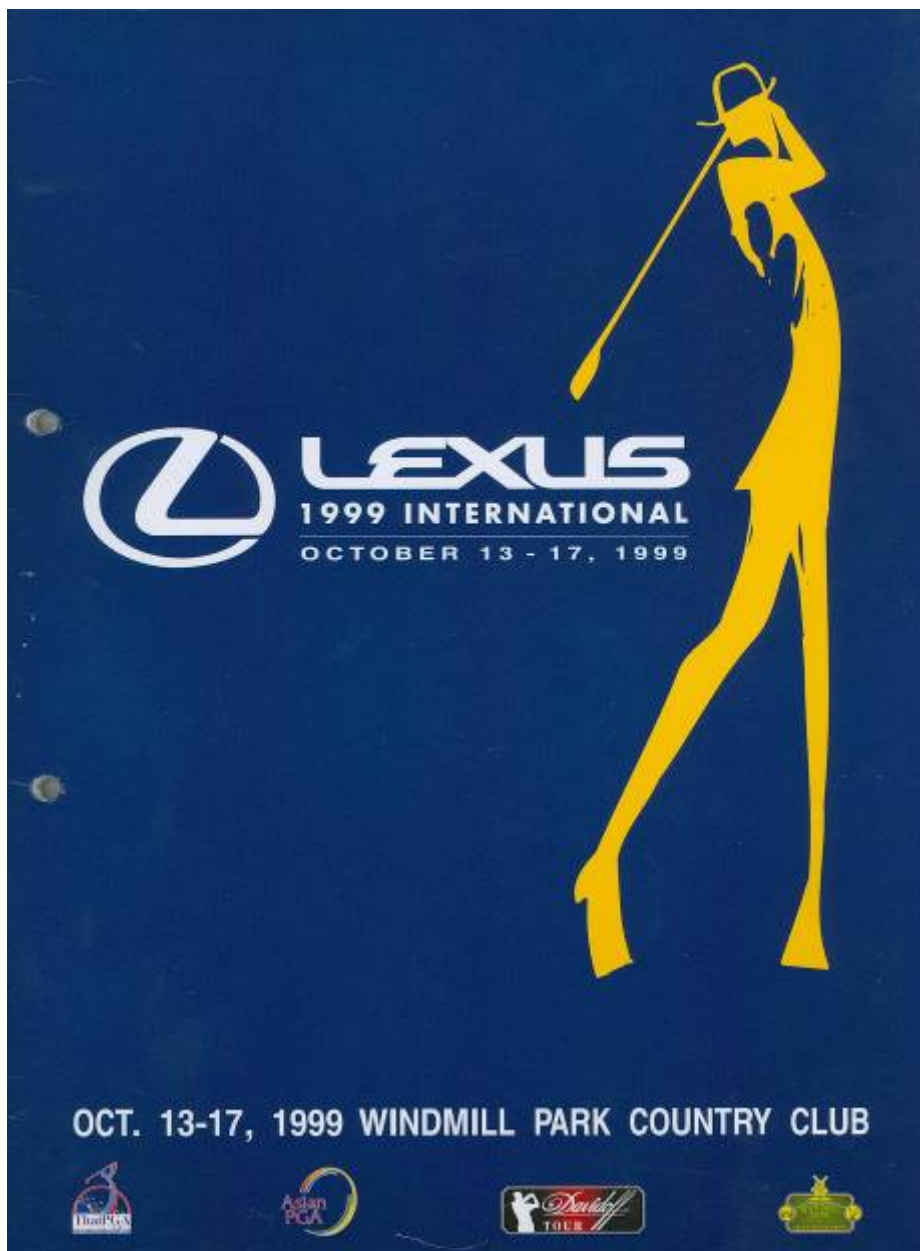


THAILAND WAS THE ONLY COUNTRY THAT STAGED TOBACCO
LOGO - FREE ASIAN GOLF TOURNAMENTS.



Hatai Chitanondh, M.D., F.I.C.S., F.R.C.S.(T)



President, Thailand Health Promotion Institute, The National Health Foundation

President, Conference of the Parties of the Framework Convention on

Tobacco Control, World Health Organization (2007-2008)

In 1999 The Asian Professional Golf Association tournament changed its main sponsor from Omega to Davidoff. Upon declaration of sponsorship, Davidoff spokesperson was seen showing a cigarette package whereby he said it was Davidoff Café. This brand name had never appeared before and even if it happened to be Davidoff Café it was still against our Thai law.

I then followed up this matter through Asian PGA website and discovered that the “Davidoff tour” had been scheduled in various cities in Asia during which there would be local major sponsor for each tournament whose name then appeared accordingly.

Upon hearing that the first year Asian PGA Davidoff Tours in Thailand included Lexus Tour (Toyota Foundation was the local sponsor) and Thailand Open (under Thailand Golf Association sponsorship), I submitted a letter of warning to TGA president on 13 July 1999 stating that there must not be any display or publicity using the word Davidoff as it would violate Section 8 or 9 of the Tobacco Product Control Act 1992. Meanwhile Matchon newspaper on 28 July 1999, page 7 presented this news with the headline, “Doctor breaks Thailand Open Quoting Cigarette Logo Davidoff Violating Law”

On 29 July the newspaper NATION sport page published an editorial written by 'Prasert Srisueb' titled *'Do not let Asian PGA tourney go up in smoke'*, a part of which stated

"... Anti-smoking group leader Dr. Hatai Chitanondh had already submitted a warning letter to the new president of the Thailand Golf Association (TGA), Sa-ngob Pandokmai, stating that the 1999 Thailand Open could not be held under the sponsorship of Davidoff..."

...I do not think that this will be a serious problem for the new executive committee of the TGA, because the APGA Davidoff Tour could clarify its title sponsor in other ways, for instance the 'APGA Davidoff Cafe Tour', "commented Santi Bhirombhakdi, a previous TGA president who brought the Thailand Open under the auspices of the APGA Tour last year.

"However, if the anti-smoking group is still unhappy with the name of the title sponsor, there should be other ways to resolve the problem..."

The APGA itself may have realized that the use of the Davidoff name as title sponsor of the Tour could cause problems in other countries in which anti-smoking groups play an important role. So the APGA could make a point that the official title of the Tour is the Davidoff Cafe Tour, and not merely the Davidoff Tour'..."

The Bangkok Post dated 11 August, page 14 also reported the same story headlined *'Sponsorship of Thailand Open under fire by health institute'* and International Agency on Tobacco and Health Bulletin on its August 1999 edition, page 3 headlined *'Thailand: Davidoff warned'* featured their coverage with comments as follows:

'Dr Hatai Chitanondh, president of the Thailand Health Promotion Institute (and one of IATH's Contacts), has written to the Thai Golf Association (TGA), asking them to drop Davidoff as the main sponsor of the Thailand Open championship. Davidoff cigarettes are promoted in Asia partly by 'brand-stretching' involving a coffee operation called Davidoff Cafe, but Dr Chitanondh reminded the TGA that all tobacco advertising and promotion is banned in Thailand, and even a logo used by cigarettes is against the law. [PC]

Comment This story illustrated that however tough the law, tobacco companies will try to get round it: constant monitoring and enforcement is always necessary. Dr Chitanondh's vigilant approach is likely to succeed, because the company and the TGA know that legal action will follow if the warning is not heeded. This is how to make legislation work.'

Thereafter the marketing director of Asian PGA Tour requested Davidoff co. that for the Thai tournament the logo Davidoff would neither be incorporated in the tour name nor appear in press release. Thai Post newspaper on 15 September 1999, page 14 noted that, *"...On the issue that Dr. Hatai Chitanondh, president of THPI, National Health Foundation, sent a warning letter to Mr. Sa-ngob Pandokmai, The president of Thailand Golf Association (TGA) stating that should Thailand Open, one of the Asian PGA Davidoff Tour be organized in Thailand with Davidoff's logo publicized, it should be deemed violating Section 8 or 9 of the Thai Tobacco Control Act B.E. 2535 (1992). This might cause problem hindering the Thailand Open golf Tournament with prize money topping US\$ 300,000 or around 12 million Baht. However the problem had been solved and the match would be organized at Nawathani country club.*

Mr. Chris Elm, sale marketing manager of Asia PGA Tour had sent a letter of clarification to Davidoff, the tour's major sponsor, that under Thai law, tobacco advertising is prohibited, both directly and indirectly. This was then understood by Davidoff and it was agreed that in the Thai Tournament Davidoff logo would not be displayed both in the play ground and during press conference.

However, for the overall PGA Davidoff Tours to be organized in Asian countries, the one in Thailand shall be exceptional in its name, Asian PGA Tour."

When the tournament came close, I gave a press interview, the news of which appeared in Matichon newspaper dated 13 October 1999 under the headline, *"Oppose 'popular cigarette' showing logo in sponsorship of the world golf tournament.*

Date: 10/19/99

**Publication: The
Nation**

**Section: Local &
Politics**

Logo puts PGA in a tight spot

THE ASIAN Professional Golfers Association (PGA) is below par with its display of a sponsor's logo on one of its event's itinerary, schedule and posters, anti-smoking activist charged yesterday.

Health authorities on Saturday filed a lawsuit against the Asian PGA for violating the 1992 Tobacco Products Control Act on promotional material for the Lexus 1999 International tournament held at the Windmill Park Country Club in Samut Prakan from Oct 14 to Oct 17.

The Asian PGA, organisers of the tournament, printed the Davidoff Cafe logo on the event's publicity material, said Dr Hatai Chitanond, chairman of the Thai Health Promotion Institute.

Davidoff, a major distributor of cigars, is a part sponsor of the event along with Lexus.

"The offence occurred despite prior warning that no logo of Davidoff be displayed through any channels during the event," he said.

"The Asian PGA should be more responsible to Asian people, not making more of them die from cigarette smoking," Hatai said.

The advertising of cigarette and tobacco products, along with logos printed on publicity materials or other products is prohibited in Thailand. Violators face a maximum fine of Bt20,000.

The Nation

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This was the first of Thailand's annual Asian PGA Tour whereby Toyota company, the Lexus car importer, was the main sponsor under the umbrella of the Davidoff Asian PGA. Before commencement of the tournament, I had sent a warning letter dated 28 September 1999 to the Toyota Foundation, the content of which was similar to that forwarded to TGA president, that Davidoff cigarette logo must not be shown during the Tournament. This letter was not answered. In reality the officials of the Asian PGA acknowledged this but they "challenge" us by having Davidoff logo appeared during Lexus International 1999 Tournament at the Windmill golf club, on program booklet, score board, pairing board and posters placed all over the Club House. Having noticed this during the inspection visit on 15 October 1999, I then notified the Institute of Tobacco Consumption Control (ITCC) of the Department of Medical Services, which was responsible for law enforcement, and arranged for inspection and prosecution of law violation on 16 October 1999. Indeed the Asian PGA officials should realize that Davidoff logo display during the Lexus International Tournament could not be done similar to that of Thailand Open because it was deemed as one of Asian PGA Tour. Finally, Windmill Golf Club Manager gave in as alleged and brought to be investigated at Bang-Plee Police station and further accused at Court on the following day. The case ended with the payment of 4,000 Baht fine as the defendant confessed his fault.

THPI publicized this by issuing a press release to the mass media. The coverages appeared as follows:

-

Krungthep Turakit newspaper, 19 October 1999, page 10, headlined, *"MOPH notified police to arrest organizer of PGA golf tour on surrogate cigarette advertising charge."*

- The Nation, 19 October 1999, page 1 under the headline, *"Logo put PGA in tight spot,"*

EXECUTIVE GOLF

ปีที่ 3 ฉบับที่ 151 ประจำวันที่ 21-27 ตุลาคม 2542

W E E K L Y

THU 25 11TH

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สองฝั่งจากคันทัน
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THE GENERAL'S DAUGHTER
สหภาพช่างตีเหล็ก

“นายก” แอ่นอกกรับ ขึ้นศาลคดีคาวีคอฟทัวร์

หมอยาสุม น.พ. หทัย ชิดานนท์ ประธาน
สถาบันส่งเสริมสุขภาพไทยอัสคิปลัด
กระทรวงสาธารณสุข นำตำรวจเข้าจับกุม
ผู้จัดการแข่งขัน เอเชีย ทีจีเอ คาวีคอฟ
ทัวร์ รายการ เลกซ์ส อินเตอร์เนชั่นแนล
1999 ซึ่งเงินรางวัล 220,000 เหรียญสหรัฐ
(ประมาณ 8.8 ล้านบาท) ณ สนามกอล์ฟ
วันเดอิมิลส์ พาร์ค คันเทรีคลับ ฐานละเมิด พ.ร.บ.
ควบคุมผลิตภัณฑ์ยาสูบ พ.ศ. 2535 นายก
หาญกิตติกุล ผู้จัดการสนาม กลายเป็นฮีโร่
ขึ้นศาลเสียค่าปรับ เป็นคดีตัว
อย่างให้วงการกอล์ฟไทย โดยที่ จีพี มิลล์
ซิงห์ โปร์โรดี คว้านแชมป์ไปจากการ
ควอลิฟายรอบที่ 3



POS	PLAYER	US\$
1	KYI HLA HAN	187,819
2	GERRY NORQUIST	127,577
3	KANG WOOK SOON	94,917
4	JAMES KINGSTON	88,025
5	CHOI KYUNG JU	23
6	CHRISTIAN PENAL	
7	SRIROJ	
8	SCOTT ROWE	
9	WANG TER CHANG	
10	DEAN WILSON	



โปร (ไม) มีอินอะกิน (กอล์ฟส.กิต น.5)



ป่าฮ้อย...คนดังแห่งกอล์ฟ

Weekly magazine Executive Golf , 21-27 October 1999 edition, one full page under the headline **“Nayok faces court sentence regarding Davidoff Tour case.”** featuring the account whereby Dr. Hatai Chitanondh, THPI president and former Deputy Permanent Secretary of Public Health notified police officer of Bang Plee Police station requesting for police corp to arrest the organizer of Lexus 1999 International Golf Tour which was essentially the PGA Davidoff Tour at the Windmill Park Country Club, Bangna-Trad, on 16 October

Dr. Hatai further informed the Executive Golf reporter that “Regarding this matter, I have sent a warning letter to Toyota whereby it was said that they did not know about this. I also sent the letter of warning to Mr.Chris Elm, marketing director of Asian PGA Tour who said that the warning was focused only to Thailand Open which was to be held in December whereby the tobacco control regulation shall be enforced only in Thailand. However if this event is arranged in the Thai territory, wherever the place may be, the organizer must comply the Thai law.

After the responsible person Mr. Nayok Harnkittikul , the general manager of Windmill Park Country Club was taken to complete daily case record procedure at the Bangplee police station , Smut Prakan Provincial Court considered the case on 18 October 1999 with Mr. Chris Elm, marketing director as first defendant, and Mr.Nayok Harnkittikul as second defendant. Court sentence stipulated that the defendants committed misdeed pursuant to Section 8 and 9 of the Tobacco Control Act B.E. 1992 and had to pay a fine of Bath 4,000.”

In the same newspaper, page 5 under column, **“Shot to shot,”** by Mor Tor 26, report that, *“Last week had seen both good news and bad news which really built various of mood within one single day. All of sudden there were 2-3 police officers invaded into the Windmill Park Country Club during the third round of Lexus International 1999 Tournament, one of the Asian PGA Davidoff Tour Circuit.*

The person went in with the police officers was no one but Dr. Hatai Chitanondh, former Deputy Permanent Secretary of Public Health and THPI president, aged 69’ the key person who had drafted the Tobacco Control Act B.E. 2535 (1992). The FBI doctor happened to know that the Asian PGA Davidoff Tour would organize two major golf tournaments International 1999, one at Windmill Park Country Club and the other Thailand open 35th at Navathani.

As Tobacco Control conqueror Dr. Hatai had sent letter of warning to all concerned persons, be they Toyota, Lexus Tournament organizer or Asian PGA coordinator in Thailand....

And then situation created hero when Toyota said they do not know anything and Asian PGA said they were warned only in the case of Thailand Open. As host of the Tournament, Mr.Nayok Harnkittikul, field manager then jump up as the target of the shot, well not just like that, but gave in a violators, was arrested and brought to Bang Plee Police station to complete daily case record procedure, acknowledge accusation and finally be sentenced in Smut Prakan Court to pay fine of 4,000 Baht as the alleged confessed his fault.”

In the column, **“Golf at the edge of the green”** written by **“Amature”** it was stated that,

“Wanting to challenge one must take risk. In the past Asian PGA Tour, having been consulted by Thai, Farang played deaf and sticked “Davidoff” logo. The first and second days went by without any interruption. But at dawn of

the third day, Dr. Hatai Chitanondh, former Deputy Permanent Secretary of Public Health led the police to break in the golf course. In misfortune, the Windmill Park Country Club general manager, Mr. Nayok Harnkittikul offered himself to be arrested. In the next tournament, Thailand Open at Nawathani, better beware Dr. Sukhum Navaphan might be the next person to be put into jail! Ha Ha!

In the column, **“golf Whisper”** in Thai Post newspaper dated 25 October 1999, page 14 written by **“Putter Yok”** featured the criticism that,

“The final curtain closing of the great Lexus International 1999 Tournament at the Windmill Park Country Club was not at all neat for onlookers because this event was one among Davidoff Tours whereby Davidoff logo appeared on the name-tag chain of all concerned persons:

...This event aroused the patriots, who do not want local people to be induced to become addicted to narcotic known as “cigarette”, to have the person who committed misdeed arrested. This is because Davidoff and Davidoff Caf□ (The letter is a coffee product, major sponsor of Asian GPA Tour) share similar logo and as such, is construed as cigarette commercial. The responsible person must, therefore, be taken to the police station as per regulation.

...Alas Thailand, do not want Thai people to smoke cigarette yet the government actively engages in cigarette production whereby it is said that this business has been among sources of high income of the country. The confusion ends with the hero, Mr.Nayok Harkittikul, GM of the Windmill Park Country Club gave in as one who violated regulations and paid considerable fine.”

In the same newspaper dated 28 October – 3 November under the column, **“Golf Nudge”** written by **“Chao Jumpee”** headlined **“Pro Thai allergic to cigarette”** gave an account that,

“...The publicity for this Tournament is seemingly inactive and it was not known why did Mr. Mingkwan Saengsuwarn keep it this silent? Hot news about Lexus International 1999 appeared to be the incidence whereby Dr. Hatai Chitanondh, the gatekeeper against both direct and indirect cigarette advertising, sneaked in the Windmill ground on the third day of the tournament. In a close-door meeting the organizing committee members of the tournament who, intentionally or unintentionally distributed Davidoff Tour documents in the program booklet and pairing, were accused of cigarette publicity because Davidoff is a cigarette brand name. This violation occurred after warning in written form had been made.”



GLOBALink - General Messages

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by **Hatai Chitanondh** on 20/01/00: **[GLOBALink] New Millennium - New Invader of Asia**

Reply to ALL GLOBALink - General Messages :

[CLICK HERE](#)

Reply to Sender **Hatai Chitanondh** :

[CLICK HERE](#)

Dear Globalinkers,

In the 1960s Latin America was invaded by American transnational tobacco companies. In the 1970s American and British BIG TOBACCO invaded Western

Europe. In the 1980s they came to Asia with economic and political clout. All TTCs - American, British, German, Swedish, and Canadian paraded into Eastern Europe and the countries of former Soviet Union in the 1990s.

And in the new millennium the Germans are finding a green pasture in Asia.

The Asian Professional Golf Association has secured a major Title Sponsorship deal with Reemstma's shell company 'Davidoff Cafe' and all the golf tours are called 'Davidoff Tour' that will propel golf in the region into the new millennium. 'Davidoff' took over the sponsorship from Omega and

will back the Asian PGA Tour for the next couple of years.

Annually there will be 25 tournaments in 11 countries and the total prize money topping US\$10 million. All matches are televised by Star TV, owned by

Rupert Murdoch, a committee member of Philip Morris co.

1999 DAVIDOFF TOUR SCHEDULE :

Jan 13-16 : Yangon - London Myanmar Open

Feb 4-7 : Kuala Lumpur - Benson & Hedges Malaysia Open

Mar 11-14 : Calcutta - Wills Indian Open

Apr 15-18 : Macau - Macau Open

Apr 29-May 2 : Korea - Maekyung Daks Open

May 20 - 23 : Shanghai - Volvo China Open

May 27 -30 : Philippines - Casino Filipino Philippines Open

Aug 19 - 22 : Tianjin - Tienjin Teda Open

Aug 26 -29 : Malaysia - Volvo Masters of Malaysia

Sep 2 - 5 : Taiwan - Era Taiwan Open

Sep 16 -19 : Seoul - Kolon Korea Open

Sep 30 - Oct 3 : Taiwan - Erisson Classic

Oct 8 - 10 : Malaysia - Asian Nations Cup

Oct 14 - 17 : Thailand - Lexus International
Oct 21 - 24 : Singapore - Nokia Singapore Open
Oct 28 - 31 : India - Hero Honda Masters
Nov 4 - 7 : Taiwan - Tamsui Open
Nov 11 - 14 : Taiwan - Johny Walker Classic
Nov 25 - 28 : Hong Kong - Hong Kong Open
Dec 1 - 4 : Thailand - Thailand Open
Dec 9 - 12 : China - Omega PGA Championship

In August I wrote to the president of Thailand Golf Association that the Dec 1 - 4 Thailand Open could not show the word 'Davidoff' anywhere during the Open since it would violate section 9 of The Tobacco Product Control Act 1992 (ban of advertising of products that have tobacco brandname as a part of the products' brand name). On 27 September the president answered in a letter that after consulting with the Asian PGA they agreed not to place the logo at the Open.

I also sent a letter to the president of Toyota Co. Thailand, informing him that 'Davidoff' logo could not be placed at the company's sponsored Lexus International during Oct 14 - 17. I did not get an answer. On Oct 14 I went to the Windmill Golf Club - the venue of the match and found 'Davidoff' on a scoreboard, score cards, daily schedule sheets, poster, etc. The officials of the Asian PGA had agreed not to place 'Davidoff' at Thailand Open yet they did at this Lexus International although the law must be applied anywhere in Thailand. Apparently they did not realize that I would be their visitor. On Oct 15 I led officials of the Institute of Tobacco Consumption Control of the Ministry of Public Health to file a complaint to the police and then went to

arrest the organizers. They were prosecuted and fined 20,000 Baht (approx. US\$600) and ordered to remove all 'Davidoff' word from every items. We got a good media coverage.

The Dec 1- 4 Thailand Open was 'Davidoff' free.

2000 DAVIDOFF TOUR SCHEDULE (JAN - JUNE)

10-13 February - Kuala Lumpur - Benson & Hedges Malaysian Open
17-20 February - Phillipines - Casino Filipino Philippines Open
24-27 February - Yangon - London Myanmar Open
16-19 March - New Delhi - Wills Indian Open
4-7 May - Korea - Mackyung Daks Open
11-14 May - Macau - Macau Open
18-21 May - Shanghai - Volvo China Open
25-28 May - Tianjin - Tianjin TEDA Open
1-4 June - Taiwan - Ericsson Classic

I hope the above information would be helpful for tobacco control advocates in Malaysia, China, the Philippines, Hong Kong, Macau, Myanmar, India, Taiwan, and Korea to be aware of what is happening in their countries and come up with some sort of opposition to this tactic of trademark diversification.

We have fought the tobacco merchants of American, British, and Japanese origin with some success. Why not the Germans ?

Happy and tobacco - free Millennium !

Hatai

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RESPONSES

21 January 2000

Wow, Hatai , Brilliant work!

Lucien Riviere

Tobacco Control Resource Centre

London

21 January 2000

Dearest Hatai ,

Bravo and Congratulations. I wish we could move forward in India like that.

We are really way behind.

It was great seeing you. I am sorry you were not two well in Delhi. I hope to see you in Chicago if not earlier.

With warm regards

Mira Aghi

New Delhi

21 January 2000

Well done , Hatai!

Best regards

Scott Thomson

STOP! Magazine

21 January 2000

Hatai...I have always full of admiration for your achievements in Thailand , and it is so good to hear that your fighting spirit remains as strong as ever Congratulations on yet another victory...Yussuf

(Yussuf Saloojee

Council Against Smoking

South Africa)

21 January 2000

Dear Hatai ,

Congratulations! Well done! This is how to hurt big tobacco.

Best regards

Ken Sheppard

South Africa

THE EFFECTIVENESS OF DAVIDOFF CAFÉ ASIAN GOLF SPONSORSHIP

A research study done by Liu and Wen (Liu WY, Wen CP. Impact of Brand Name Merchandise Promotion by Foreign Tobacco Companies in Taiwan. Collection of Research Papers on Tobacco or Health in Taiwan 2002. Division of Health Policy Research, National Health Research Institutes , Taiwan.) found that in 2000 Davidoff spent 651.2 million NTD on TV ads to promote its coffee and to sponsor the Davidoff golf tournament. In 1995 Davidoff had a market share of 4.1% of the imported cigarette market. Five years later, the market share for Davidoff rose to 10.9% This translated into sale volume increases of 183% for Davidoff.