of newspapers, broadcasters	Should be **banned** from producing or publishing TAPS content.
Alternative: Content publishers, hosts, navigators, and access providers who facilitate or enable the dissemination of TAPS content.	• Social media networks • Advertising agencies * • Other internet service providers (browsers, search engines, web portals)	Should have an *obligation to remove or disable access* to TAPS *once they have been made aware of the content.*

*Advertising agencies may act as primary responsible parties by creating and developing TAPS media and activities; they may also serve as alternative responsible parties by hosting, publishing, and targeting the dissemination of TAPS media and activities; or they may fulfill both roles.

How to Use this Chart

- Review this chart to understand the various parties involved in the production and dissemination of TAPS materials on the internet. (Many of these materials are promoting sponsored events and CSR programs as well as brands and products).
- Consider the most active responsible parties in your jurisdiction of interest. Refer to these parties later in the planning process when you are selecting your samples (tobacco companies & brands, internet sub-channels, search terms) and observation items to include in the data collection procedure.
- If the government in your jurisdiction of interest lacks the capacity or technology to enforce the law and monitor compliance, refer to these responsible parties that are most prominent or active on the internet in your jurisdiction of interest while planning your advocacy strategy, by identifying those that seem most open to or capable of responding to the assessment results.
- In some cases, you may not be able to identify the various responsible parties until data collection has been completed. The responsible party may be apparent from the TAPS example observed, or follow-up research may be required to identify these parties (e.g. available tobacco industry documents).

According to Article 13 guidelines, primary responsibility should fall to the initiator of TAPS activities (and these parties often fall under the jurisdiction of enforcement agencies for tobacco control, finance & trade, media & advertising, or internet content regulation). Alternative responsibility should fall to content publishers, hosts, navigators, and access providers who facilitate or enable the dissemination of TAPS media and activities. Article 13 suggests that alternative responsible parties should have an obligation to remove or disable access to TAPS media or activities once they have been made aware of the content.

Alternative responsible parties are mostly corporate entities that may be more willing and technologically capable of removing or disabling the restricted content than existing enforcement agencies. They are inclined to comply with local laws, do not have a vested interest in tobacco advertising, and are capable of monitoring and controlling their own channels. In some cases, these parties may adopt TAPS bans that are more stringent or comprehensive than the existing legislation in your jurisdiction of interest. Depending on the role of the alternative party and their reputation in the jurisdiction of interest, these entities should be considered when selecting internet sub-channels to include in data collection, when disseminating results, and when directing advocacy efforts. This guide recommends focusing on alternative parties that are most capable or likely to respond to the results of your assessment, such as sites of newspapers, broadcasters, social networking media, and major channels (such as Google) that value their public reputation and are likely to comply with the law. This can be a useful advocacy strategy in jurisdictions with weak laws or ineffective enforcement agencies.

Sponsored Events

Article 13 of the FCTC explicitly requires the prohibition or restriction of tobacco sponsorship of events and activities, whether or not that sponsorship is publicized. This includes sponsorship that serves to promote tobacco companies, brands, and products. Similar to responsible parties on the internet, the guidelines for Article 13 recommend that all entities involved be held responsible (also based on their role in initiating, facilitating, or enabling the event). This may include event organizers, venue owners, athletes, and other celebrities (in addition to the tobacco industry).

Corporate Social Responsibility

CSR is a specific form of sponsorship that is used to promote the public image of tobacco companies and brands through community welfare programs. Article 13 guidelines explain that "contributions from tobacco companies to any other entity for 'socially responsible causes' or publicity given to 'socially responsible' business practices should also be banned, as these activities constitute advertising and promotion and serve to promote a tobacco product or tobacco use, either directly or indirectly, under the guise of community welfare."[1] The law in your jurisdiction of interest may or may not prohibit CSR activities or the publicity of CSR activities.

Resources are available to help you identify the most current legislation in your jurisdiction of interest. Most government agencies make their legislation available to the public and may be accessed online. Additional resources are available through non-governmental organizations, such as the Tobacco Control Laws database developed by the Campaign for Tobacco-Free Kids **(www.tobaccocontrollaws.org)**.

Know the TAPS Bans

- Remember to consult multiple sources for TAPS bans and regulations in your jurisdiction of interest, including tobacco control, finance & trade, media & advertising, and/or internet content regulation).
- Remember to review the individual usage policies among internet sub-channels (such as Google, Twitter) which may offer TAPS bans that are more restrictive than the local law.
- Remember to include tobacco promotion tactics that can take place on the internet or at sponsored events such as the provision of coupons, contests, gifts, or free samples, brand marking, and direct advertising.

CASE STUDY: Effectiveness of State and Federal Government Agreements with Major Credit Card and Shipping Companies to Block Illegal Internet Cigarette Sales[2]

This study visited the websites of internet cigarette vendors between 2003 – 2007 to assess the status of their business and monitor their sales practices. The vendors were assessed for compliance with voluntary agreements between major credit card companies and private shippers that were put in place in 2005 that ban payment and shipments for all internet cigarette sales. The study found that the proportion of vendors accepting banned payment options dropped from 99.2% to 37.4% following the ban. The proportion of vendors accepting banned shipping options dropped from 32.2% to 5.6%. There was also an increase in vendors offering non-banned payment or shipping options (such as personal checks and the U.S. Postal Service). The authors concluded that these bans offered a promising approach for regulating the sale of cigarettes. The observed increase in acceptance of non-banned payment or shipping options also demonstrates the importance of enacting comprehensive legislation that prevents the exploitation of such loopholes.

Action Item

Learn the legislation in your jurisdiction of interest and compare it with Article 13 mandates and any other relevant restriction of TAPS activities. Be aware of the responsible parties and potential loopholes in the law.

STEP 2: Recognize Tobacco Advertising, Promotion and Sponsorship

In order to know how to assess compliance with bans on tobacco advertising, promotion, and sponsorship, you need to understand and be able to recognize the many types of TAPS activities and channels that are available in your jurisdiction of interest. This guide focuses on tobacco advertising, promotion and sponsorship through the internet, sponsored events, and CSR programs. As discussed in the guide's introduction, innovative campaigns employ multiple channels and TAPS activities to implement an integrative marketing strategy. A data collector may observe content on a social media network, for a CSR related event, that is sponsored by a tobacco company/brand, which would be an example of all three areas covered in this guide. Data collectors should be trained to recognize these TAPS activities, and be somewhat familiar with TAPS trends and regulations in your jurisdiction of interest. These trends in TAPS activities should also be considered when defining the purpose of your assessment, selecting your samples, and adapting your procedures and observation checklist. Actual regulations and bans on TAPS activities vary greatly by region, so your compliance assessment must be specifically tailored to correspond with appropriate national or sub-national legislation or regulations.

TAPS on the Internet

Beyond the sale of tobacco or tobacco related products on retail websites, TAPS activities on the internet employ traditional industry tactics (such as advertising to youth) that are enhanced by innovative technologies that provide the ability to reach many and target advertisements at a low cost. Tobacco industry websites (that promote companies, brands, or products) are often elaborately produced and functionally robust. TAPS activities are also communicated through social media networks, news, retail & entertainment websites and internet search results. Access to these examples may be available to the general public, or content may be restricted and require subscription and verification of age, residency, or smoking status.

Some TAPS activities may be more challenging to locate and assess on the internet, such as communications on blogs, message boards, forums, or chat rooms. These channels (usually available through web portals) often allow content to be posted anonymously and can be exploited by industry front groups that are difficult to identify.

Tobacco Promotional Tactics

- Free distribution of tobacco & related products (received through subscribed mail or at sponsored and CSR events)
- Provision of contest and promotional discounts or coupons (electronically or through direct mail)
- Brand stretching, provision of free gifts (received through the mail or at sponsored and CSR events)
- Appearance in audiovisual entertainment products (TV or film) including on the internet

Sponsored Events
Sponsored events are a means for the tobacco industry to promote their company or brands, and normalize tobacco use among the general population. Sponsored events include (but are not limited to) sporting events, cultural events, music concerts, other special/entertainment events and festivals, vacations and retreats. Event sponsorship may also occur on a smaller scale and at regular intervals, such as smoking ambassadors who promote companies or brands at bars, night clubs, pop-up locations, retail shops or other public places. These events are an opportunity to represent the company or brand, interact with customers in-person, collect customer information, and associate with popular trends or celebrities. Events require marketing and promotion that are likely communicated on the internet, especially on tobacco brand websites and social networking media.

Corporate Social Responsibility
Corporate Social Responsibility (CSR) provides support for charities/philanthropy, community projects, health interests, youth anti-smoking programs, disaster/crisis relief, research, and environmental/farming programs. The tobacco industry uses CSR to promote a positive public image, conduct market research on current or potential smokers, and persuade the beneficiaries of their support to favor their company or brand. CSR is also used to gain favor with politicians and other policymakers as "responsible corporate citizens". The objective of CSR is to enhance the public's perception of the company or brand.

CASE STUDY: Tobacco Sales and Promotion in Bars, Cafes and Nightclubs from Large Cities around the World[3]

This study administered surveys to the owners of 231 venues in over 20 countries in Africa, the Americas, Asia, and Eastern Europe to evaluate the presence of TAPS activities in bars, cafes, and nightclubs. Data were collected on a wide range of TAPS activities, including the types of promotions that tobacco companies offer to the venues. In Moscow (Russia), 20% of venue owners (or managers) reported the provision of event sponsorship and free cigarettes to their business. In Jakarta (Indonesia), the provision of event sponsorship and monetary funding was reported by 20% of venue owners or managers. In Ukraine, researchers found that tobacco companies offered sponsored events, free cigarettes, and monetary funding to 67% of responding venue owners/managers. These are examples of jurisdictions with weak or un-established laws addressing tobacco industry sponsorship (and TAPS in general). These findings demonstrate the need for comprehensive TAPS bans that must include entertainment and hospitality venues in their provisions.

Action Item

Become familiar with TAPS activities and trends in your jurisdiction of interest by speaking with local experts and your population of interest, and conducting an informal search on the internet to review examples. Be aware of any new or innovative industry tactics.

STEP 3: Define the Purpose of Your Compliance Assessment

Compliance assessments should only be conducted if they serve a strategic purpose. The purpose of an assessment should reflect the local legislation, responsible parties (both identified in STEP 1), and current trends in TAPS activities (identified in STEP 2). Think about why you want to conduct a compliance assessment and how you intend to use the results. Clarifying the intended use of the results will help to focus your assessment design, determine which data you collect and analyze, and drive how you report and disseminate the results.

The most common purpose of a compliance assessment involving TAPS on the internet, at sponsored events, and through CSR programs **is to provide evidence to show why loopholes or deficiencies in the law must be addressed** (i.e. to strengthen the law). As discussed in STEP 1, regulation of TAPS on the internet may entail only partial bans or the legislation may not even exist yet. The goal of this type of assessment is to provide examples of how the internet is being used as a tool for TAPS activities (including sponsored events and CSR programs) that will be useful for advocates and policymakers. Other common purposes for compliance assessments are to:

Demonstrate violations of the law: Assessments can be used to inform the government about the need for strengthening enforcement and where to target resources. Low compliance rates can be used to stimulate active enforcement by responsible parties that are involved in the production, placement, or dissemination of TAPS activities (See Step 1, Figure 1). Results may also identify gaps in implementation planning and indicate types of TAPS activities that require more targeted intervention.

Demonstrate compliance with the law: A common tobacco industry argument after a strong TAPS law has come into effect is that the law is widely disregarded. These claims are often false or exaggerated, and a compliance assessment can show that compliance with the law is high, thus countering industry claims that the law is not working.

Evaluate progress: Periodic compliance assessments can be used to evaluate progress by documenting changes in compliance over time. These changes may be due to new trends and marketing strategies within the tobacco industry, the establishment of new legislation, or increased enforcement efforts.

Educate the public and civil society: Assessments can be used to educate the general public and civil society about the existence of TAPS restrictions and the status of compliance.

Action Item

Define the goals and priorities of the compliance assessment and identify the intended audience for disseminating results and directing advocacy efforts.

STEP 4: Secure Needed Resources

As an integral part of planning your compliance assessment, you will need to know what resources you have and what you need to procure. Construct a plan that is realistic and feasible. Key resources for an assessment include labor, funding (including any costs associated with attending sponsored or CSR-related events), and technological capabilities.

Labor

There are a number of tasks associated with conducting a compliance assessment, and some tasks require technical expertise. Partnerships with technical groups, such as a local university or research group, and policy or advocacy groups, can effectively bring together the various skill-sets needed. When securing individuals to perform various tasks, be sure to identify the following:

A Project Coordinator will be responsible for making sure that all tasks occur according to the timeline and to the protocol established for the assessment (including establishment of strategic partnerships and coordinating dissemination of results). The coordinator ensures that data collectors have all the necessary materials, technology, and training before collecting data, and acts as a "go to" person should they encounter any difficulties during the assessment. The coordinator may also be responsible for receiving, storing, organizing, and managing data that are submitted for analysis by data collectors. Compliance assessments with a large scope may require storage of a large amount of data, and managing images and/or observations as they are received will help to expedite the data analysis process.

Data Collectors can be paid staff, but volunteers can also be recruited to conduct observations. In both instances, they need to be thoroughly trained to recognize relevant TAPS activities, in implementing the data collection procedures, and knowing how to submit the examples and observations they collect to study staff. It would also be helpful if the data collectors are somewhat familiar with local legislation and the overall purpose of the assessment. Recruiting volunteers to conduct the data collection procedure may offer more freedom to collect restricted data (that requires subscription or identity verification to access restricted content) or perform an in-depth assessment (e.g. by attending events and subscribing to offers and updates, etc.). If some of the data collectors are current smokers, they could access content that requires users to report their smoking preferences, and may be more likely to observe the TAPS activities that are targeted directly to known smokers. Asking project staff to conduct the data collection procedure provides the advantage of experienced tobacco control professionals to identify and assess TAPS examples (that may be complex or part of an integrated campaign). However, this could require a significant amount of staff time based on the scope of your assessment and your available resources.

Technical Experts can be consulted to help identify priority tobacco companies and brands, select your sample (internet sub-channels, search terms), adapt data collection procedures and the observation checklist, and/or assist with data analysis and reporting (as needed).

Funding

A compliance assessment need not be very expensive to undertake, the cost is generally driven by the scope of the assessment, the time required to collect all necessary data, and whether or not data collectors will be paid or compensated for their time. A local university can be an excellent source of volunteers with technical expertise as students may be required to do volunteer work to fulfill graduation requirements and are likely proficient and familiar with current technologies. A compliance assessment that includes observation of sponsored or CSR-related events may require additional funding for any costs associated with attendance (e.g. ticket or cost of admittance). You should also include any costs associated with promoting and disseminating the assessment results in the projected budget.

Technological Capabilities

The web sweep procedure described in this guide requires access to the internet and computers for data collection, storage, and analysis. If these devices, internet access, and software are not available to project staff already, the project coordinator should arrange for the provision of these resources in advance of data collection.

Action Item

Develop a budget and allocate resources for the requirements of your compliance assessment.

STEP 5: Select Your Samples and Clarify the Scope of Your Compliance Assessment

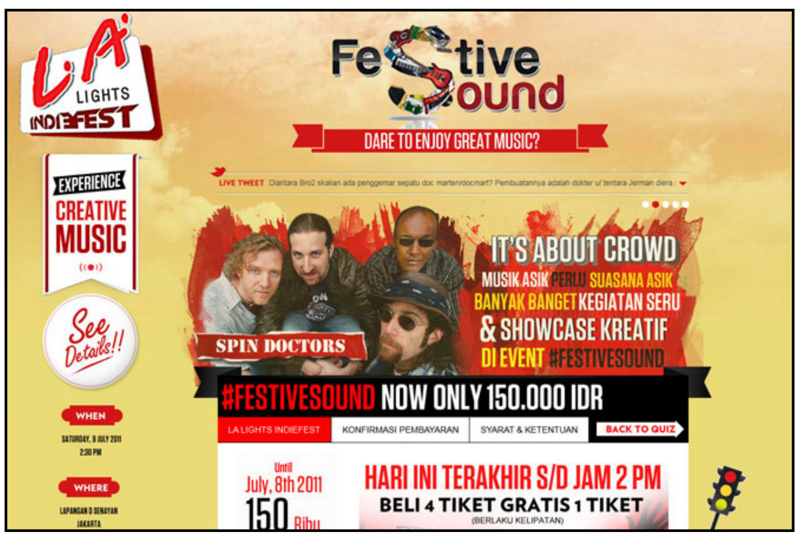
TAPS legislation and activities are highly variable among regions and countries. The scope of your compliance assessment will have important implications for the timeline, sampling approach, and procedures needed for the data collection and analysis. In addition to your purpose and available resources, the scope is also defined by the jurisdiction of interest and additional information you may want to collect. Refer to the findings from STEP 1, STEP 2, and STEP 3 of the compliance assessment while selecting your sample and clarifying the scope of your project.

Sample Selection

Tobacco Companies and Brands: You will need to select a subset, or sample, of tobacco companies and brands to include in your compliance assessment. Collecting data from a purposive sample (the most popular or active brands) or a convenience sample (based on availability or ease of access to data) in your jurisdiction of interest is a practical way to assess compliance and provide illustrative examples that violate the law or exploit deficiencies in regulation. An assessment that includes a diverse sample of brands or tobacco products will yield the most useful data for evaluating compliance and identifying loopholes in the legislation. This guide recommends including a minimum of 9-10 tobacco brands in your assessment. These brands should include cigarettes and other tobacco products (depending on your local context). You should first identify 3-5 priority tobacco companies that are active in your jurisdiction of interest, and select 2-3 brands from each of those companies to include in the sample. Make sure to consider both transnational and domestic companies and/or brands when selecting your sample. An assessment that demonstrates TAPS activities or violations by a few companies may be enough to motivate policymakers or responsible parties to act.

Internet Advertisement, Indonesia 2011[4]

- Music Concert Sponsored by Djarum
- Social Media Networking (Log-in with Facebook or Twitter to purchase tickets, use of #FESTIVESOUND hashtag for marketing purposes)
- Interactive Media ("Back to Quiz")



Internet Sub-Channels: Once you have selected a sample of tobacco companies and brands, you will need to select a sample of internet sub-channels (such as webpages and social media networks) that will be included in the assessment. This should also be determined by the popularity and accessibility of these sub-channels in your jurisdiction of interest, as well as the specific usage guidelines for each of the sub-channels in question (as discussed in STEP 1). Some parties voluntarily prohibit marketing of tobacco on their channels, and this should be considered when selecting sub-channels to include in the assessment sample. This guide recommends including a minimum of 1 of each of the internet channels available for observation (see Figure 2 for a description of channels and sub-channel examples). Sortable information on web traffic and global rankings by country and topic can be found through Alexa Internet, Inc. at http://www.alexa.com/

Search Terms: You should also select a minimum of 10 search terms (in addition to the tobacco companies and brands you selected) that are related to current legislation or current TAPS trends in your jurisdiction of interest (including sponsored events and CSR programs), to include in the data collection procedures. See Step 7 and Appendix E for a list of Sample Search Terms.

Figure 2. Internet Channel and Sub-Channel Examples

Internet Channel Type	Internet Sub-Channel Example	Minimum Suggested Sample Size
Tobacco company websites	China National Tobacco Co., Philip Morris International Inc (Altria Group Inc), British American Tobacco	3-5 priority companies
Tobacco brand websites	Hongtashan, Dunhill, Marlboro	9-10 priority brands (within the priority companies)
Online tobacco (or tobacco product) retailers	Duty Free Depot	1
Social media networks	Twitter, Orkut, YouTube, Weibo	1
News and broadcast websites	BBC, CNN, reddit	1
Retail, entertainment, and web portal webpages	Amazon, qq.com, taobao.com	1
Internet search results (search engines and browsers)	Google, Safari, Bing	1

Information Scope

Another key decision that must be made at the onset of a compliance assessment is the type and breadth of information that data collectors will capture. This guide offers adaptable procedures for a basic assessment, with the option for adding on in-depth assessment elements (as appropriate to your jurisdiction of interest and organizational capacity). A basic assessment involves searching and navigating the internet, while an in-depth assessment requires more interaction between the data collector and TAPS activity (such as signing up for promotional offers or attending selected events). See Step 7 for more information on basic and in-depth procedures.

You will need to decide which items to include on the observation checklist in order to assess compliance with existing TAPS bans and identify examples of loopholes that encourage strengthening the law. Items on the checklist should be based on current legislation, assessment priorities, and TAPS trends in the jurisdiction of interest (i.e. the findings from STEP 1, STEP 2, and STEP 3) These items should represent either compliance or violation with the law, or demonstrate deficiencies in legislation that are being exploited by the industry. You may also decide to include items on the checklist that identify new or innovative TAPS strategies that the tobacco industry is using. You should carefully consider the type and extent of data you will need to collect in order to motivate policymakers or other responsible parties to respond.

This guide recommends setting a reasonable limit to the comprehensiveness of information to be collected and analyzed, to appropriately align with your purpose, resources, and necessary timelines. A Sample Observation Checklist is available in Appendix F.

Action Item

Select your samples, choose an assessment approach, and clarify the scope of your TAPS compliance assessment.

STEP 6: Plan and Set a Timeline for Your Compliance Assessment

Good planning includes developing a timeline for compliance assessment activities that will enable you to adequately prepare for all of the practical steps involved in completing the assessment and maximizing the use of the results.

In developing your timeline, you will want to consider if there is an ideal time to release the results (e.g. during legislative discussion regarding TAPS, or on the one-year anniversary of the law's enactment). If so, this date should serve as the end point on your timeline, and all other tasks should be entered into the timeline working backwards from this point.

There are a number of tasks that should be incorporated into your timeline. These tasks occur at three points:

1. Pre-implementation: before the compliance observations occur;
2. Implementation: during data collection and analysis;
3. Post-implementation: after the compliance observations have been collected and analyzed.

Refer to appendices B and C for an example timeline and detailed assessment planning list.

Action Item

Plan and coordinate all remaining STEPS in your compliance assessment, with consideration to strategically timing the dissemination of results.

STEP 7: Adapt Procedures and Observation Checklist

Assessment procedures and the observation checklist need to match the provisions of the legislation that regulate TAPS activities in your country or jurisdiction. The volunteers or staff who will be collecting data and assessing examples will need to understand precisely what they are to do and how they are to record what they observe. Consequently, you will need to develop a clear and detailed procedure to guide data collectors, and customize the observation checklist to guide data collectors.

Procedures

You will need to develop a standard procedure for collecting TAPS examples and conducting assessment observations that describes every step in the process. It is best to make the procedure easy to follow so that data collectors can be easily trained, but the procedure must also be sufficiently detailed.

This guide recommends that data collectors utilize a series of **basic web sweep procedures** to search and navigate the internet, and capture TAPS examples via screen shots of TAPS activities (including those related to sponsored events and CSR programs). Data collectors will navigate to each internet sub-channel identified in the sample; enter the sample search terms into available search bars; click through to relevant pages; and capture screen shots of the types of TAPS activity identified in STEP 2 of the assessment. Screen shots may be assessed for compliance and content by the data collectors during the web sweep, or submitted to project staff to analyze. Asking recruited data collectors to complete the observation checklist for each TAPS example could save project staff a significant amount of time and data entry work, and offers the advantage of having the observer assess the example in real time (rather than a captured screen shot). On the other hand, project staff may be more familiar with TAPS legislation and trends and be better able to identify the newer and innovative tactics that the tobacco industry is using. Asking project staff to complete the observation checklist for each TAPS example may provide better data quality but will require significantly more time and data entry work from the project staff. The assessment method should be determined based on organizational and staff capacity. If project staff are acting as data collectors, they should complete the observation checklist for each TAPS example as they are conducting the web sweep procedures.

An **in-depth assessment** procedure would entail signing up for mailing lists or promotions, and attending selected sponsored or CSR related events. Data collectors could capture additional screen shots of TAPS on the internet (e.g. direct messages, email promotion), submit examples of gifts or promotions received in the mail, and capture images and submit observation of sponsored events during the (4-6 week) follow up period (using the customized observation checklist).

Sample Web Sweep Procedures

Data collection will employ a web sweep procedure that requires searching and navigating the internet, and taking screen shots of TAPS activities. You will conduct 1 web sweep per week, for a period of 3 weeks. Web sweeps should be conducted from a local internet café within the jurisdiction of interest, on the same day of each week. Save screen shot files in .jpeg format on the flash drive provided by project staff. Make sure to capture the entire screen (including date/time, and url). Please submit files to project staff at the conclusion of every web sweep by attaching files to an email and sending to projectstaff@gmail.com. Due to the volume of files, it may be necessary to send multiple emails. Make sure to submit all screen shots collected. In each email, please include the date the web sweep was conducted, location or type of computer used, and your current smoking status.

The web sweep procedure requires searching and navigating a variety of webpages and social networking media on the internet. Search and navigate on your browser of choice, utilizing Google's search engine. You may use your personal user accounts to access content on social networking media, or to sign up for new accounts on tobacco industry or other webpages. Do not provide false information in order to gain access to restricted content. Refer to the lists of selected tobacco companies/manufacturers, brands, internet channels, and search terms provided by project staff to conduct the web sweep procedure.

1. Navigate to selected tobacco company/manufacturer and brand webpages.
    a. Click through the site and save full screen shots of TAPS activities.

2. Navigate to selected social networking media websites.
    a. Search for selected tobacco companies/manufacturers and brands and save screen shots of TAPS activities (such as accounts administered by the tobacco industry).
    b. Search for selected search terms and save screen shots of TAPS activities (including third party ad serving).

3. Search for selected tobacco companies/manufacturers, brands, and search terms using the Google search engine.
    a. Capture screen shots of search results.
    b. Click through to relevant websites and capture screen shots of TAPS activities.

4. Navigate to selected retail and entertainment websites.
    a. Search for selected tobacco companies/manufacturers, brands, and search terms, and capture screen shots of search results and TAPS activities.

Sample In Depth Assessment Procedures

Internet: During the web sweep, sign up or subscribe to available offers, promotions, newsletters, contests, etc., and interact with features or games if available. Following the initial 3 weeks of web sweeps, allow for an additional 4-6 weeks of passive data collection. If you continue to observe TAPS activities on the internet (without performing a web sweep), or receive any direct to consumer advertising electronically (e.g. via social media networking or email), capture a screen shot and submit to project staff following the instructions above. If you receive any direct to consumer advertising in the mail (free samples, gifts, coupons, promotions, toys), please reserve the examples and submit to project staff in person at the conclusion of the data collection period (Insert DATE).

Sponsored Events and CSR: When attending selected events (sponsored events or those related to CSR), capture photos of TAPS activities using a digital camera or camera-phone and complete the questionnaire below. Photography is common at these types of events, so taking photos should not cause suspicion. Submit photographs and the results of the questionnaire to projectstaff@gmail.com immediately following the event.

Data Collection and Management

There are several options available for collecting and managing your assessment data. Your data collection and management method should fit the scope of your assessment, your available resources, and the capacity of your project staff. A few examples of data collection and management methods are listed below:

- Set-up a spreadsheet file or online data collection form containing the observation checklist (using software such as Microsoft Excel or free services such as Survey Monkey, or Google Drive form and spreadsheet software) and ask data collectors to complete the checklist for each TAPS screen shot example they collect while they are conducting the web sweep procedure. This can help to expedite the time required to complete data entry and/or analysis. The data contained in the observation checklists could be emailed to project staff or directly submitted on available web services at the conclusion of each web sweep.

- Ask project staff to complete the observation checklist for each TAPS screen shot example that data collectors submit at the conclusion of each web sweep. Project staff could also utilize spreadsheet software, online data collection forms, or other available data collection resources to complete the observation checklists.

- Either method will require data collectors to assign identification numbers to each TAPS screen shot example collected and paste the screen shot in a word document (e.g. Microsoft Word or free Google Drive word document software). If the data collectors are asked to complete the observation checklist, they will also need to record the identification number of the TAPS screen shot example on the form (include this field on the observation checklist). This will ensure that the assessment data corresponds to the correct TAPS screen shot example.

- You will need to provide guidance for data collectors on assigning identification numbers to each TAPS screen shot example so that project staff can reference the example for follow up assessment and advocacy purposes. This could be as simple as assigning a certain number range to each data collector (e.g. 1,000-2,999) and sequentially numbering the TAPS screen shot examples they collect (0001, 0002, 0003, etc.). Data collectors could type the identification number above or below the screen shot example they paste in the word document they will submit to project staff. The guidance on assigning identification numbers should be clear, simple, and easy for data collectors to apply.

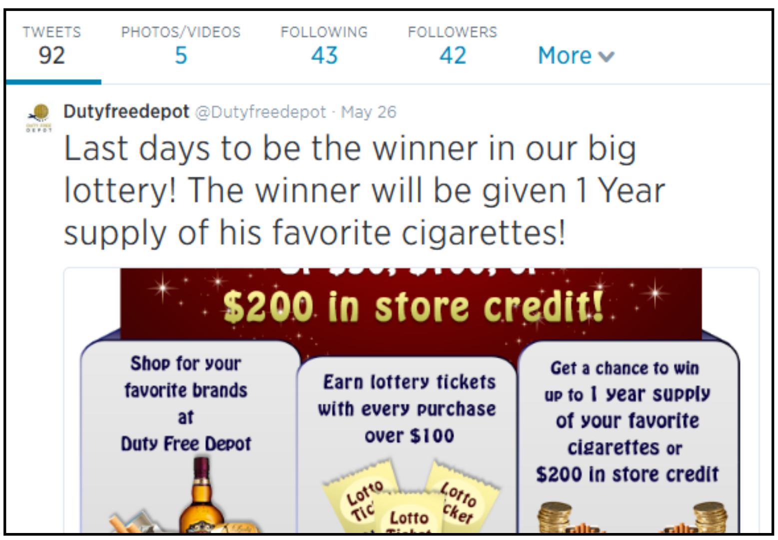
- The name or identification number of each data collector and date of web sweep and/or observation should either be recorded on the observation checklist or by project staff as the web sweep files and data are received.

Observation Checklist

An observation checklist must be adapted to guide data collectors and/or project staff in assessing compliance and identifying loopholes among the TAPS screen shot examples collected during the web sweep. Observation checklists with "yes/no" options are easy to use and provide standardized data collection. To ensure good quality data, be sure that your questions are clear and specific. Data can be entered directly into spreadsheets (using a new tab for each example in a web sweep workbook) or forms software (such as Microsoft Excel or Google Drive services) or through questionnaire forms such as those offered by Survey Monkey. Include a field on the observation checklist to enter the assigned identification number of the TAPS screen shot example.

Include items that reflect the key provisions of the law that you want to assess, or highlight activities that exploit gaps in the legislation (as identified during STEP 1, STEP 2, STEP 3 and STEP 5 of the assessment). These are the variables that will be used to determine if the tobacco company or (primary/alternative) responsible party is compliant with the law. Also include items that will help identify loopholes in current legislation, such as poor definitions and bans that are not comprehensive and allow advertising, promotion, sales, activities, or products that are not regulated.

Include space on the observation checklist for both data collectors and project staff (if they are not one and the same) to record additional comments they might want to make. You might want to note, for example, if there are special circumstances regarding a particular observation or important details that the checklist does not capture (such as a video or other interactive elements). Include the adapted observation checklist in the data collection training and reference materials (even if the data collectors will not be completing the checklists).



Internet Promotion 2014[5]

- Promoting a cigarette retail website
- Using Social Media Networking (Twitter)
- Promoting a contest
- Offering free gifts

Action Item

Adapt the procedures and observation checklist based on the scope of your TAPS compliance assessment and the laws and regulations in your jurisdiction of interest.

STEP 8: Conduct Training Session

Training Data Collectors

Make sure your data collectors are trained in every aspect of the web sweep procedure so they know how to search for, identify, capture, save, and submit TAPS screen shot examples and/or completed observation checklists. A training session should include discussion of the purpose of the assessment and ample time for reviewing all procedures. Use examples extensively to familiarize the data collectors with the types of TAPS activities they will be searching for. A practice data collection session (web sweep) and the adapted observation checklist should be included in the training activities and materials.

Additional training will be necessary if you ask data collectors to subscribe to promotions, participate in contests, and attend sponsored or CSR-related events. They will need to know how to record observations, what information to record, how to submit data, and how to respond if approached or questioned at an event. This guide recommends using the adapted observation checklist from the basic assessment approach and making necessary revisions or additions as appropriate. Data can be submitted electronically (using screen shots, completed observation checklists, and digital photos of direct mailings and sponsored or CSR related events), or via mail (send or deliver any promotional materials received directly to project staff).

Training Your Staff

Project staff should be familiar with the procedures and adapted observation checklist, as well as the local law and TAPS trends in your jurisdiction of interest. Staff should be especially familiar with new, innovative, and ongoing TAPS activities in your jurisdiction of interest if they will be completing the observation checklists for the assessment.

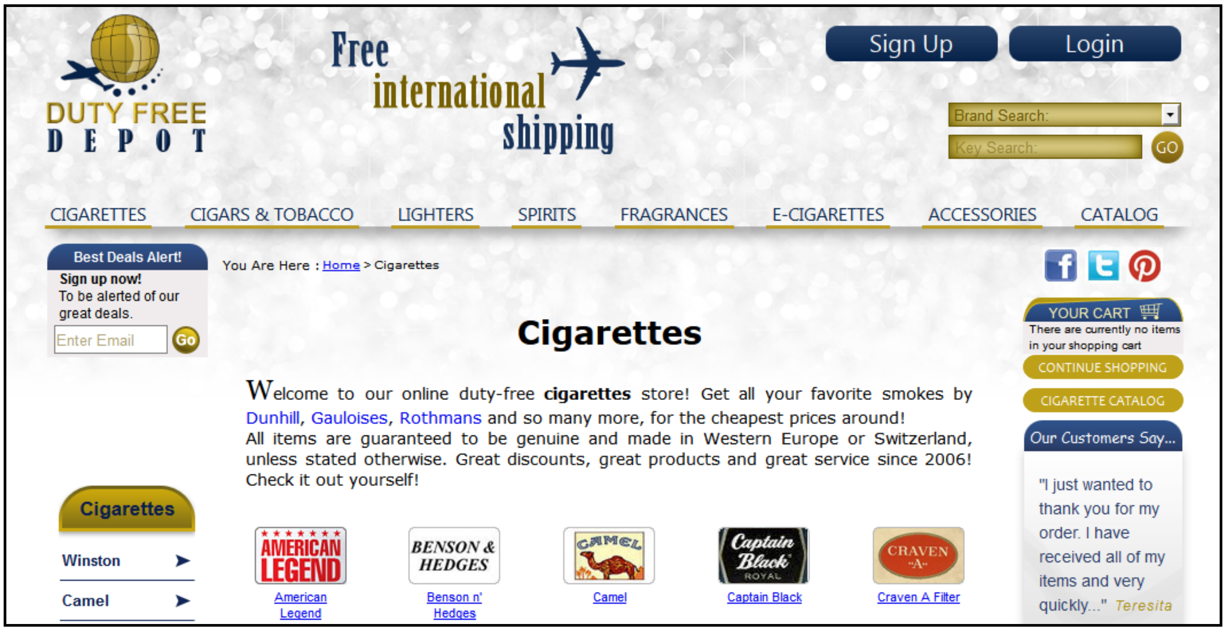
Action Item

Train data collectors and/or project staff to use the data collection procedures and to complete the observation checklist.

STEP 9: Collect Your Data

Data collectors will perform a series of web sweep procedures over a period of weeks (a minimum of 3) and submit TAPS screen shot examples to project staff. Staff should utilize a clear file naming system for the examples and make sure they are backed-up in a second location. During the data collection period, staff should review submitted examples as they are received to ensure that they are consistent with the assessment protocol. The project coordinator should be available to assist data collectors with any issues or questions during the assessment period.

Although TAPS activities on the internet often extend beyond the traditional boundaries of geography, data collection should take place from within the jurisdiction of interest. Similarly, in-person observations about sponsored and CSR related events should be representative of TAPS activities in your jurisdiction of interest.



Internet Retail Website, 2014[6]

- Selling cigarettes
- Using Social Networking Media (Facebook, Twitter, Pinterest)
- Soliciting subscription ("Sign up now! To be alerted of our great deals")

Action Item

Conduct the web sweep and attend selected events if implementing an in-depth assessment, while monitoring the quality of collected examples and observations as they are received.

STEP 10: Analyze Your Compliance Assessment Results

Once TAPS screen shot examples have been collected and the observation checklists have been completed, compliance and content must be analyzed to answer your assessment questions.

Checking Data Quality

Ensuring that you obtain high quality data involves good planning at every step of your assessment. The protocols you establish and the staff training you conduct will help with this process. As data collectors perform the web sweeps and submit TAPS screen shot examples, the project staff should check the files to confirm that they are clearly captured, complete, and consistent with the assessment protocol. If data collectors are completing the observation checklists, these forms should also be reviewed by project staff.

Analyzing Your Data

Once the data quality is verified, results can be analyzed using spreadsheet software such as Microsoft Excel or Google drive services, free web-based services such as Survey Monkey, or other available data analysis resources. The data analysis tools and/or software should be appropriate to the skills and capacity of project staff (as well as the scope of the assessment). Data analysis will mainly consist of identifying the most compelling TAPS examples collected during the web sweep procedure and tabulating descriptive statistics (counts and proportions) of different types of TAPS activities. This analysis can be conducted using the same software suggested for data entry (see above). Results should show evidence of compliance, violations, or deficiencies of the law, and be guided by key questions that need to be answered, such as:

- Which companies/manufacturers are compliant with or violate the law?
- Which channels and sub-channels is the industry using for TAPS activities on the internet?
- Which TAPS tactics is the industry using to promote their brands and products on the internet, at sponsored events, and through corporate social responsibility programs?
- Who are the intended audiences for these TAPS activities?
- Who are the parties responsible (primary or alternative) for these TAPS activities? (See STEP 1; Figure 1) This may be apparent from the TAPS screen shot example, may require follow-up research, or the information might not be available.
- Do these examples demonstrate deficiencies in the law? If so, how is the tobacco industry exploiting these loopholes?

Follow-Up Research: You may need to conduct follow up research (by searching the internet, recent news, or consulting available tobacco industry documents) in order to identify some of the responsible parties involved in the production and/or dissemination of these TAPS examples. Remember to consider the monitoring and enforcement capacity of the local government, and seek to identify responsible parties that are able or likely to respond to the assessment results.

Action Item

Check data quality, analyze the results of completed observation checklists, determine compliance, and answer other priority assessment questions.

STEP 11: Use the Results

Results should be used in ways that correspond to the purpose of the compliance assessment, the capacity of local enforcement agencies, and the approachability of responsible parties. In using the results, be sure to define your audience, develop key messages that are tailored to the purposes of the assessment, and disseminate in ways designed to reach and influence your target audiences. This guide recommends working with experienced advocacy, communication, and public relations experts for guidance when disseminating your results. Common audiences and dissemination strategies include:

Policymakers

The primary targets for compliance assessment results are often policymakers. Results should clearly show whether or not the law is being adhered to and include an appeal for the additional resources needed to improve compliance. The final data may also be used to demonstrate existing loopholes that are being exploited by the tobacco industry that policymakers and enforcement officials must address. Results can be presented in private briefings with legislators and senior government officials and/or released to the media through press conferences or other events.

Enforcement Agencies

Private briefings with government and/or enforcement agencies (including those designated for regulating finance, media & advertising, and the internet) are a good practice prior to publically releasing results. This will build trust and may be more likely to result in action from the agencies.

Responsible Parties

You might choose to present the assessment results to the primary or alternative parties responsible for the production and/or dissemination of the TAPS examples collected in your jurisdiction of interest (see STEP 1: Figure 1). The presentation of results might be used to provide them with information about the laws and compliance through their channel(s), or to encourage them to comply with the law. Some alternative parties are more technologically capable of implementing certain restrictions, and have less of a vested interest in TAPS activities in general than the tobacco industry.

The Public and Civil Society

Mass media can be used to inform the public about levels of compliance with the law, and call for ongoing or increased enforcement of the law by the government. Exposing loopholes to the public may also create a demand for stronger legislation that will put pressure on policymakers to act.

Action Item

Identify your target audiences, and determine the best methods for reaching those audiences and disseminating results.

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APPENDIX A: Glossary of Terms

Refer to the terms and definitions listed below while planning and implementing your TAPS compliance assessment. You may want to provide an abbreviated glossary of terms for your data collectors and/or project staff. You can tailor the definitions to the specifications of your TAPS assessment and add new terms to your project glossary.

Terms	Definitions
Filter bubble	A filter bubble can occur when websites make use of algorithms to selectively assume the information a user would want to see, and then give information to the user according to this assumption. Websites make these assumptions based on the information related to the user, such as former click behavior, browsing history, search history and location. For that reason, the websites are more likely to present only information that will abide by the user's past activity. A filter bubble, therefore, can cause users to get significantly less contact with contradicting viewpoints, causing the user to become intellectually isolated.
Internet channels	The various types of transmission mediums used to convey information, from one or several senders to one or several receivers, on the World Wide Web. Internet channels include search engines, social media networks, web portals, websites and webpages.
Internet sub-channels	A unique internet channel that maintains its own dedicated space on the World Wide Web.
Navigation	The process of moving around the Internet by searching, clicking through, or directly entering an address on the World Wide Web.
Search engine	A web search engine is a software system that is designed to search for and retrieve information on the World Wide Web.
Social networking media	Social networking media refers to interaction among people in which they create, share, and/or exchange information and ideas in virtual communities and networks.
User	A user is a person who uses a computer or network service. A user often has a user account and is identified by a username. Other terms for username include login name, screen name or handle.
Web browser	A web browser (commonly referred to as a browser) is a software application for retrieving, presenting and traversing information resources on the World Wide Web. The major web browsers are Google Chrome, Mozilla Firefox, Internet Explorer, Opera, and Safari.

Web portal	A web portal is a specially-designed webpage at a website which brings information together from diverse sources in a uniform way. Usually, each information source gets a dedicated area on the page for displaying information often; the user can configure which ones to display.
Web sweep	The process of searching and navigating the internet to observe and collect selected information.
Webpage	A document on the World Wide Web, consisting of an HTML file and any related files for scripts and graphics, and often hyperlinked to other documents on the Web. The content of webpages is normally accessed by using a browser.
Website	A location connected to the Internet that maintains one or more pages on the World Wide Web.

APPENDIX B: Sample Assessment Timeline

TASKS	WEEK	PERSON INVOLVED	PERSON RESPONSIBLE / SUPERVISOR	DEADLINE FOR COMPLETION
Pre-assessment tasks:				
Define purpose/objectives				
Select sample				
Develop procedures				
Adapt observation checklist				
Train data collectors and project staff				
Pilot test procedures and tools				
Assessment Tasks				
Conduct web sweep (data collection)				
Check data quality				
Data analysis and interpretation of findings				
Post-assessment tasks				
Use compliance study results				

APPENDIX C: Assessment Planning List (questions to consider and tasks to complete)

Pre-assessment:

STEP 1: Determine Your Jurisdiction of Interest and Know the TAPS Bans & Regulations

ACTION ITEM: Learn the legislation in your jurisdiction of interest and compare it with Article 13 mandates and any other relevant restriction of TAPS activities. Be aware of the responsible parties and potential loopholes in the law.

- Is the sale of tobacco or tobacco related products prohibited in your jurisdiction of interest? Are there restrictions to access by age or location, or for the display of product listings and price promotions?
- Does current legislation prohibit tobacco advertising and/or promotion on the internet? Are there restrictions to access by age or location, or for the content of TAPS media?
- Does current legislation prohibit tobacco industry sponsorship of events and/or CSR programs? Are there regulations concerning the publicity of such sponsorship?
- Is the current legislation comprehensive and clearly defined? Or are there partial regulations that allow the industry to exploit loopholes?
- Which government agencies are responsible for enforcing these laws? What is their capacity to monitor and enforce compliance with these regulations?
- Do the internet sub-channels in your jurisdiction of interest prohibit or restrict TAPS activities on their own channels that are allowed by current legislation?

STEP 2: Recognize Tobacco Advertising, Promotion and Sponsorship

ACTION ITEM: Become familiar with TAPS activities and trends in your jurisdiction of interest by speaking with local experts and your population of interest, and conducting an informal search on the internet to review examples. Be aware of any new or innovative industry tactics.

- Are tobacco and related products sold on the internet?
- Do companies and brands maintain their own websites? Social media accounts?
- Do companies and brands promote tobacco with sponsored advertisements on the internet (that appear or pop-up in feeds, along the top, bottom, and sides of webpages, or as the page is loading)?
- Are there sponsored events taking place in your jurisdiction of interest? Where on the internet would these events be promoted (e.g. social media networks)?
- Are there known CSR programs in your jurisdiction of interest? What are these programs focused on? Where and how do they promote these programs (e.g. brand websites)?

STEP 3: Define the Purpose of Your Compliance Assessment

ACTION ITEM: Define the goals and priorities of the compliance assessment and identify the intended audience for disseminating results and directing advocacy efforts.

- Based on the findings of STEP 1 and STEP 2 of your assessment, which purpose would be most strategic for the state of legislation and current TAPS trends in your jurisdiction of interest?
- How could you direct advocacy efforts based on the potential results of your assessment?

STEP 4: Secure Needed Resources

ACTION ITEM: Develop a budget and allocate resources for the requirements of your compliance assessment.

- Which material resources do you already have access to (computers for data collection, analysis, storage)?
- Will you recruit data collectors, or will project staff implement the assessment protocol? Will recruited data collectors be paid?
- Will you ask data collectors to attend events?
- What will your dissemination plan and advocacy strategy entail?
- What are the costs associated with these activities?
- Are there any additional resources that you will need to conduct your compliance assessment?

STEP 5: Select Your Samples and Clarify the Scope of Your Compliance Assessment

ACTION ITEM: Select your samples, choose an assessment approach, and clarify the scope of your TAPS compliance assessment.

- Identify a range of priority tobacco companies and brands that are active in your jurisdiction of interest. You may choose to select smokeless tobacco product brands if this is appropriate to your local context. You should select 3-5 top tobacco companies, and a minimum of 9-10 priority brands within those companies.
- Select a sample of internet sub-channels to include in data collection: tobacco company & brand websites, tobacco retailers, social media networks, news & broadcaset webpages, retail & entertainment webpages or web portals, and results from internet search engines. Choose a minimum of 1 of each type of sub-channel to include in your compliance assessment.
- Select a sample of search terms to use while implementing the data collection procedure that are relevant to the local legislation and TAPS trends in your jurisdiction of interest (a minimum of 10 in addition to the tobacco companies and brands in your sample, which should also be included in the search terms). Remember to include search terms that pertain to sponsored events and CSR programs.
- Choose an assessment approach (basic or in-depth) and determine the scope (type and breadth) of information that you want to collect on the observation checklist. Choose observation items that are strategic to the purpose of your assessment while setting appropriate limits to the amount of data you will collect, analyze, and store.

STEP 6: Plan and Set a Timeline for Your Compliance Assessment

ACTION ITEM: Plan and coordinate all remaining STEPS in your compliance assessment, with consideration to strategically timing the dissemination of results.

- Set a timeline for the remaining STEPS in your compliance assessment based on your project scope. Consider the time and work required to adapt the procedures observation checklist based on the assessment approach and information scope.
- How long will the data analysis take? Are there strategic opportunities or events when the assessment results should be released (e.g. on the anniversary of a new policy)?

STEP 7: Adapt Procedures and Observation Checklist

ACTION ITEM: Adapt the procedures and observation checklist based on the scope of your TAPS compliance assessment and the laws and regulations in your jurisdiction of interest.

- Refer to the scope, priorities, and assessment methods identified throughout previous STEPS in the assessment and select data collection and management methods that are practical for your project purposes, timeline, and staff.
- Adapt a customized procedure that is clear and specific, to guide your project staff and/or data collectors throughout the web sweep procedure and overall data collection period.
- Adapt a customized observation checklist that assesses compliance with existing TAPS bans, demonstrate deficiencies in existing legislation, or identify new and innovative TAPS trends on the internet, at sponsored events, and through CSR programs.

STEP 8: Conduct Training Session

ACTION ITEM: Train data collectors and/or project staff to use the data collection procedures and to complete the observation checklist.

- Make sure data collectors understand the background and purpose of the TAPS compliance assessment.
- Train your data collectors to conduct a web sweep using the internet channels and sub-channels you selected with the search terms you identified.
- If conducting an in-depth assessment, train data collectors to subscribe to special offers or attend sponsored events.
- Make sure data collectors are familiar with the technical skills required to conduct the web sweep (e.g. navigating the internet, capturing and submitting screen shots, submitting offers received through the mail or email, or submitting completed observation checklists).

Assessment:

STEP 9: Collect Your Data

ACTION ITEM: Conduct the web sweep and attend selected events if implementing an in-depth assessment, while monitoring the quality of collected examples and observations as they are received.

- Review and organize screen shot examples and/or completed observation checklists as they are received to make sure data collectors are following the web sweep instructions correctly.
- Make sure the project coordinator is available to respond to data collectors to address questions or troubleshoot issues that may arise.

STEP 10: Analyze Your Compliance Assessment Results

ACTION ITEM: Check data quality, analyze the results of completed observation checklists, determine compliance, and answer other priority assessment questions.

- Verify the quality of your compliance assessment data (TAPS screen shot examples and completed observation checklists).
- Tabulate counts of compliance, violation, or specific TAPS tactics.
- Identify the compliant or violating brands and tobacco companies.
- Identify the compliant or violating primary and alternative responsible parties involved in the production or dissemination of these TAPS examples.
- Identify deficiencies in the law that the tobacco industry is exploiting.
- Identify new, innovative, or ongoing TAPS activities in your jurisdiction of interest.

Post-assessment:

STEP 11: Use the Results

ACTION ITEM: Identify your target audiences, and determine the best methods for reaching those audiences and disseminating results.

- Identify priority target audiences based on the results of your TAPS compliance assessment and the nature of enforcement agencies and other responsible parties in your jurisdiction of interest.
- Refine the key messages of your dissemination plan to highlight the most significant findings of the assessment and offer next steps (or action items) for the intended audience(s).
- Schedule private briefings with policymakers, enforcement agencies, and responsible parties as appropriate, to build trust by presenting assessment results prior to their public release.
- Share and promote the results among the general public and civil society.

APPENDIX D: Guidance on Adapting Procedures

The web sweep procedure (and corresponding training materials) should address:

WHO

- Who to contact with questions or for troubleshooting during the assessment period (the Project Coordinator).
- Whether the data collectors will be volunteers or project staff (this may influence the web sweep procedures, data collection methods, and extent of training required).
- Whether the data collectors will include smokers or non-smokers (or both).
- Whether the data collectors will complete the observation checklist, or project staff will complete the checklist after the TAPS screen shot examples are received (if project staff conduct the web sweep, they should complete the observation checklists during the procedure).

WHAT

- Definitions for all TAPS trends, activities, companies, brands, channels, sub-channels, search terms and any other items relative to the assessment (with special attention to internet, special event, and CSR program topics).
- Which browser and/or search engine to utilize.
    - This guide suggests assigning a range of search engines to data collectors performing the web sweep (for example, using a different one of the top 3 search engines in the jurisdiction of interest for each web sweep or each data collector) in order to minimize the effect of "filter bubbles" that are created by search engine optimization and that can cause biased internet search results.
- What to do if data collectors have a question or encounter a problem (consult the assessment protocol and contact the project coordinator).
- Any additional information to collect or submit.

WHERE

- Where to conduct the web sweep
    - Web sweeps should be conducted from within the jurisdiction of interest.
    - Web sweeps should be performed on a computer that is not tied to the project staff or organization (i.e. at an internet café or the personal computer of a recruited data collector) in order to eliminate the effect of behavioral targeted advertising that skews toward tobacco control based on previous internet navigation patterns.
- Where to attend selected sponsored or CSR related events, if you are conducting an in-depth assessment. You should provide this information and available transportation options to data collectors as early as possible.

WHEN

- The duration and frequency of data collection.
    - This guide recommends a minimum of 3 web sweeps per data collector over a 3 week period (or 1 web sweep per week).
    - If an in-depth assessment will be performed, data collectors and project staff should allow an additional 4-6 weeks of data collection for passive internet monitoring (direct to consumer communications).
- When to complete the observation checklist (this also depends on who will be completing the checklist). Data collectors and project staff should understand when the collected TAPS screen shot examples should be assessed via observation checklist and submitted to project staff.
- When to attend selected sponsored or CSR related events. Provide this information to data collectors as early as possible.

WHY

- A general sense of why the assessment is taking place (the purpose) will improve the quality of data collection and recorded observations.

HOW

- How to access sites that require login (how far to proceed and whether to use their own/personal information/accounts to access or subscribe to TAPS activities).
    - This guide discourages the provision of false information to access restricted content, and suggests recruiting data collectors who can access restricted content using their authentic accounts and user information (e.g. university students, smokers).
- How to take a screen shot and save files (procedure and file format).
- How to assign identification numbers to TAPS screen shot examples.
- How to submit screen shot examples and/or completed observation checklists (via email, submitting web forms, uploading, etc.) to project staff (if data collectors are recruited volunteers).
- How to submit advertising or promotional materials received in the mail (complete an observation checklist, and submit the material or a photo of the material via mail or email).

APPENDIX E: Examples of Search Terms

The lists below offer a non-comprehensive sample of search terms to use in your compliance assessment. The search terms should be paired together as appropriate and provided in a list to project staff and data collectors. Make sure to include search terms that are relevant to the legislation and TAPS trends in your jurisdiction of interest.

Advertising & Promotion Search Terms

- Bar
- Claim
- Club
- Concert
- Contest
- Coupon
- Deal
- Discount
- Enter
- Event
- Festival
- Follow
- Meeting
- Music
- Race
- Raffle
- Reward
- Sales
- Sign-up
- Sports
- Subscribe
- Tournament
- Win

Tobacco Search Terms

- Bidis
- Chewing
- Cigar
- Cigarette
- Cigarillo
- Cloves
- Dissolvable
- E-cigarette
- Electronic cigarette
- Gutka
- Hookah
- Khaini
- Kretek
- Pipe
- Smokeless
- Smoking
- Snuff
- Snus
- Tobacco
- Vaping
- Vapor
- Waterpipe

CSR Search Terms

- Clean
- Community
- Earth
- Education
- Environment
- Farming
- Forest
- Giving
- Health
- Helping
- Land
- Preserve
- Prevention
- Relief
- Save
- Schools
- Sustainable
- Water
- Wildlife
- Youth

APPENDIX F: Sample Observation Checklist

This observation checklist should be adapted to reflect current legislation and TAPS trends in the jurisdiction of interest. Items that do not apply should be omitted from the checklist before conducting the assessment.			
Tobacco company/manufacturer or brand observed:			
TAPS channel (and internet channel/sub--channel, if applicable):			
Observation Items	**Yes/No**	**Compliance/ Violation**	**Notes/Comments**
Is the example selling cigarettes?			
Is the example selling other tobacco products?			
Is the example selling tobacco merchandise?			
Is the example restricted by age, location, or smoking status?			
Does the example include required warning signage?			
Does the example incude required quit aid information?			
Does the example use words that suggest flavor?			
Doest he example use words that suggest reduced strenth (low, mild, light)?			
Does the example promote multi-pack discounts?			
Does the example offer or provide gifts or objects with or without the logo/ symbol/ brand name (such as lighters, clocks, darts, attire)?			
Does the example promote a contest, raffle, or sweepstakes?			
Does the example include interactive media or gaming features?			
Does the example include a social networking component?			
Does the example promote a sponsored event? (If yes please describe in the comments section)			
Does the example promote CSR? (If yes please describe in the comments section)			

APPENDIX G: Sample In-Depth Observation Checklist

1. Date:
2. Location:
3. Sponsoring company/manufacturer or brand:
4. Name of event:
5. Select the type of event:
    a. Sponsored Event
        i. Sporting
        ii. Music
        iii. Art or entertainment
        iv. Cultural
        v. Bar or night club
    b. CSR
        i. Educational
        ii. Environmental/farming
        iii. Health or community welfare
        iv. Youth Smoking Prevention
        v. Disaster or Crisis Relief
6. List the co-sponsors:
7. Were tobacco or tobacco related products sold at the event?
8. Were free products or samples provided?
9. Were coupons provided?
10. Was customer information collected (e.g. name, address, email address, smoking preference)?

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