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Dear Secretary of State

Thank you for your letter dated 17 May in response to my letter of 20 April.

I am pleased to hear your confirmation that comments attributed to you in *The Times* that tobacco companies have "...no business in this country" were taken out of context and were regrettable. I also welcome your confirmation that you "have an open mind at this stage about introducing standardised packaging".

However I still have some concerns about the genuine and fair nature of the consultation process, as well as concerns as to the extent of "open minded" thinking around an alternative to standardised packaging. This leads me to raise a few questions on which I would welcome your clarification.

- In April of this year you were quoted as saying that "The evidence is clear" and "that packaging helps to recruit smokers, so it makes sense to consider having less attractive packaging"<sup>1</sup>. It is our view that tobacco packaging has never been identified as a reason why children take up smoking or why adult smokers continue to choose to smoke. Given the extreme nature of the proposals under consultation, could you please confirm how the evidence, submissions and legitimate views of British business such as tobacco manufacturers, retailers, packaging organisations, other suppliers and indeed consumers will be properly and fully considered in light of your comments?
- In response to the Labour Government's 2008 Consultation on the Future of Tobacco Control, you were quoted in the Telegraph as saying "It will come as no surprise to us if the Department of Health has funded organisations that provide the responses to consultations that the Government is looking for"<sup>2</sup>. This still appears to be the situation today. Tobacco control organisations, including ASH, still appear to have very close relationships with your department. With the issue of a statutory lobbying register and transparency so high on the public and political agenda, could you please confirm that there will be full transparency and disclosure of the role all tobacco control lobbyists, including ASH, are playing in influencing and shaping the Government and your Department's strategic direction and preferred options in relation to the packaging of tobacco products and this consultation process?

I would also like to take this opportunity to clarify the requirements of the Framework Convention on Tobacco Control ("FCTC"), specifically Article 5.3. The guideline does not

<sup>1</sup> <http://blogs.news.sky.com/boultonandco/Post:b2577af0-681c-4889-9148-6a4e65445050>

<sup>2</sup> <http://www.telegraph.co.uk/news/politics/4076290/Government-fixing-health-consultations-with-taxpayer-funded-groups.html>

prevent engagement and dialogue with the tobacco manufacturers and any such claims that it does are misleading and deceptive.

Imperial Tobacco continues to engage with many governments and regulatory bodies around the world, including the European Union and the Food and Drug Administration in the USA. Recently, for example, at the request of the European Commissioner for Health, John Dalli we attended a meeting to discuss the current review of the European Tobacco Products Directive<sup>3</sup>.

A significant number of people continue to choose to smoke and will continue to do so in the future and this is currently the focus of debate for a number of public health advocates and regulators worldwide. In our strongly held view the most sensible and responsible approach for Government would be to develop a rational and appropriate framework in which legitimate consumer demand for tobacco and nicotine products is met. One which seeks to achieve real public health goals rather than an irrational approach (such as standardised packaging) that simply seeks to appease a small minority of tobacco control lobbyist's intent on pursuing their own vested interests whilst achieving no public health benefit.

Imperial Tobacco remains open to and would welcome the opportunity to engage with the Government on the development of such a framework.

I look forward to receiving your reply.

Yours sincerely

*Chief Executive Officer*

cc. Rt Hon David Cameron MP, Prime Minister  
Rt Hon George Osborne MP, Chancellor of the Exchequer  
Rt Hon Dr Vincent Cable MP, Secretary of State for Business, Innovation & Skills