

24 August 2012

Mr J. Hart
Tobacco Retailers Alliance
PO Box 61705
London
SW1H 0XS

By email: [REDACTED]tra.org.uk

Dear Mr Hart,

I am writing to you in connection with a request for information received by the Department of Health (DH) that is being considered under the Freedom of Information Act 2000 (FOI Act).

I am informing you that the request we have received relates (among other things) to correspondence between DH and the Tobacco Retailers Alliance during the period 16 April to 10 August 2012 (inclusive). DH holds records that are relevant to the request, namely:

- An email from to the DH Consultations Coordinator (on behalf of Mr Suleman Khonat) dated 25 May 2012 (I have contacted Mr Khonat separately regarding his letters)
- Two emails to you from [REDACTED] (DH Tobacco Programme) dated 8 June 2012

The FOI Act requires DH to disclose information in response to a request unless an exemption applies. There are two types of exemption in the FOI Act. The first type is 'absolute' exemption, whereby disclosure may be withheld if the information falls within the terms of the exemption in question. The second type is 'qualified' exemption, whereby information can only be withheld if the balance of the public interest, in all the circumstances of the case, favours maintaining the exemption of the information.

If you wish to notify us of any particular issues or considerations that you consider relevant to the question of disclosure of this information, please contact me. All relevant factors will be taken into account when making a decision on whether the information identified is required to be disclosed, in particular the relevant public interest considerations both in favour of and against disclosure.

I would be grateful if you could respond to me by **Friday, 31 August 2012** to enable DH to consider any points you wish to make in reaching a decision on this FOI Act request.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, you should write to:

Freedom of Information Unit
Department of Health
Room 360c
Skipton House
80 London Road
London SE1 6LH

Email: freedomofinformation@dh.gsi.gov.uk

If you are not content with the outcome your complaint, you may apply directly to the Information Commissioner's Office (ICO) for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the DH. The Information Commissioner can be contacted at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

I look forward to hearing from you. Should you require further information, please do not hesitate to get in contact.

Yours sincerely,

Tobacco Programme Manager

Tel: 0207 9724843

Email: Andrew.Black@dh.gsi.gov.uk