



Published in final edited form as:

*Glob Public Health*. 2012 January ; 7(1): 14–28. doi:10.1080/17441692.2010.549832.

## British American Tobacco's partnership with Earthwatch Europe and its implications for public health

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### Abstract

This paper explores a partnership between British American Tobacco (BAT) and the environmental organisation Earthwatch Europe (EE) and considers its implications for countries implementing Article 5.3 of the World Health Organisation Framework Convention on Tobacco Control. We reviewed approximately 100 internal BAT documents, interviewed EE's former executive director, and examined media accounts and BAT and EE websites. We analysed materials by reviewing them iteratively, identifying themes, constructing a timeline of events, and assembling a case study. BAT sought a partnership with EE to gain a global ally that could provide entrée into the larger NGO community. EE debated the ethics of working with BAT, resolving them in BAT's favour and taking a narrow view of its own overall organizational mission. To protect its reputation, EE delayed public disclosure of the partnership. Instead, EE promoted it to policymakers and other NGOs, extending BAT's reputation and reach into influential circles. The potential for normalising the tobacco industry presence within government through NGO partnerships, and the benefits that accrued to BAT even when the partnership was not being publicised, show why governments seeking to protect effective tobacco control policies from industry influence need to consider ways to identify and discourage "hidden" NGO partnerships.

### Keywords

Corporate social responsibility; business-NGO partnerships; tobacco industry; Framework Convention on Tobacco Control; corporate ethics

### Introduction

Article 5.3 of the World Health Organisation (WHO) Framework Convention on Tobacco Control (FCTC), the global public health treaty which has been ratified by 171 countries, calls on governments to take steps to protect tobacco control policies from tobacco industry influence (World Health Organization 2003). Guidelines for implementing Article 5.3 urge signatories to protect such policies not only from the tobacco industry, but also from "organisations and individuals that work to further the interests of the tobacco industry" (World Health Organization 2009, p. 2). Such organisations may include traditional tobacco industry allies such as chambers of commerce and farmers' advocacy groups. Health-related nongovernmental organizations (NGOs) may also work to further tobacco industry interests, by, for example, diverting funding toward other health issues (Muggli et al. 2008, Burch et al. 2010); however, other types of NGO engagement with the tobacco industry have been

underexplored in the literature. This paper examines the development of a partnership between British American Tobacco (BAT) and the environmental NGO Earthwatch Europe (EE). We examine the particular appeal to BAT of establishing close ties to a global community of NGOs, the ethical tensions involved for EE, and the implications for public health, NGOs, and governments implementing FCTC Article 5.3.

## Methods

Litigation against the tobacco industry has resulted in the release of more than 10 million previously undisclosed industry documents (Malone and Balbach 2000, Bero 2003), now archived at the University of California San Francisco library in a full-text searchable electronic repository (<http://www.legacy.library.ucsf.edu>). Using a snowball sampling approach (Malone and Balbach 2000, MacKenzie et al. 2003), we searched BAT documents using broad search terms (“environmental organisations,” “corporate social responsibility”). We used retrieved documents to identify more specific search terms, including names of organisations (“Earthwatch Europe”) and individuals. We identified approximately 100 documents spanning 1997–2002. To add detail and context, we interviewed Robert Barrington, former executive director of EE, about the BAT/EE partnership. UCSF’s Committee on Human Research approved the interview protocol and informed consent was obtained.

We searched Newsbank and Lexis Nexis print media databases for European and African English-language coverage related to our topic published between January 1, 1999 and June 1, 2009. We also examined versions of BAT and EE websites, using the Internet Wayback machine (<http://www.archive.org/web/web.php>), to assess whether and how the partnership was publicised. We analysed materials by reviewing them iteratively, identifying themes, constructing a timeline of events, and assembling a case study (Hill 1993, Yin 1994).

Our study has limitations. The size of the archive means that we may not have retrieved every relevant document. Some may have been destroyed or concealed by tobacco companies (Lieberman 2002); others may have never been obtained through litigation.

## Results

### Partnership rationales

EE was established in the United Kingdom in 1990 as a “non-confrontational science and education foundation” (Earthwatch Institute 1998, Earthwatch Institute 2009c), joining a network of other Earthwatch NGOs with offices in the United States, Australia, and Japan (Earthwatch Institute 1999a). It funds conservation science by recruiting paying members of the public to serve as short-term volunteer field researchers (e.g., collecting data on Amazonian wildlife) (Earthwatch Institute 2009a). EE also hosts a Corporate Environmental Responsibility Group whose members pay an annual fee to participate in environment-related seminars and workshops (Earthwatch Institute 2009e). BAT joined in 1990 (Earthwatch Institute 1998); in 1998, BAT approached EE to discuss enhancing the relationship (Barrington 1998).

From BAT’s perspective, benefits of working with EE included its presence in the developing nations in which the company operated, thus providing BAT with a potential global ally (Opukah 1999c). EE, a “well respected and reasonable” NGO, could also provide an entrée to the larger NGO community (Opukah 1999c, British American Tobacco 2000c) and civil society more broadly (British American Tobacco 2000b). Access to and acceptance by NGOs were important to BAT for several reasons. BAT regarded NGOs as influential with the public, politicians, regulators, and aid and development policymakers (British

American Tobacco 2000a, Vecchiet 2000, Vecchiet 2001 (est.)), able to shape public policy, influence media coverage, and mobilise the public on social, economic, and environmental issues that affected the company (Vecchiet 1997, British American Tobacco 2000 (est.)). When these issues were debated among governments, NGOs, and trade bodies, BAT wanted to be included as a “natural” consulting partner (British American Tobacco 1998a).

BAT was also concerned about the rise of networking among NGOs, which enhanced NGOs’ ability to pressure companies about “sensitive issues” and subject them to “trial by media” (Honour 1997 (est.)). EE offered BAT the chance to create allies in the NGO world, who would provide “third party support/verification of BAT’s achievements and standards of business integrity” (British American Tobacco 2000c). BAT was particularly interested in allied NGOs assuring aid and development policymakers that the company was “responsible” (British American Tobacco 1999 (est.)-a). This would better enable BAT to promote its view of development: that “profits from legal products earned with operational integrity are precursors of and underpin political, social, economic, and environmental development” (Vecchiet 2000). Among its NGO allies, BAT could also promote its view that NGOs should not impose European standards of behaviour (e.g., outlawing child labour) on developing nations (British American Tobacco 2000e).

In 1998, EE supported 124 field research projects at a cost of nearly £700,000 through volunteer and corporate support (Earthwatch Institute 1999a). According to EE’s 1998 annual report, these projects were concentrated in seven areas, including “world health” (e.g., assessing maternal health and nutrition in Zimbabwe, a project funded by the mining company Rio Tinto) (Earthwatch Institute 1999a), “biodiversity” and “endangered ecosystems” (Earthwatch Institute 1999a).

After seven months of deliberation, EE agreed to a three-year partnership with BAT (Hall 1999). The partnership officially launched in October 1999, with a down payment from BAT of £55,860, more than doubling EE’s existing corporate funding for field research (British American Tobacco 1999a, Earthwatch Institute 1999a, Roberts 1999). EE estimated the total annual cost at approximately £100,000 (Earthwatch Institute 1999c). In an interview, Robert Barrington, EE’s former executive director, reported that the goal of the partnership was to make the company “as perfect as possible with regard to its environmental performance” (Barrington 2009).

The partnership provided funding for three on-going EE programmes: research fellowships for BAT employees to assist in scientific projects (excluding those based in North America, as Earthwatch offices there had unspecified “reservations” about the partnership) (Barrington 1999b, Earthwatch Institute 1999c), a fellowship programme for African scientists to assist EE conservation projects in Africa, and an enhanced Corporate Environmental Responsibility Group (Earthwatch Institute 1999c). Only the latter had a direct relationship to BAT’s environmental practices. In fact, the EE-BAT programme was nearly identical to a programme EE developed in 1999 with the mining company Rio Tinto (after intense debate among EE employees) (Barrington 2009, Seitanidi and Crane 2009), which also appeared to bear little direct relationship to that company’s environmental practices (Rio Tinto & Earthwatch Institute 1998 (est.)). EE’s primary goal in establishing corporate partnerships may have been to secure funding for its already-established conservation projects. However, Barrington stated in an interview that he did not recommend that EE partner with *any* company, but only those with a serious commitment to the partnership’s goals (Barrington 2009).

## Ethical considerations

Before agreeing to work with BAT, EE sought reassurance that a tobacco company partnership was ethically defensible. Barrington consulted EE's environmental partners and scientists about whether "we were doing the right thing for the environment" and if "it was a legitimate and responsible thing to do" (Barrington 2009). None of the organisations or individuals it consulted objected or raised public health concerns (Barrington 2009). Instead, the "message that came back really strongly" was "of course we may or may not like the tobacco company but we see there is a huge environmental benefit to getting any big company to improve its environmental performance" (Barrington 2009).

EE also sought reassurance from BAT. EE was particularly interested in BAT's views on the health effects of smoking, its practices in developing nations, and the sincerity of its interest in corporate social responsibility (CSR) (Barrington 1998, Opukah 1999c). Senior BAT staff (including Chris Proctor, head of science and regulation, John Luke, group environmental manager, and Shabanji Opukah, head of international development issues) visited EE offices for a "question and answer session" (Barrington 1999a, Opukah 1999d). Proctor gave a "smoking and health" presentation, while Luke discussed "BAT and the environment" (Barrington 1999c). The company also drafted a document, internally referred to as the "Earthwatch Comfort Pack," detailing its views on smoking issues (although it is unclear if it was shared with EE staff) (British American Tobacco 1999 (est.)-b). However, BAT's claims on these subjects were inconsistent with extant research (see table).

According to Opukah's notes, EE's concerns about working with BAT were based largely on a report by the UK Food Group, "Hungry for Power" (Opukah 1999d), which included a negative analysis of BAT's environmental footprint and marketing practices in developing nations (UK Food Group 1999). EE staff needed reassurance that a BAT partnership would not harm EE's reputation among scientists, or create "guilt" due to the smoking and disease "controversy" (Opukah 1999d). By the meeting's end, Opukah reported that "Earthwatch were pleased with our candour ... They understood what we stand for and are better prepared to handle the ensuing relationship" (Opukah 1999d). Barrington added that BAT's website acknowledgement of a link between smoking and lung cancer (which actually occurred several months after this meeting, in March 2000) (Cancelli 2000, Morrison 2000a, Waldock 2000) "ma[d]e a difference ... in terms of ... staff attitude" toward BAT (Barrington 2009).

As a final appraisal of BAT's "responsibility," Barrington visited BAT's operations in Uganda and Kenya to assess its environmental and community practices (Barrington 1999c, Barrington 1999d). BAT paid for the trip; to "maintain the objectivity of the visit," Barrington later provided BAT with a written evaluation of its environmental practices and recommendations for improvement (Barrington 1999d). Anticipating Barrington's visit, Opukah advised BAT Uganda staff to "brief all his interlocutors so that we do not get away from the objective of his trip which is; To verify ... that [BAT] practices what it preaches in the area of environment" (Opukah 1999a). Similarly, a BAT Uganda employee reminded staff to communicate a consistent message about BAT's environmental and social programmes (Kiberu 1999).

During Barrington's visit, BAT staff selected many of the individuals that he interviewed, and, in several instances, served as translators (Barrington 1999d). Nonetheless, because Barrington asked "difficult questions" (e.g., did BAT pay a fair price to tobacco farmers for tobacco leaf?), sought corroborating evidence (from tobacco farmers, government officials, and BAT staff) and approached people "not on the itinerary," he was confident that his visit was "not simply an elaborate PR exercise" (Barrington 1999d). Ultimately, Barrington recommended that EE work with BAT because he thought the company had a positive

impact in several environmental areas (although he also recommended improvements and expressed concerns about the company's marketing practices) (Barrington 1999d).

An additional ethical consideration for EE was whether a BAT partnership was consistent with EE's mission. BAT encouraged EE staff to adopt a narrow view of that mission. Following the question-and-answer session at EE's offices, BAT's Opukah reported: "We made it clear ... that it would not be in the organisation's [EE's] remit nor indeed interest to take on the responsibility of addressing the controversy surrounding smoking and health. This was an area best left to us to handle" (Opukah 1999f). Reporting on his Africa visit, Barrington repeatedly contrasted BAT's product (and its attendant "health issues") from the production process, noting that EE was focused on the latter (Barrington 1999d). Nonetheless, he labelled BAT's local marketing as "glaringly out of line" with "best practice[s]," noting, for example, that although BAT had voluntarily agreed to include warning labels on cigarette packs, there were no warnings on cigarette advertisements, as the UK required (Barrington 1999d). Ultimately, however, he asserted that EE's goal was "to achieve ... improvement in the areas for which [it] has a responsibility," even if helping BAT improve its environmental reputation weakened public health advocates' ability to "attack" BAT in the future (Barrington 1999d). This required distinguishing public health from the environment: "public health is enormously important, but it's not the remit of this charity" (Barrington 2009).

This statement, however, contradicted EE's 1999 and later versions of its website, which stated that EE supported public health research (Earthwatch Institute 1999b). From 1999–2003, the website included examples of "public health and nutrition" research it funded (Earthwatch Institute 1999b, Earthwatch Institute 2000b, Earthwatch Institute 2001b, Earthwatch Institute 2002a, Earthwatch Institute 2003). In 2003, the website offered a more expansive list of types of fundable research, including studies of "social and cultural factors that lead to behaviours that either promote or detract from good health," and "institutional/organisational factors which may be promoting or restricting improved health care and preventive health measures" (Earthwatch Institute 2003). From 2004–2006, public health research was not a specified priority on EE's website; nonetheless, EE continued to welcome public health researchers to apply for funding (Earthwatch Institute 2004c, Earthwatch Institute 2005, Earthwatch Institute 2006). Its list of funded projects in 2006 and 2007 included two focused on public health (antibiotic resistant bacteria in the US, and maternal and child health in India) (Earthwatch Institute 2009d). In 2008–2010, public health was absent from EE's list of research priorities and the website no longer identified relevant disciplines for funding opportunities (Earthwatch Institute 2008, Earthwatch Institute 2009b, Earthwatch Institute 2010).

### Protecting EE's reputation

Creating safeguards to protect its reputation appeared to play a key role in helping resolve EE's internal debate about the BAT partnership. Some EE staff initially opposed the partnership because of the "potential PR [public relations] downside" (Barrington 2009). After an early meeting with BAT, Barrington indicated that "[t]he only concern for us is that the negative publicity associated with the tobacco industry and its products does, unfortunately, raise the ethical question of whether the charity should be working in partnership with BAT" (Barrington 1998). To resolve this issue, EE advised BAT that it preferred not to publicise the relationship "until we have established a successful track record of working together" (Barrington 1999a).

Thus, the initial BAT/EE memorandum of understanding prohibited external publicity (Opukah 1999g, Opukah 2000b). In case of media inquiries, EE prepared a "position statement" with BAT's assistance that provided an ethical justification for the relationship:

“[t]obacco is a controversial product. Earthwatch believes that it is unrealistic to imagine that any controversial industry will be abolished overnight. Meanwhile, those industries have enormous potential to damage the environment if they are irresponsible” (Opukah 1999e). This statement downgraded tobacco from a deadly industry to a merely “controversial” one, positioning EE as acting appropriately to protect the environment.

However, there appears to have been little media interest in the partnership. We found only one article concerning EE and BAT published in major European or African English-language newspapers or magazines. Published in April 2004 in the UK's *Sunday Express* newspaper, it discussed the “greening” of the British public, mentioning without further comment that “BAT is backing global environmental research and NGOs [sic] EarthWatch” (Franks 2004). A search of archived EE and BAT websites found that the partnership was not acknowledged by either organisation in 2000, the earliest archived date available, or 2001 (British American Tobacco 2000f, Earthwatch Institute 2000d, British American Tobacco 2001, Earthwatch Institute 2001a, Earthwatch Institute 2001c, Earthwatch Institute 2001d). The October 17, 2002 version of the EE website did include BAT as a corporate sponsor of the employee fellowship programme (Earthwatch Institute 2002c), but BAT was not included on a general list of corporate sponsors (Earthwatch Institute 2002b). It was apparently not until 2004—five years into the partnership—that the full extent of BAT's relationship with EE was evident on the EE website (Earthwatch Institute 2004a, Earthwatch Institute 2004b).

### Impact of EE/BAT partnership

Instead of publicising its BAT partnership to the media and general public, EE promoted it to policymakers and NGOs (Morrison 2000b). EE reported in 2000 that it had “spoken to senior decision-makers in Government, NGOs and the corporate sector” about the BAT partnership (Morrison 2000b). One member of this group was Joseph Aluoch, the head of the Kenya Association of Physicians (which advised the Kenyan Ministry of Health). In 2000, at BAT's request, EE staff hosted Aluoch at its Oxford UK offices, briefing him on its BAT partnership, including the African fellowship programme (Earthwatch Institute 2000a). He came away with the desired outlook, reporting to the Kenya Association of Physicians: “Clearly the operations of BAT are responsible and in the best interest of the country of operation” (Aluoch 2000).

EE's Barrington helped BAT establish relationships with other EE affiliates. Even before EE and BAT had formally agreed to work together, Earthwatch Australia apparently withdrew its previous objection to the BAT employee fellowship programme covering the Australasian region (Opukah 1999b). According to Opukah, “It appears Robert [Barrington] has been doing some good internal selling work and the needle seems to have shifted in the right direction” (Opukah 1999b). Barrington also worked with Earthwatch Japan on a proposal for a BAT affiliate, Brown and Williamson, then operating in Japan, to fund various Earthwatch fellowships open to Japanese teachers, university students and Brown and Williamson employees (Earthwatch Institute 2000c). In return, Brown and Williamson would be recognised on all programme-related materials and publicity, including coverage of the award ceremony in student newspapers (Earthwatch Institute 2000c). From BAT's perspective, this showed “that it's possible to have global NGO partnerships which are developed at the centre begin to grow organically. ... [T]he fact that Earthwatch is being proactive in an important market is encouraging” (Opukah 2000a).

BAT also advertised the partnership to government officials and their advisors. For example, BAT chairman Martin Broughton planned to discuss a partnership project in Uzbekistan with Uzbek President Karimov in 2000 (British American Tobacco 2000d). Although BAT had close ties to Karimov (Gilmore et al. 2006, Gilmore *et al.* 2007a, Gilmore et al. 2007b),

it was concerned at that time about overtures to the Uzbek government by a US-based law firm regarding possible litigation against the industry (British American Tobacco 2000d). BAT was also interested in influencing the official Uzbek stance towards the WHO FCTC, which was then being negotiated (British American Tobacco 2000g). In 2000, BAT's Broughton informed the UK Minister for the Environment—who was reportedly considering legislation mandating corporate environmental reporting—of BAT's support for several EE programmes (Broughton 2000, Opukah 2000c). According to BAT's website, the BAT/EE partnership has been renewed until 2010 (British American Tobacco 2010).

## Discussion

This case illustrates why implementing Article 5.3 to minimise tobacco industry influence on public health policies requires thinking beyond the direct influence of the tobacco business community, farmers, and other related front groups that have commonly worked on the industry's behalf. The BAT-EE example shows how NGOs working on virtually any issue may work to advance tobacco industry interests while doing what they consider to be “good work.” Indeed, from BAT's perspective, EE's status as a “well respected and reasonable” NGO (rather than its particular agenda) was one of its most attractive features. By partnering with EE, the company gained a global ally with ties to other NGOs and to many of the countries in which BAT operated. Such an ally could help normalise the tobacco industry presence within government through promoting the BAT-EE partnership to policymakers or those with ties to policymakers, enhancing access to decision makers. A broad perspective on possible sources of indirect tobacco industry influence is therefore needed when implementing the FCTC's Article 5.3.

EE's behind-the-scenes promotion of BAT also underscores the need for FCTC signatories to consider the complexities of implementing the Article 5.3 guidelines to ban “public disclosure” of tobacco industry CSR activities (in order to minimise the normalising public relations gains the industry would thereby accrue) (World Health Organization 2009, p. 8). While the events described occurred prior to FCTC adoption, they illustrate how partnerships such as the one between EE and BAT confer benefits on tobacco companies even when they are not publicly promoted via corporate advertising, as is typical of tobacco industry CSR efforts (Stossel 2001). If banning public disclosure of tobacco industry CSR activities is not feasible, an alternative recommended in the Article 5.3 implementation guidelines is to denormalise these CSR activities (World Health Organization 2009, p. 3). NGOs, such as those involved in the Framework Convention Alliance, can serve an important role in this area. Through their contacts within the NGO community, they can educate others about how even apparently benign or unpublicised partnerships with tobacco companies harm global public health.

Another approach to denormalising such partnerships is to encourage more responsible or public relations-sensitive corporations to make their continued support of NGOs contingent on the absence of tobacco industry funding. A related example is tobacco control advocates' successful calls for participants in CSR conferences featuring tobacco industry speakers or sponsors to threaten to withdraw if organisers did not cancel tobacco industry involvement. Organisers quickly terminated tobacco company sponsorship and “uninvited” tobacco industry speakers (Chapman 2004). Recently, the Bill and Melinda Gates Foundation withdrew grant money from a Canadian government development organisation after tobacco control advocates revealed that its board was chaired by a former member of Imperial Tobacco Canada's board (Blackwell 2010), suggesting that some funders may be sensitive to any type of tobacco industry organisational involvement.

NGOs' desire to protect their own reputations provides an additional means of denormalizing NGO-tobacco industry partnerships. As EE's "no external media" rule and delay in publicising the BAT partnership on its website showed, NGOs are sensitive to negative publicity. Directing negative media attention to NGOs that partner with tobacco companies may not dissuade those, like EE, with long-established ties, but it may discourage other NGOs from following suit. Highlighting tobacco companies' status as convicted racketeers in a US federal court may be particularly useful (Kessler 2006). Similarly, recognising NGOs that do *not* work with the tobacco industry (though media campaigns, award ceremonies, certifications or "seals of approval") may also encourage NGOs to shun tobacco industry partnerships.

Guidelines for implementing Article 5.3 of the FCTC aim to aid governments in developing comprehensive strategies to protect tobacco control policies from tobacco industry influence. Such strategies must include minimising the industry's indirect influence through the NGO sector. As this study shows, however, this will require a delicate balance between minimising publicity for "good deeds" by limiting public disclosure and identifying "hidden" NGO partnerships that may indirectly allow tobacco companies to influence policymakers.

## Acknowledgments

This work was supported by the National Cancer Institute, US National Institutes of Health, grant number 1R01 CA120138. An earlier version of this work was presented at the 14<sup>th</sup> World Conference on Tobacco or Health, Mumbai, India, March 10, 2009. Both authors served as consultants to the U.S. Department of Justice in the federal lawsuit against tobacco manufacturers, including British American Tobacco.

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Table

BAT claims regarding tobacco issues, 1999, versus public health evidence

Tobacco Issue	BAT claims (as of 1999)	Public health evidence (as of 1999)
Health effects of smoking	“Smoking is an important risk factor for lung cancer” (British American Tobacco 1999b).	Smoking is the primary cause of lung cancer (US Department of Health and Human Services 1982).
	“[T]he public is universally aware of [the risk]” (British American Tobacco 1999b).	While smokers may acknowledge that smokers in general are at greater risk than non-smokers of developing lung cancer, they vastly underestimate their own personal risk (Weinstein 1998).
	“ETS [Environmental Tobacco Smoke] is not ... a risk factor for the development of chronic disease” (British American Tobacco 1999b).	ETS is a cause of lung cancer and heart disease in adults; children exposed to ETS are at increased risk of respiratory disease (Scientific Committee on Tobacco and Health 1998).
	“Common sense, as well as science, suggests that smoking is not addictive” (British American Tobacco 1999b).	“Addiction to nicotine sustains cigarette smoking and is responsible for the remarkable intractability of smoking behaviour” (Scientific Committee on Tobacco and Health 1998).
Health Warnings	“All cigarettes produced by BAT have health warnings on the packet” (Broughton 1998).	Print warnings are of limited effectiveness in communicating the health risks/dangers of smoking (Krugman <i>et al.</i> 1999).
	“Given the virtual universal awareness of the reported risks of smoking, health warning labels should not be so large and prominent as to significantly detract from the intellectual property rights of cigarette manufacturers” (British American Tobacco 1998b).	Studies show limited public knowledge of the link between smoking and cancers other than lung cancer (Lowry and Craven 1999, Teschke and van Zwieten 1999).
Afforestation	In 1987, the number of surviving trees resulting from BAT Kenya’s afforestation programme was 13 million; in 1992, it grew to 31 million (Chapman 1994, p. 193).	“18 million trees in five years – a continuous 365 day-a-year planting rate of 9863 trees when the total area of tobacco cultivation in Kenya is only 8805 [hectares]!” (Chapman 1994, p. 193).