

[REDACTED]/PH3/DOH/GB
17/04/2013 18:14

To "Ross, Richard" <Richard.Ross@uk.imptob.com>
cc

Subject: RE: European Tobacco Products Directive & Plain Pack

Dear Richard,

Thank you for your e-mail of 16 April.

I am disappointed that you have not felt able to confirm the source of the information you are receiving about the proceedings of the Council Working Group on the Tobacco Products Directive. This is a pity because, as I made clear in my earlier e-mail, I would willingly make informal contact to make sure there is no misunderstanding about the UK position on tobacco packaging, or on any other tobacco control topic covered by the proposed TPD.

On the question of appropriate procedures, I would like to clarify another point that you made in your original e-mail of 9 April, that you believe that "...it is common for the UK departments to share reports of the [working group] meetings with all stakeholders." I am surprised to hear this because Council working groups are not held in public and deliberations are subject to principles of professional secrecy (as set out in the Council rules of procedure, Articles 5 and 6). It would not be appropriate and would be a breach of those rules for us to share working group reports with you or anyone else.

I am sure you will appreciate that, for this reason, it would also be inappropriate for me to engage further in detailed discussion of the content of any such unattributed reports about working group discussions. But I would also wish to make it clear that the unattributed reports that you have received about the proceedings of the Council discussions on the proposed Tobacco Products Directive are not accurate.

I am afraid that, in the circumstances, I do not think that there is much more to be gained from continuing correspondence on this matter.

Yours sincerely,

[REDACTED]
Tobacco Programme Manager
Department of Health

Tel: 020 [REDACTED]
Email: [REDACTED]@dh.gsi.gov.uk

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"Ross, Richard"
<Richard.Ross@uk.imptob.com>
16/04/2013 10:07

To: [REDACTED]/PH3/DOH/GB@DOH
cc

Subject: RE: European Tobacco Products Directive & Plain Pack

Dear [REDACTED]

I am again concerned to hear about UK negotiating positions taken at the Council Working Group on 8th April on the EUTPD when the Consultation on Standardised Packaging for tobacco products has not yet reported and as you recently (11th April which is subsequent to this working group) said "no decision about standardised packaging of tobacco has been made by the Government".

[REDACTED]

[REDACTED]

We have not spoken with officials of the European Commission on this.

Yours sincerely

Richard Ross
Head of Political Affairs UK
Imperial Tobacco
[REDACTED]

From: [REDACTED]@dh.gsi.gov.uk
Sent: Friday, April 12, 2013 10:43 AM
To: Ross, Richard
Subject: RE: European Tobacco Products Directive & Plain Pack
Dear Richard,

Thank you for your email.

You say that the information that you received came from Brussels - do you mean the European Commission?

To avoid any misunderstanding, I would be happy to make informal contact with who you have been talking to, so we can clarify the position on standardised packaging.

Yours sincerely,

[REDACTED]
Tobacco Programme Manager
Department of Health

Tel: 020 [REDACTED]
Email: [REDACTED]@dh.gsi.gov.uk

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"Ross, Richard" <Richard.Ross@uk.imptob.com>

"Ross, Richard"
<Richard.Ross@uk.imptob.com>
12/04/2013 09:33

To: [REDACTED]/PH3/DOH/GB@DOH

cc

Subject: RE: European Tobacco Products Directive &
Plain Pack

Dear [REDACTED]

Thanks very much for your clear response and the assurance that to date no decision has been taken by the UK Government about Standardised (Plain) Packaging.

The information came from Brussels on what happened at the Council Working Group meeting on 26th March. Particularly as information on the different articles under discussion was mentioned we assumed it must be reliable so I am grateful for the correction of this error. I am reassured to hear from you that the UK did not speak in favour of Standardised (Plain) Packaging at that meeting. It would be helpful if there was any information you could share with all stakeholders on the progress of the discussion in the Council Working Group, particularly as it would ensure no one was misled by information gleaned from discussions in Brussels.

Thanking you for a prompt reply.

Best wishes
Richard

From: [REDACTED]@dh.gsi.gov.uk [REDACTED]
Sent: Thursday, April 11, 2013 3:07 PM
To: Ross, Richard
Subject: Re: European Tobacco Products Directive & Plain Pack

Dear Richard,

I can confirm that no decision about standardised packaging of tobacco has been made by the Government. The position remains the same as when we last spoke during our visit to Imperial Tobacco's factory in Nottingham in March. The evidence that the Minister for Public Health gave to the EU Select Committee that you refer to is the current position.

I can reassure you that the UK did not speak in favour of introducing standardised packaging at the European Council Working Group meeting on 26 March. There is, therefore, no need to issue any retraction or clarification.

I am not sure what report you have seen of this meeting. Perhaps you can tell us more about who prepared the report, and share it with us?

Yours sincerely,

[REDACTED]
Tobacco Programme Manager
Department of Health

Tel: 020 7 [REDACTED]
Email: [REDACTED]@dh.gsi.gov.uk

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▼ "Ross, Richard" <Richard.Ross@uk.imptob.com>

"Ross, Richard"
<Richard.Ross@uk.imptob.com>
09/04/2013 16:08

To: [REDACTED]/PH3/DOH/GB@DOH
cc
Subject: European Tobacco Products Directive &
Plain Pack

Hi [REDACTED]

I hope you and team are well.

We noted that when you and Anna Soubry the Parliamentary Under Secretary of State with responsibility for public health appeared in front of the House of Lords Select Committee on the European Union Home Affairs, Health and Education (Sub-Committee F) Anna Soubry stated "the consultation having concluded – but until any decision is made it is not for me to give my own views or indeed the views of the Government, other than to say that the Government are entirely neutral and have no policy on standardised packaging."

I am therefore somewhat surprised to read a report of the European Council Working Group meeting on 26th March 2013 which was attended by a UK delegate. I am not sure if that was you or one of your team or a member of the PermRep in Brussels. However it is reported that the UK delegate spoke out in favour of Plain Packaging along with [REDACTED] and [REDACTED]. This seems at odds with what Anna Soubry told the House of Lords Select Committee.

Please could you clarify if a decision has been made or if this statement was made in error and if in error get it formally retracted at the next meeting.

It would be helpful if like in other areas EU draft Regulations are being discussed it is common for UK departments to share reports of the meetings with all stakeholders. It would be helpful to ensure we are getting the right reports if your department could issue reports on the EUTPD Council Working

Group Meetings. Many other Member States do this as common practice as do other parts of UK Government.

Regards

Richard Ross
Head of Political Affairs

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