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Wednesday, 12 September 2012

Dear Ms Brufal,

Thank you for your letter dated 13 July 2012 to [REDACTED]. I have been asked to respond.

It is reassuring that you were able to confirm that Mr Lansley, the former Secretary of State for Health had an open mind on the issue of standardised packaging. You state that Mr Lansley did not use the language quoted by Jon Craig the Sky News correspondent and Anushka Asthana the Times reporter and we hope this applies to the quote "*the evidence is clear*" as well. Our concern about this statement arises because of what the authors have written in:

"Plain Tobacco Packaging: A Systematic Review" by Crawford Moodie, Martine Stead, Linda Bauld, Ann McNeill, Kathryn Angus, Kate Hinds, Irene Kwan, James Thomas, Gerard Hastings and Alison O'Mara-Eves Section 5.6 Study Strengths and Limitations pages 88 to 90.

With these important limitations that the authors identified it is amazing that they then write up the report conclusions totally disregarding these limitations. These limitations mean that the evidence can not be regarded as clear and it has not changed since May 2008 when "A Consultation on the Future of Tobacco Control" took place and the Department of Health concluded in 2010 "*..the research evidence into this initiative is speculative, relying on asking people what they might do in certain situations.*" and in an email dated 10 May 2011 the Department of Health said "*there isn't any evidence to show that (standardised packaging) works*".

As you will be aware this consultation has attracted huge public interest and response. We are aware from the Plain Packs Protect website that they and all their affiliated groups managed to get 211,653 responses supporting Standardised Packaging. We also are aware that the various industry, retail and trade union facilitated schemes submitted by 10 August 2012 amounted to a total of about 500,000 against Standardised Packaging being introduced. Whilst accepting this is not a vote this does show that this initiative does not have clear support. We are also aware a letter countersigned by nearly 60 MPs opposing Standardised Packaging was sent to the

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former Secretary of State for Health Mr Lansley. We trust these and all the other submissions will be carefully considered, reflected upon and contained in the summary report of the consultation responses.

It is disappointing that the Department of Health still seeks to hide behind Article 5.3 of the Framework Convention on Tobacco Control using an opt out "*We would have to think carefully whether there was a good reason*". There are many issues where the Department would gain great benefit from discussion with experts from the tobacco industry e.g. Ingredients in tobacco products, test methods for tobacco products, regulatory framework for nicotine products and illicit trade. This information is not available from the tobacco control activists. We therefore look forward to meeting the relevant Department officials to discuss these issues.

We were interested to note that earlier this year Public Health Minister Anne Milton met representatives of the All Party Parliamentary group on Smoking and Health. You will be aware that ASH (Action on Smoking and Health) act as the group secretariat and host the website for the group. Interestingly the website contains no mention of this meeting whilst other official group meetings are mentioned. I would therefore ask for clarification if this was an official meeting with the All Party Parliamentary Group on Smoking and Health or rather a meeting with the Secretariat i.e. ASH the anti-smoking activist group.

We continue to have concerns about children's access to tobacco products. We therefore propose that a better use of Government resources would be to tackle this problem. One change would be to make it an offence in England for an adult to buy tobacco products for a child in the same way as the offence exists for alcohol. The second area for immediate attention would be the trade in illicit tobacco products as the criminals involved do not care about who they sell to. All measures to reduce this have the dual benefit of reducing under-age access to tobacco products and reducing money currently lost to HM Treasury.

Yours sincerely

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