

3

"[REDACTED]"
<[REDACTED]@jti.com>
21/12/2012 09:00

To [REDACTED]/OIS/DOH@DOH
cc
bcc
Subj Re: Freedom of Information Request
ect

Dear [REDACTED]

Please see attached response from [REDACTED].

The original of this letter will be sent by post today.

With kind regards

[REDACTED]

PA to [REDACTED], Managing Director UK

+44 (0)1932 [REDACTED]

+44 (0)[REDACTED]

[REDACTED]@jti.com

JTI UK

Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

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Registered Office: Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, Registered in England No. 1501573

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- Response FOI Request Letter 20 12 12 - DOH.pdf

" [REDACTED] "
< [REDACTED]@jti.co
m>
18/12/2012 16:17

To [REDACTED]/OIS/DOH@DOH
cc " [REDACTED] " < [REDACTED]@jti.com>, " [REDACTED]
" < [REDACTED]@jti.com>
bcc
Subj FW: URGENT: FOI request. Department of Health
ect

SENT ON THE BEHALF OF [REDACTED] – PA TO [REDACTED]

Dear [REDACTED]

Please find attached a letter and supporting document in response to your letter of the 11 December 2012 in relation to a new FOI request.

[REDACTED]

PA to [REDACTED], Managing Director UK

+44 (0)1932 [REDACTED]

+44 (0) [REDACTED]

[REDACTED]@jti.com

JTI UK

Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

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From: [REDACTED]@dh.gsi.gov.uk [mailto:[REDACTED]@dh.gsi.gov.uk]

Sent: 11 December 2012 16:23

To: [REDACTED]

Subject: URGENT: FOI request. Department of Health

[REDACTED],

Please find attached a letter and documents for the attention of [REDACTED] in relation to a new FOI request.

(See attached file: JTI third party letter 11.12.12.doc)

(See attached file: 3.1 JTI Invitation [14.11.12].doc)(See attached file: 3.2 Response to JTI consultation complaint [31.8.12].pdf)(See attached file: 3.3 JTI complaint [3.7.12].pdf)

I would be grateful for a response by Tuesday 21 December.

Many thanks

[REDACTED]

[REDACTED]

Tobacco Policy Manager
Tobacco Team
7th Floor, North Spur
Wellington House
133 - 155 Waterloo Road
London
SE1 8UG

0207 [REDACTED]

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- FOI Reponse 18.12.12.pdf

" [REDACTED] JTI.co To [REDACTED]/MPI-PPB/DOH/GB@DOH
m> cc " [REDACTED]@jti.com>
10/12/2012 08:34 Subj DH IA Consultation Meeting
ect

Dear [REDACTED]

Thank you for your email of 29 November suggesting dates for a meeting with DH analysts. We sent a letter on 23 November to [REDACTED] requesting further information about the nature of the meeting, a copy of which is attached.

As you will appreciate, we will need to understand in more detail what is intended to be covered at the meeting. This will ensure that the right people will be available for the meeting and that they will be properly briefed. We would therefore be grateful if [REDACTED] could reply to our letter before we commit to specific dates.

Kind regards

[REDACTED]

[REDACTED]

Head of Corporate Affairs & Communications, UK

+44 [REDACTED]
+44 (01932) [REDACTED]
[REDACTED]@jti.com

JTI UK
Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

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Consultation on the standardised packaging of tobacco products - meeting request 141112.pdf

"[REDACTED]
[REDACTED]@jti.com>
19/04/2013 17:25

To [REDACTED]/CQEG/DOH/GB, "[REDACTED]"
<[REDACTED]@jti.com>
cc "[REDACTED]@JTI.com>," [REDACTED]
[REDACTED]@jti.com>," [REDACTED]
[REDACTED]/OIS/DOH@DOH, [REDACTED]
[REDACTED]/PH3/DOH/GB@DOH
bcc
Subj RE: DH Meeting Minutes with JTI Changes
ect

Dear [REDACTED]

In [REDACTED] absence, I am responding on his behalf. I can confirm that we are happy with the final meeting minutes, attached in your email below, and understand that they may be disclosed in response to FOI requests.

Yours sincerely

[REDACTED]

[REDACTED]

Head of Government Relations, UK

Corporate Affairs & Communications

+44 (0) 1932 [REDACTED]

+44 (0) [REDACTED]

[REDACTED]@jti.com

JTI UK

Members Hill, Brooklands Road, Weybridge, Surrey KT13 0QU

jti.com

From: [REDACTED]@dh.gsi.gov.uk [mailto:[REDACTED]@dh.gsi.gov.uk]

Sent: 19 April 2013 14:41

To: [REDACTED]

Cc: [REDACTED]; [REDACTED]@dh.gsi.gov.uk;

[REDACTED]@dh.gsi.gov.uk

Subject: Fw: DH Meeting Minutes with JTI Changes

Dear [REDACTED]

Thank you for your further comments, which DH has accepted. I attach a final record of the meeting, which will be disclosed in response to FOI requests.

(See attached file: Note of meeting with JTI 5 Feb 2013 - final as agreed.doc)

yours sincerely

[REDACTED]
Tobacco policy manager
[REDACTED]

Department of Health | Wellington House | 133-155 Waterloo Road | London SE1 8UG |
tel - 020 [REDACTED] | [REDACTED]@dh.gsi.gov.uk

----- Forwarded by [REDACTED]/CQEG/DOH/GB on 19/04/2013 14:31 -----

" [REDACTED] "
<[REDACTED]@jti.com>

15/04/2013 11:15

[IMAG [IMAGE]
E]

To [REDACTED]/CQEG/DOH/GB

[IMAG [IMAGE]
E] [IMAGE]
cc

" [REDACTED] " <[REDACTED]@JTI.com>,
" [REDACTED] " <[REDACTED]@jti.com>, " [REDACTED] "
<[REDACTED]@jti.com>

[IMAG [IMAGE]
E]

Subj DH Meeting Minutes with JTI Changes
ect

[IMAGE]

[IMAGE]

EMAIL SENT ON BEHALF OF [REDACTED]

Dear [REDACTED]

Thank you for the revised minutes from JTI's meeting with the DH on 5th February. Please see attached for a draft which accepts all of the changes made by the DH and shows two further changes proposed by JTI – in track changes. For ease of reference, I also list below the proposed changes with our reasons for their inclusion:

- **Inclusion of the phrase “who provided their independent opinions” in reference to Professor Zimmerman and Chaudhry’s report:** Professors Zimmerman and Chaudhry's analysis represents their independent opinions (as they themselves state in the report: "We

have been requested to prepare this report for Japan Tobacco International (JTI). However, the views expressed are our own and build on our expertise in the area of illicit trade." This is a point on which the experts feel particularly strongly and something we stressed during the meeting hence the statement reflects the discussion and should be included the minutes.

· **Reference to the Cogent research being commissioned by the TMA:**the Cogent research was commissioned by the TMA, and not JTI.

I would be most grateful if you could confirm whether the DH are able to accept these amendments in the final meeting minutes.

Yours sincerely

[REDACTED]

Head of Corporate Affairs & Communications, UK

[REDACTED]

PA to Head of Corporate Affairs & Communications &
Head of Community Relations, UK

Corporate Affairs

+44 (0) [REDACTED]

[REDACTED]@jti.com

JTI UK

Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

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(See attached file: Note of meeting with JTI 5 Feb JTI comments (15 April 2013).doc)

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- image001.png



- image002.png

[REDACTED] /CQEG/DOH/G To "[REDACTED]" <[REDACTED]@JTI.com>
B
25/03/2013 12:26 cc [REDACTED] OIS/DOH@DOH, [REDACTED]
/PH3/DOH/GB@DOH
bcc
Subj Re: JTI & DH Meeting Minutes (5 Feb
ect 2013)05910A9E9FAC2A6080257B35004FF2F2

Dear [REDACTED]

Thank you for these comments, we are considering them and will get back to you with any comments we have or to confirm the final note of the meeting.

[REDACTED]

[REDACTED]

Tobacco policy manager
[REDACTED]

Department of Health | Wellington House | 133-155 Waterloo Road | London SE1
8UG | tel - 020 [REDACTED] | [REDACTED]@dh.gsi.gov.uk

"[REDACTED]@JTI.com" To [REDACTED] /CQEG/DOH/GB, [REDACTED]
21/03/2013 14:33 cc [REDACTED] OIS/DOH@DOH, [REDACTED]
/PH3/DOH/GB@DOH
Subj JTI & DH Meeting Minutes (5 Feb 2013)
ect

Dear All,

Please find attached a "clean", revised record of the meeting between the DH and JTI which took place on 5 February 2013 and a "marked up" version which identifies the changes we are recommending. As is usually the case with comparison documents, the "marked up" document somewhat over-represents the extent of the changes being proposed. We have sought to tweak some of the wording for clarification purposes and fill in some of the factual gaps. Further, we have, where statistics are included, checked to ensure that these are as accurate as possible and supported by robust data sources.

Please let me know if you have any questions or comments.

Kind Regards

[REDACTED]

Gallagher Limited - A member of the JTI group of Companies

Registered Office: Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, Registered in England No. 1501573

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[REDACTED] OIS/DOH
03/01/2013 17:35

To "[REDACTED]@jti.com">
cc [REDACTED]/MPI-PPB/DOH/GB@DOH,
[REDACTED]@jti.com
bcc
Subject Re: Tobacco Packaging DH/JTI IA Consultation Meeting

[REDACTED]

Please find attached my letter in reply to [REDACTED] letter of 21 December.



- JTI Invitation reply 3 Jan 2013.doc

I hope that we will be able to arrange a meeting soon.

Thank you.

[REDACTED]
Tobacco Control Programme
Dept of Health

tel 020 [REDACTED]

"[REDACTED]@jti.com">
21/12/2012 13:39
To [REDACTED]/MPI-PPB/DOH/GB@DOH
cc [REDACTED]/OIS/DOH@DOH
Subject DH IA Consultation Meeting

Dear [REDACTED]

For your information, please find attached our letter (dated 21 December 2012) to [REDACTED] in respect of the DH consultation meeting.

Yours sincerely

[REDACTED]

[REDACTED]
Head of Government Relations, UK
Corporate Affairs & Communications

+44 (0)1932 [REDACTED]
+44 (0) [REDACTED]
[REDACTED]@jti.com

JTI UK

Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

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DoH Meeting Request 211212.pdf.pdf

"[REDACTED]"
<[REDACTED]@jti.com>
21/12/2012 12:47

To [REDACTED]/OIS/DOH@DOH
cc
bcc
Subj RE: DH IA Consultation Meeting with JTI
ect

Dear [REDACTED]

Please see attached letter in response from [REDACTED].

The original copy of this letter will be sent by post today.

With kind regards

[REDACTED]

PA to [REDACTED], Managing Director UK

+44 (0)1932 [REDACTED]

+44 (0)[REDACTED]

[REDACTED]@jti.com

JTI UK

Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

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From: [REDACTED]@dh.gsi.gov.uk [mailto:[REDACTED]@dh.gsi.gov.uk]

Sent: 14 December 2012 14:45

To: [REDACTED]

Cc: [REDACTED]@dh.gsi.gov.uk; [REDACTED]@dh.gsi.gov.uk;

[REDACTED]@dh.gsi.gov.uk; [REDACTED]@dh.gsi.gov.uk;

[REDACTED]@DWP.GSI.GOV.UK; [REDACTED]@dh.gsi.gov.uk; [REDACTED]

Subject: DH IA Consultation Meeting with JTI

[REDACTED]

Please find attached a reply to [REDACTED] letter of 23 November that was forwarded below. I look forward to our being able to hold a meeting to discuss the Impact Assessment for standardised tobacco packaging.

(See attached file: JTI Invitation reply 14 Dec.doc)

[REDACTED]
Tobacco Control Programme
Dept of Health
tel 020 [REDACTED]

" [REDACTED] "
< [REDACTED]@JTI.com >

10/12/2012 08:34

[IMAG [IMAGE]
E]

To [REDACTED]/MPI-PPB/DOH/GB@DOH

[IMAG [IMAGE]
E]

cc " [REDACTED] " < [REDACTED]@jti.com >

[IMAG [IMAGE]
E]

Subj DH IA Consultation Metting
ect

[IMAGE]

[IMAGE]

Dear [REDACTED]

Thank you for your email of 29 November suggesting dates for a meeting with DH analysts. We sent a letter on 23 November to [REDACTED] requesting further information about the nature of the meeting, a copy of which is attached.

As you will appreciate, we will need to understand in more detail what is intended to be covered at the meeting. This will ensure that the right people will be available for the meeting and that they will be properly briefed. We would therefore be grateful if [REDACTED] could reply to our letter before we commit to specific dates.

Kind regards

[REDACTED]
[REDACTED]
Head of Corporate Affairs & Communications, UK

+44 ([REDACTED])

+44 (01932) [REDACTED]
[REDACTED]@jti.com

JTI UK
Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

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DH users see Computer virus guidance on Delphi under Security in DH, for further details. In case of problems, please call the IT support helpdesk.

 - image002.png  - image003.png  - DoH Meeting Request 211212.pdf

[REDACTED] /CQEG/DOH/G To "[REDACTED]@jti.com>
B
08/04/2013 16:31 cc "[REDACTED]@JTI.com>, [REDACTED]
[REDACTED] /OIS/DOH@DOH,
[REDACTED] /PH3/DOH/GB@DOH
bcc
Subj Re: DH Freedom of Information Request - Note of DH
ect meeting with JTI on 5
FebruaryD1A75698A4B1211D80257B2F004A82F5

Dear [REDACTED]

Thank you for arranging for us to receive JTI's comments on the draft note of meeting of 5 February. DH officials who attended the meeting have considered these and I have sent some further comments to [REDACTED] for consideration.

As the note of the meeting is still in the process of being agreed, it will be exempt from disclosure at this stage under section 22 of the FOI Act. The response to the FOI request below will advise of this exemption and that we anticipate the note being finalised by the end of April. It would then be available for release for any future FOI request.

[REDACTED]

[REDACTED]

Tobacco policy manager
[REDACTED]

Department of Health | Wellington House | 133-155 Waterloo Road | London SE1 8UG | tel - 020 [REDACTED] | [REDACTED]@dh.gsi.gov.uk

[REDACTED] /OIS/DOH
15/03/2013 13:39 To "[REDACTED]@jti.com>
cc [REDACTED] /CQEG/DOH/GB
Subj DH Freedom of Information Request - Note of DH meeting
ect with JTI on 5 February⁽¹⁾

[REDACTED]

DH Freedom of Information Request

I am sorry to have to come back to you so quickly about the note of the meeting but we have now received a request for information under the Freedom of Information Act regarding the meeting on 5 February 2013. The request asks for:

1. all notes taken by officials
2. the name and title of each individual in attendance
3. the date
4. the location

For ease of reference I attach the note of the meeting that I sent earlier. It seems to me that this contains all the information asked for and I can confirm that DH officials no longer hold any further notes from this meeting.

[attachment "Note of meeting with JTI 5 Feb.doc" deleted by [REDACTED]/CQEG/DOH/GB]
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 an '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.

Please let me know if you have any views about the question of disclosure of any information under this request, or matters that you wish us to take into consideration. All relevant factors will be taken into account when deciding whether disclosure of the information identified is required under the FOI Act, in particular where appropriate, the public interest considerations both in favour of and against disclosure.

I would be grateful if you could respond to me (copied to my colleague [REDACTED] [REDACTED]) by **Friday 22 March** with your comments on the accuracy of the attached note and any further points you may wish to make about the DH response to this FOI request. I am sorry for the short deadline but this will enable us to consider any points you wish to make and reach a decision within statutory the FOI Act deadline.

If we do not hear from you by this date, we will assume that you are content with the disclosure of the attached note. If, for any reason, it will be difficult to reply by the deadline, please let [REDACTED] (tel 020 [REDACTED]) know as soon as possible as I will be out of the office.

Yours sincerely

[REDACTED]
Tobacco Control Programme
Dept of Health

tel 020 [REDACTED]

" [REDACTED]@jti.com>
14/03/2013 08:20

To [REDACTED]/OIS/DOH@DOH
cc

Subj RE: Note of DH meeting with JTI on 5 February
ect

Dear [REDACTED]

Many thanks for sending this through – we shall review internally and come back to you as soon as we can.

Kind regards

[REDACTED]

[REDACTED]

Head of Government Relations, UK
Corporate Affairs & Communications

+44 (0)1932 [REDACTED]
+44 ([REDACTED]) [REDACTED]
[REDACTED]@jti.com

JTI UK
Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

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From: [REDACTED]@dh.gsi.gov.uk [mailto:[REDACTED]@dh.gsi.gov.uk]

Sent: 13 March 2013 17:36

To: [REDACTED]

Cc: [REDACTED]

Subject: Note of DH meeting with JTI on 5 February

[REDACTED]

With apologies to [REDACTED], I now realise that you have taken over as Head of Government Relations in the UK.

[REDACTED]

Tobacco Control Programme

Dept of Health

tel 020 [REDACTED]

[REDACTED]

Thank you for coming to the meeting on 5 February.

With apologies for the delay, as agreed, please find attached a draft note of the meeting for your comment. Please let me know if you would like any changes made, or if you are content with this draft.

(See attached file: Note of meeting with JTI 5 Feb.doc)

Thanks

[REDACTED]
Tobacco Control Programme

Dept of Health

tel 020 [REDACTED]

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(1) -

Notes:///802574E3004A9B51/38D46BF5E8F08834852564B500129B2C/B12302B0B97C718380257B2E002DD9B6

[REDACTED]
/PH3/DOH/GB
11/03/2013 17:29

To "[REDACTED]" <[REDACTED]@jti.com>
cc
bcc [REDACTED]
Subj RE: Tobacco Packaging DH/JTI IA Consultation Meeting -
ect JTI

Dear [REDACTED]

Thank you for your email, and for the product list. I trust you safely received the first copy you provided back in the post.

The minutes from our recent meeting are being finalised, and we will send you a copy to review shortly.

Yours sincerely,

[REDACTED]
Tobacco Programme Manager
Department of Health

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

Get off cigarettes with NHS support - call 0800 169 0 169 or visit
www.nhs.uk/gosmokefree

"[REDACTED]"
[REDACTED]@jti.com>
11/03/2013 09:26

To [REDACTED]/PH3/DOH/GB@DOH
cc
Subj RE: Tobacco Packaging DH/JTI IA Consultation Meeting -
ect JTI

Dear [REDACTED]

I understand that you asked [REDACTED] in earlier correspondence whether it would be possible for JTI to share with the Department of Health a copy of our price list without the RRP's. In reply to this particular request for information, please see attached a copy of our RRP-redacted price list.

Further to JTI's meeting with you on 5th February, I would be most grateful if you could let me know when a copy of the meeting minutes might be available for review.

I'm not sure whether you are aware, but [REDACTED] has now left JTI UK to take up a post in one of our other offices – I have now taken over his role as Head of Government Relations in the

UK, so please do feel free to direct any queries or correspondence to either me or [REDACTED]
[REDACTED]

Kind regards

[REDACTED]

[REDACTED]

Head of Government Relations, UK
Corporate Affairs & Communications

+44 (0)1932 [REDACTED]
+44 ([REDACTED]
[REDACTED]@jti.com

JTI UK
Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

Gallaher Limited is the registered trading company of JTI in the UK

From: [REDACTED]@dh.gsi.gov.uk [mailto:[REDACTED]@dh.gsi.gov.uk]
Sent: 21 February 2013 15:39
To: [REDACTED]
Subject: Re: Tobacco Packaging DH/JTI IA Consultation Meeting - JTI

Dear [REDACTED],

Yes, I will put the document in the post today.

The most useful aspect of this document was being able to see the wide range of brands and brand variants across your tobacco portfolio.

Would it be possible for us to get such a list (ideally with illustrations of the packs) without recommended prices being shown?

Yours sincerely,

[REDACTED]

Tobacco Programme Manager

Department of Health

Tel: 020 [REDACTED]

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

Get off cigarettes with NHS support - call 0800 169 0 169 or visit
www.nhs.uk/gosmokefree

"[REDACTED]" <[REDACTED]@jti.com>

"[REDACTED]"
<[REDACTED]@jti.com>

21/02/2013 14:34

To [REDACTED]/PH3/DOH/GB@DOH
cc [REDACTED]/OIS/DOH@DOH
Subject Tobacco Packaging DH/JTI IA Consultation Meeting - JTI

Dear [REDACTED]

Thank you for the offer; on reflection it may be that the best option is for you to post the price list back to us at JTI, if it is not too much trouble.

Yours sincerely

[REDACTED]

Head of Government Relations, UK

Corporate Affairs & Communications

+44 (0)1932 [REDACTED]

+44 ([REDACTED])

[REDACTED]@jti.com

JTI UK

Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

Gallaher Limited is the registered trading company of JTI UK.

From: [REDACTED]@dh.gsi.gov.uk [mailto:[REDACTED]@dh.gsi.gov.uk]

Sent: 21 February 2013 14:07

To: [REDACTED]

Cc: [REDACTED]@dh.gsi.gov.uk

Subject: Re: Tobacco Packaging DH/JTI IA Consultation Meeting - JTI

Dear [REDACTED],

Thank you for your email.

We understand that the price lists you let us have are commercially confidential. Nevertheless, the information on these price lists is not critical for us, and I would be

happy to return the documents to you or destroy them in a secure manner if you would prefer.

We will provide further information on TNCO yield testing as soon as we can.

Yours sincerely,

[REDACTED]

Tobacco Programme Manager

Department of Health

Tel: 020 [REDACTED]

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

Get off cigarettes with NHS support - call 0800 169 0 169 or visit www.nhs.uk/gosmokefree

"[REDACTED]" <[REDACTED]@jti.com>

"[REDACTED]"
<[REDACTED]@jti.com>

21/02/2013
13:55

To
cc

Su
bje
ct

[REDACTED]
Tobacco Packaging DH/JTI IA Consultation Meeting - JTI

Dear [REDACTED]

Thank you for meeting with [REDACTED] and me on 5th February to discuss aspects of JTI's response to the Consultation on the Standardised Packaging of Tobacco Products and accompanying draft Impact Assessment.

Please find attached a PDF of the slides presented during our meeting. As agreed, we have redacted commercially sensitive and confidential parts of the slides (slides 6, 7 and 9). We have done our utmost to leave the slides intact as much as possible and, therefore, have only redacted information which relates to pack images and pricing information that are highly confidential and commercially sensitive.

In addition, at our meeting we provided for you copies of our price list which identified recommended retail prices applicable from March to September 2012. We did so noting that price list information is treated by JTI as being confidential and commercially sensitive and recognising the fact that, as the Department of Health (DH) will be aware, competition law concerns can arise from disclosure of sensitive commercial information. In providing you with such information, we wish to be very clear that we expect you to resist vigorously any Freedom of Information request that you may receive where our commercially sensitive information may be in scope. We would expect you to adopt the same approach as the competition authorities to protect commercially sensitive information - which is to resist disclosure forcefully.

We provided you with an additional copy of JTI's Response to the DH's Consultation on the Standardised Packaging of Tobacco Products including the expert reports annexed to it. As we explained at the meeting, the attached presentation should not be regarded as encapsulating all of JTI's views. Our full consultation response explains in more detail why JTI is categorically opposed to the plain packaging of tobacco products. It also provides our views on Better Regulation and the flawed and incomplete evidence base that underpinned the consultation.

We also confirmed that Dr Andrew Lilico might be able to provide further detail or clarification on his report (*Economic Analysis of a Plain Packs Requirement in the UK, A Report from Europe Economics*) if it would be helpful to the DH. Furthermore, we suggested that the DH ought to discuss with retail representative bodies the role of the cash flow and footfall generated by the tobacco category in sustaining the financial position of community retailers.

Lastly, we would be grateful if you could confirm when we can expect the draft meeting minutes for our review.

On a separate note, we also relayed our concern regarding the closure of Arista UK's laboratory at our meeting. The Tobacco Manufacturers' Association (TMA) informed us of your email to them dated 13 February – thank you for letting us know that you are looking into the matter. We are conscious the 9 March deadline for the delivery of samples pursuant to the DH's guidance to date, is fast approaching. Therefore, we would be grateful for your guidance on the delivery arrangement for the samples as soon as possible. In the event that we do not receive further guidance by 28 February, please note that we will carry out the testing of the samples in our EU-approved laboratory in Trier, Germany, in order to fulfil our sampling & TNCO verification requirement in the UK.

Please let us know if we can be of further assistance.

Your sincerely

██████████

Head of Government Relations, UK

Corporate Affairs & Communications

+44 (0)1932 ██████████

+44 (██████████)

██████████@jti.com

JTI UK

Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

Gallaher Limited is the registered trading company of JTI UK.

From: ██████████@dh.gsi.gov.uk [mailto:██████████@dh.gsi.gov.uk]

Sent: 30 January 2013 15:37

To: [REDACTED]

Cc: [REDACTED]

Subject: Re: Tobacco Packaging DH/JTI IA Consultation Meeting - JTI

Dear [REDACTED],

Thank you for confirming who will be coming to meet with us next week on tobacco packaging from JTI.

I was wondering whether you would be able to bring some packs samples to the meeting, including flip top boxes, slide packs and other innovative packaging? We don't necessarily need the tobacco products, just the packaging. I would also be interested to know how tobacco packs are constructed - including inner components of the pack.

See you on Tuesday.

Many thanks,

[REDACTED]

Tobacco Programme Manager

Department of Health

Tel: 020 [REDACTED]

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

Get off cigarettes with NHS support - call 0800 169 0 169 or visit www.nhs.uk/gosmokefree

" [REDACTED] <[REDACTED]@jti.com>

<[redacted]
[redacted]@jti.com>

To
cc

30/01/2013
14:59

Su
bje
ct

[redacted]
Tobacco Packaging DH/JTI IA Consultation Meeting - JTI

Dear [redacted]

I can confirm the following from JTI will be attending the meeting on Tuesday 5th February, from 10.00 - 11.30am, in Room LG11 at Wellington House:

- [redacted] (Head of Corporate Affairs & Communications, JTI UK)
- [redacted] (Head of Government Relations, JTI UK)
- [redacted] (Corporate Affairs Manager, JTI UK)

Kind regards

[redacted]

From: [redacted]@dh.gsi.gov.uk [mailto:[redacted]@dh.gsi.gov.uk]

Sent: Thursday, January 24, 2013 12:23 PM

To: [redacted]

Cc: [redacted]
[redacted]
[redacted]

Subject: Fw: Tobacco Packaging DH/JTI IA Consultation Meeting - JTI

Dear [redacted]

This is to let you know that the above meeting has been confirmed for Tuesday 5th February, from 10.00 - 11.30am, in Room LG11 at Wellington House. I attach location map.

(See attached file: map1.doc)

Await to receive names of people accompanying you.

[redacted]

PA to Tabitha Brufal, Deputy Director
Tobacco & Public Health Responsibility Deal
Department of Health
7th Floor North, Wellington House
133 - 155 Waterloo Road, London SE1 8UG

Tel: 020 [REDACTED]

E-mail: [REDACTED]@dh.gsi.gov.uk

----- Forwarded by [REDACTED]/MPI-PPB/DOH/GB on 24/01/2013 12:02 -----

"[REDACTED]" <[REDACTED]@iti.com>

21/01/2013 16:58

To
cc
Subject

[REDACTED]/MPI-PPB/DOH/GB@DOH
Tobacco Packaging DH/JTI IA Consultation
Meeting - JTI

Dear [REDACTED]

Thank you for your email offering 5th February, 10.00 - 11.00am for our meeting; I can confirm that JTI will be able to attend this revised date and time.

JTI attendees by name will be confirmed shortly.

Kind regards

[REDACTED]

[REDACTED]

Head of Government Relations, UK

Corporate Affairs & Communications

+44 (0)1932 [REDACTED]

+44 [REDACTED]

[redacted]@jti.com

JTI UK

Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

Gallaher Limited is the registered trading company of JTI UK.

"[redacted] <[redacted]@jti.com>

"[redacted]" <[redacted]@jti.com>

14/01/2013 08:53

To
cc
Subject

[redacted]/OIS/DOH@DOH
[redacted]/MPI-PPB/DOH/GB@DOH
Tobacco Packaging DH/JTI - IA Consultation Meetir
- JTI

Dear [redacted]

Please find attached an electronic copy of [redacted] (GM, JTI UK) reply to your letter of 3 January (also attached).

Kind regards

[redacted]

Head of Government Relations, UK

Corporate Affairs & Communications

+44 (0)1932 [redacted]

+44 [redacted]

[redacted]@jti.com

JTI UK

Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

Gallaher Limited is the registered trading company of JTI UK.

From: [REDACTED]@dh.gsi.gov.uk [mailto:[REDACTED]@dh.gsi.gov.uk]

Sent: 03 January 2013 17:36

To: [REDACTED]

Cc: [REDACTED]@dh.gsi.gov.uk; [REDACTED]

Subject: Re: Tobacco Packaging DH/JTI IA Consultation Meeting

[REDACTED]

Please find attached my letter in reply to [REDACTED] letter of 21 December.

(See attached file: JTI Invitation reply 3 Jan 2013.doc)

I hope that we will be able to arrange a meeting soon.

Thank you.

[REDACTED]

Tobacco Control Programme

Dept of Health

tel 020 [REDACTED]

"[REDACTED]" <[REDACTED]@jti.com>

21/12/2012 13:39

To
cc
Subject

[REDACTED]/MPI-PPB/DOH/GB@DOH
[REDACTED]/OIS/DOH@DOH
DH IA Consultation Meeting

Dear [REDACTED]

For your information, please find attached our letter (dated 21 December 2012) to [REDACTED] in respect of the DH consultation meeting.

Yours sincerely

[REDACTED]

[REDACTED]

Head of Government Relations, UK

Corporate Affairs & Communications

+44 (0)1932 [REDACTED]

+44 [REDACTED]

[REDACTED]@jti.com

JTI UK

Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

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Registered Office: Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, Registered in England No. 1501573

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DH users see Computer virus guidance on Delphi under Security in DH, for further details. In case of problems, please call the IT support helpdesk. *(See attached file: JTI meeting with the Department of Health 05 02 13 (redacted version).pdf)*

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JTI BRAND PORTFOLIO 2pp A4 presenter no crops.pdf

[REDACTED]/OIS/DOH

18/12/2012 16:57

To [REDACTED]@jti.com

cc [REDACTED]OIS/DOH@DOH

bcc

Subj Re: URGENT: FOI request. Department of Health
ect

Dear [REDACTED]

FOR THE ATTENTION OF [REDACTED]

Thank you very much for your letter and for pointing out several mistakes that we made. Your understanding was correct. Please be assured that the appropriate documents have been released.

Your Sincerely

[REDACTED]

[REDACTED]

Tobacco Policy Manager
Tobacco Team
7th Floor, North Spur
Wellington House
133 - 155 Waterloo Road
London
SE1 8UG

0207 [REDACTED]

SENT ON THE BEHALF OF [REDACTED] – PA TO [REDACTED]

Dear [REDACTED],

Please find attached a letter and supporting document in response to your letter of the 11 December 2012 in relation to a new FOI request.

[REDACTED]

PA to [REDACTED], Managing Director UK

+44 (0)1932 [REDACTED]
+44 (0) [REDACTED]
[REDACTED]@jti.com

JTI UK
Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

Gallaher Limited is the registered trading company of JTI in the UK

From: [REDACTED]@dh.gsi.gov.uk [mailto:[REDACTED]@dh.gsi.gov.uk]

Sent: 11 December 2012 16:23

To: [REDACTED]

Subject: URGENT: FOI request. Department of Health

[REDACTED]

Please find attached a letter and documents for the attention of [REDACTED] in relation to a new FOI request.

(See attached file: JTI third party letter 11.12.12.doc)

(See attached file: 3.1 JTI Invitation [14.11.12].doc)(See attached file: 3.2 Response to JTI consultation complaint [31.8.12].pdf)(See attached file: 3.3 JTI complaint [3.7.12].pdf)

I would be grateful for a response by Tuesday 21 December.

Many thanks

[REDACTED]

[REDACTED]

Tobacco Policy Manager

Tobacco Team

7th Floor, North Spur

Wellington House

133 - 155 Waterloo Road

London

SE1 8UG

0207 [REDACTED]

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DH users see Computer virus guidance on Delphi under Security in DH, for further details. In



case of problems, please call the IT support helpdesk. [FOI Reponse 18.12.12.pdf](#)

[REDACTED]/OIS/DOH

14/12/2012 14:44

To [REDACTED]@jti.com

cc

[REDACTED]

bcc

Subj DH IA Consultation Meeting with JTI
ect

[REDACTED]

Please find attached a reply to [REDACTED] letter of 23 November that was forwarded below. I look forward to our being able to hold a meeting to discuss the Impact Assessment for standardised tobacco packaging.



- JTI Invitation reply 14 Dec.doc

[REDACTED]
Tobacco Control Programme
Dept of Health
tel 020 [REDACTED]

"[REDACTED]
[REDACTED]@JTI.co
m>

10/12/2012 08:34

To [REDACTED]/MPI-PPB/DOH/GB@DOH
cc "[REDACTED]@jti.com">
Subj DH IA Consultation Meeting
ect

Dear [REDACTED]

Thank you for your email of 29 November suggesting dates for a meeting with DH analysts. We sent a letter on 23 November to [REDACTED] requesting further information about the nature of the meeting, a copy of which is attached.

As you will appreciate, we will need to understand in more detail what is intended to be covered at the meeting. This will ensure that the right people will be available for the meeting and that they will be properly briefed. We would therefore be grateful if [REDACTED] could reply to our letter before we commit to specific dates.

Kind regards

[REDACTED]

[REDACTED]

Head of Corporate Affairs & Communications, UK

+44 ([REDACTED])
+44 (01932) [REDACTED]
[REDACTED]@jti.com

JTI UK
Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

Gallaher Limited is the registered trading company of JTI in the UK
Gallaher Limited - A member of the JTI group of Companies

Registered Office: Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, Registered in England No. 1501573

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DH users see Computer virus guidance on Delphi under Security in DH, for further details. In case of problems, please call the IT support helpdesk.



Consultation on the standardised packaging of tobacco products - meeting request 141112.pdf

[REDACTED]/OIS/DOH
14/11/2012 12:03

To [REDACTED]@jti.com
cc Tabitha Brufal, [REDACTED]
[REDACTED]
[REDACTED]
bcc
Subj JTI Invitation to meet DH Analysts
ect

Dear [REDACTED]

Please find attached a letter inviting representatives of JTI to meet DH analysts to discuss developing the Impact Assessment for tobacco packaging.

I hope that you will feel able to take up this offer.

I would be happy to clarify any points if that would be helpful.



- JTI Invitation.doc

[REDACTED]
Tobacco Control Programme
Dept of Health
tel 020 [REDACTED]

[redacted] /CQEG/DOH/G
B

19/04/2013 14:40

To "[redacted]" <[redacted]@jti.com>

cc "[redacted]@JTI.com>," [redacted]
[redacted]@jti.com>," [redacted]
[redacted]@jti.com>," [redacted] /OIS/DOH@DOH,
[redacted] /PH3/DOH/GB@DOH

bcc

Subj Fw: DH Meeting Minutes with JTI Changes
ect

Dear [redacted]

Thank you for your further comments, which DH has accepted. I attach a final record of the meeting, which will be disclosed in response to FOI requests.



Note of meeting with JTI 5 Feb 2013 - final as agreed.doc

yours sincerely

[redacted]

Tobacco policy manager

[redacted]

Department of Health | Wellington House | 133-155 Waterloo Road | London SE1
8UG | tel - 020 [redacted] | [redacted]@dh.gsi.gov.uk

" [REDACTED]@jti.com>
15/04/2013 11:15

To [REDACTED]/CQEG/DOH/GB

cc "[REDACTED]@JTI.com>," [REDACTED]
[REDACTED]@jti.com>," [REDACTED]
[REDACTED]@jti.com>

bcc

Subj DH Meeting Minutes with JTI Changes
ect

EMAIL SENT ON BEHALF OF [REDACTED]

Dear [REDACTED]

Thank you for the revised minutes from JTI's meeting with the DH on 5th February. Please see attached for a draft which accepts all of the changes made by the DH and shows two further changes proposed by JTI – in track changes. For ease of reference, I also list below the proposed changes with our reasons for their inclusion:

· **Inclusion of the phrase “who provided their independent opinions” in reference to Professor Zimmerman and Chaudhry’s report:** Professors Zimmerman and Chaudhry's analysis represents their independent opinions (as they themselves state in the report: "We have been requested to prepare this report for Japan Tobacco International (JTI). However, the views expressed are our own and build on our expertise in the area of illicit trade."). This is a point on which the experts feel particularly strongly and something we stressed during the meeting hence the statement reflects the discussion and should be included the minutes.

· **Reference to the Cogent research being commissioned by the TMA:** the Cogent research was commissioned by the TMA, and not JTI.

I would be most grateful if you could confirm whether the DH are able to accept these amendments in the final meeting minutes.

Yours sincerely

[REDACTED]

Head of Corporate Affairs & Communications, UK

[REDACTED]

PA to Head of Corporate Affairs & Communications &
Head of Community Relations, UK

Corporate Affairs

+44 (0) [REDACTED]

[REDACTED]@jti.com

JTI UK

Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

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Gallaher Limited - A member of the JTI group of Companies
Registered Office: Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, Registered in England No. 1501573

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DH users see Computer virus guidance on Delphi under Security in DH, for further details. In case of problems, please call the IT support helpdesk.



- Note of meeting with JTI 5 Feb JTI comments (15 April 2013).doc

[REDACTED]/OIS/DOH

13/03/2013 17:36

To [REDACTED]@jti.com

cc [REDACTED]@jti.com

bcc

Subj Note of DH meeting with JTI on 5 February
ect

[REDACTED]
With apologies to [REDACTED], I now realise that you have taken over as Head of Government Relations in the UK.

[REDACTED]
Tobacco Control Programme
Dept of Health

tel 020 [REDACTED]

[REDACTED]/OIS/DOH

13/03/2013 14:02

To [REDACTED]@jti.com

cc [REDACTED]

bcc

Subj Note of DH meeting with JTI on 5 February
ect

[REDACTED]
Thank you for coming to the meeting on 5 February.

With apologies for the delay, as agreed, please find attached a draft note of the meeting for your comment. Please let me know if you would like any changes made, or if you are content with this draft.



- Note of meeting with JTI 5 Feb.doc

Thanks

[REDACTED]
Tobacco Control Programme
Dept of Health

tel 020 [REDACTED]

[REDACTED]/OIS/DOH
11/12/2012 16:23

To [REDACTED]@jti.com
cc
bcc
Subj URGENT: FOI request. Department of Health
ect

[REDACTED],
Please find attached a letter and documents for the attention of [REDACTED] in relation to a new FOI request.



JTI third party letter 11.12.12.doc



3.1 JTI Invitation [14.11.12].doc 3.2 Response to JTI consultation complaint [31.8.12].pdf 3.3 JTI complaint [3.7.12].pdf

I would be grateful for a response by Tuesday 21 December.

Many thanks

[REDACTED]

[REDACTED]
Tobacco Policy Manager
Tobacco Team
7th Floor, North Spur
Wellington House
133 - 155 Waterloo Road
London
SE1 8UG

0207 [REDACTED]

[REDACTED]/OIS/DOH

27/11/2012 14:17

To "[REDACTED]" <[REDACTED]@jti.com>

cc

bcc

Subj DH freedom of Information Request
ect

Dear [REDACTED]

Please find attached my letter to [REDACTED] in reply to his of 23 and 27 November relating to the DH Freedom of Information Request.



- JTI reply to third party letter responses 27 Nov.doc

For ease of his consideration, I am also attaching copies of the relevant documents.

Do let me know of any further query or difficulty.

[REDACTED]
Tobacco Control Programme
Dept of Health

tel 020 [REDACTED]



31 August letter to JTI from DH - 3.pdf



5 July letter to DH from JTI for Gallaher Ltd relating to requirements of the Tobacco Products - 5.pdf



5 September letter to DH from JTI for Gallaher Ltd relating to requirements of the Tobacco Products - 8.pdf



8 August letter to DH from JTI for Gallaher Ltd relating to requirements of the Tobacco Products - 6.pdf



17 May DH letter to JTI in reply to letters of 30 April - 11.pdf



23 May letter to DH from JTI for Gallaher LTD about the requirements of the Tobacco Products - 4.pdf

[REDACTED]/PH3/DOH/GB

27/02/2012 11:06

To [REDACTED]@jti.com

cc [REDACTED]@ico.gsi.gov.uk

bcc [REDACTED]/OIS/DOH

Subj Freedom of Information Act (FOIA): Department of Health
ect action following DN FS 50403403

Dear [REDACTED]

Please find attached the Department of Health's follow up letter following the outstanding action set out in the recent Decision Notice dated 31st January as detailed above.



DH letter to JTI 27.02.2012 Final.pdf

[REDACTED]
Senior Casework Manager
Freedom of Information Team
Ministerial Business & Parliamentary Accountability
Direct Line 0207 [REDACTED]
Email: [REDACTED]@dh.gsi.gov.uk
Address:: Department of Health Room 317 Richmond House
79 Whitehall, LONDON SW1A 2NS

[REDACTED] /CQEG/DOH/G To "[REDACTED]@JTI.com">
B cc [REDACTED]
08/04/2013 16:31 bcc [REDACTED]
Subj Re: JTI & DH Meeting Minutes (5 Feb 2013)
ect

Dear [REDACTED]

Thank you for the comments on the draft note of the meeting between DH and JTI on 5 February. DH officials who attended the meeting have considered these and made some comments. The attached draft accepts JTI's comments and gives DH's amendments to these in track changes. I would be grateful for any further comments you have. A response by 15 April would be helpful.



Note of meeting with JTI 5 Feb DH comments.doc

[REDACTED]

[REDACTED]

Tobacco policy manager

[REDACTED]

Department of Health | Wellington House | 133-155 Waterloo Road | London SE1 8UG | tel - 020 [REDACTED] | [REDACTED]@dh.gsi.gov.uk

[REDACTED]@JTI.com> To [REDACTED] /CQEG/DOH/GB, [REDACTED]
21/03/2013 14:33 cc [REDACTED]
Subj JTI & DH Meeting Minutes (5 Feb 2013)
ect

Dear All,

Please find attached a "clean", revised record of the meeting between the DH and JTI which took place on 5 February 2013 and a "marked up" version which identifies the changes we are recommending. As is usually the case with comparison documents, the "marked up" document somewhat over-represents the extent of the changes being proposed. We have sought to tweak some of the wording for clarification purposes and fill in some of the factual gaps. Further, we have, where statistics are included, checked to ensure that these are as accurate as possible and supported by robust data sources.

Please let me know if you have any questions or comments.

Kind Regards

[REDACTED]

Gallaher Limited - A member of the JTI group of Companies

Registered Office: Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, Registered in England No. 1501573

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[attachment "Comparison_DH Meeting Minutes.docx" deleted by [REDACTED]
[REDACTED]/CQEG/DOH/GB] [attachment "Note of meeting with JTI 5 Feb (JTI amends) 20 03
13.doc" deleted by [REDACTED]/CQEG/DOH/GB]

[REDACTED]/OIS/DOH

22/11/2012 13:01

To [REDACTED]@jti.com

cc [REDACTED]

bcc

Subj Dept of Health Freedom of Information request
ect

Dear [REDACTED]

Please find attached a letter addressed to [REDACTED] relating to a request for information received by the Department of Health that is being considered under the Freedom of Information Act 2000.

To enable us, in reaching a decision on this FOI Act request, to consider any points you wish to make, I would be grateful if you could arrange for a response to be sent to me by close Monday 26 November 2012 if at all possible. I am sorry for the short deadline, please let me know if this presents any difficulty.



- JTI third party letter 22 Nov.doc

[REDACTED]
Tobacco Control Programme
Dept of Health

tel 020 [REDACTED]

" [redacted]@JTI.com>

21/03/2013 14:33

To [redacted]

cc

bcc

Subj JTI & DH Meeting Minutes (5 Feb 2013)
ect

Dear All,

Please find attached a "clean", revised record of the meeting between the DH and JTI which took place on 5 February 2013 and a "marked up" version which identifies the changes we are recommending. As is usually the case with comparison documents, the "marked up" document somewhat over-represents the extent of the changes being proposed. We have sought to tweak some of the wording for clarification purposes and fill in some of the factual gaps. Further, we have, where statistics are included, checked to ensure that these are as accurate as possible and supported by robust data sources.

Please let me know if you have any questions or comments.

Kind Regards

[redacted]

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- Comparison_DH Meeting Minutes.docx



- Note of meeting with JTI 5 Feb (JTI amends)

20 03 13.doc

)

[REDACTED]/OIS/DOH

13/03/2013 14:02

To [REDACTED]@jti.com

cc [REDACTED]

bcc [REDACTED]

Subj Note of DH meeting with JTI on 5 February
ect

[REDACTED]

Thank you for coming to the meeting on 5 February.

With apologies for the delay, as agreed, please find attached a draft note of the meeting for your comment. Please let me know if you would like any changes made, or if you are content with this draft.



- Note of meeting with JTI 5 Feb.doc

Thanks

[REDACTED]
Tobacco Control Programme
Dept of Health

tel 020 [REDACTED]

[REDACTED]/OIS/DOH
12/10/2010 09:32

To "[REDACTED]@jti.com>
cc [REDACTED]@jti.com>
bcc
Subj RE: WHO FCTC Articles 9 &
ect 106B36A9A5E86B3E71802577B9004E5883

Dear [REDACTED]

Many thanks for your e-mail, below.

[REDACTED]

[REDACTED]
Team Leader
Tobacco Policy
Department of Health
7.12 Wellington House
133-155 Waterloo Road
London SE1 8UG

Tel: 0207 [REDACTED], GTN 7 396 24588
Fax: 0207 [REDACTED]
E-mail: [REDACTED]@dh.gsi.gov.uk

"[REDACTED]@jti.com>
11/10/2010 15:15

To [REDACTED]/OIS/DOH@DOH
cc [REDACTED]@jti.com>
Subj RE: WHO FCTC Articles 9 & 10
ect

Dear [REDACTED]

Further to your email below, please find attached a letter and supporting note regarding JTI's views on the draft guidelines on the implementation of Articles 9 and 10 of the WHO Framework Convention on Tobacco Control (FCTC). A hard copy is also on its way to you, but if you need anything further please do not hesitate to contact me.

Thanks and kind regards,

[REDACTED]

[REDACTED]
Corporate Affairs Manager, UK

Gallaher Limited is the registered trading company of JTI in the UK

Contact Details:

Email: [REDACTED]@jti.com

DD: +44 (0) 1932 [REDACTED]

Mobile: +44 [REDACTED]

Address: JTI, Members Hill, Brooklands Rd, Weybridge, Surrey KT13 0QU

For more information about **Japan Tobacco International** visit - www.jti.com

From: [REDACTED]@dh.gsi.gov.uk [mailto:[REDACTED]@dh.gsi.gov.uk]

Sent: 08 October 2010 12:08

To: [REDACTED]

Subject: Re: WHO FCTC Articles 9 & 10

Dear [REDACTED],

Thank you for your e-mail, below.

Please feel free to copy me in to your position paper on FCTC articles 9 and 10 guidelines to the European Commission, either by e-mail or to my postal address, below.

Kind regards

[REDACTED]

[REDACTED]

Team Leader
Tobacco Policy
Department of Health
7.12 Wellington House
133-155 Waterloo Road
London SE1 8UG

Tel: 0207 [REDACTED], GTN 7 396 [REDACTED]

Fax: 0207 [REDACTED]

E-mail: [REDACTED]@dh.gsi.gov.uk

"[REDACTED]@jti.com>

08/10/2010 09:07

To: [REDACTED]/OIS/DOH@DOH
cc

Subject: WHO FCTC Articles 9 & 10

Dear [REDACTED]

Please allow me to introduce myself; I have recently taken up the post of Corporate Affairs Manager in the UK for Japan Tobacco International. I understand you have corresponded in the past with my colleague, [REDACTED] our Head of Government Relations.

We are currently sending out our position regarding the draft guidelines for the implementation of Articles 9 & 10 of the FCTC dated 15 August 2010, a copy of which you will receive. I would be enormously grateful if you could advise me on whether there are any other appropriate people at the Department of Health, who should be receiving this document. We know the European Commission is a key facilitator for the development of these guidelines, and wonder whether there is someone at the Department handling this issue for the UK on a European level.

Any advice that you might be able to offer would be greatly appreciated.

Many thanks and kind regards,

[REDACTED]

[REDACTED]

Corporate Affairs Manager, UK

Gallaher Limited is the registered trading company of JTI in the UK

Contact Details:

Email: [REDACTED]@jti.com

DD: +44 (0) 1932 [REDACTED]

Mobile: +44 [REDACTED]

Address: JTI, Members Hill, Brooklands Rd, Weybridge, Surrey KT13 0QU

For more information about **Japan Tobacco International** visit - www.jti.com

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" [redacted]@jti.com
>

21/02/2013 14:30

To [redacted]/PH3/DOH/GB@DOH

cc

[redacted]

bcc

Subj European Commission's proposal to revise the Tobacco
ect Products Directive 2001/37/EC

Dear [redacted]

European Commission's proposal to revise the Tobacco Products Directive 2001/37/EC

Further to my email below and our meeting on 5 February during which we discussed the European Commission's proposal to revise the Tobacco Products Directive, adopted on 19 December 2012 (the Proposal) and your invitation to correspond at any time, I wanted to clarify our position. On 20 December 2012, Ireland's Department of Health launched a public consultation on the Proposal, which closed on 16 January. JTI submitted its response to this consultation (a copy of which is attached) setting out our early views on the Proposal from an Irish market perspective.

JTI supports the primary aims of the Proposal, namely that minors should not smoke and should not be able to obtain tobacco products. Indeed, JTI does not object to all of the elements of the Proposal and positively welcomes certain aspects. For example, the introduction of a standardised and harmonised ingredients reporting process as based on EMTOC (Electronic Model Tobacco Control) and the 2007 EU Practical Guide would be a helpful development (if the ingredients regime is not expanded in such a way as to become unworkable). However, the key measures included in the Proposal suffer from very significant procedural, evidential, legal and constitutional flaws.

The measures set out in the Proposal lack credible evidence that they will prove effective, achieving neither Internal Market (the 27 Member States will be able to impose different regulations) nor public health objectives. JTI agrees with appropriate and proportionate regulation of tobacco products, but the Proposal is neither, in its construction or content. Without credible evidence, the measures are profoundly disproportionate and bring into question the competence of the EU to legislate.

The Proposal would have widespread negative effects, not least an increase in the availability of smuggled and counterfeit tobacco products. Insofar as the substance of the Proposal is concerned, the measures proposed will inhibit innovation in the industry, despite EU and UK policy explicitly promoting innovation and when it is apparent that innovative designs deter counterfeiters. The unsubstantiated, disproportionate measures in the Proposal include:

- imposing **outsized pictorial health warnings** covering 75% of the front and back pack surfaces, positioned at the top edge and leaving inadequate space for branding;

- banning entire categories of products - **menthol** and **small diameter** cigarettes - that are manufactured and sold legally to millions of adult customers throughout the EU and which represent some 9% of UK cigarette sales;

- prescribing **minimum pack sizes** - the Proposal would ban all rolling tobacco packs below 40g (78.6% of all rolling tobacco sold in the UK is in 12.5g or 25g pack sizes) and all cigarette packs with less than 20 cigarettes (25.8% of all cigarettes sold in the UK are in sub-20s format, with 10s packs predominant). Together, these make up some 41% of the UK tobacco market; this despite the fact that in 2008 following a public consultation the UK Government decided not to increase minimum pack sizes:

(www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/documents/digitalasset/dh_091384.pdf)

- prescribing extensive details of **pack design**, including shape, size, materials, opening mechanisms, and further prescribing descriptors, so as to significantly homogenise the market, damage brands and prevent innovation;

- **banning various ingredients**, without any scientific basis, and requiring the Member States to set up disparate and costly ingredient-by-ingredient analysis regimes, with no apparent purpose; and

- **expanding the ingredients regime** to make it unworkable.

The Proposal also seeks to transfer powers from the Member States, the Council and European Parliament to the Commission, across 16 areas, allowing the Commission to make dramatic changes to the regulation of tobacco products without appropriate legislative scrutiny. In particular, the Proposal transfers indefinite, ill-defined and almost unfettered "delegated" and "implementing" powers to the Commission, thereby enabling the Commission to adopt yet further public health motivated regulation without the proper oversight of Member States, the Council and the European Parliament.

The extent of these powers reflects the Proposal's disregard for the principle of subsidiarity, as enshrined in Article 5 of the Treaty on European Union, as it seeks to regulate public health in circumstances where harmonisation in this area is expressly excluded (by virtue of Article 168(5) of the Treaty on the Functioning of the European Union). The Proposal effectively transfers public health policy regarding tobacco products (and indeed non-tobacco products) to the EU.

Indeed, the European Scrutiny Committee of the House of Commons has already conducted a preliminary assessment of the Proposal noting that the timetable is "ambitious" and has requested further information from the Government on whether the legal base is "appropriate" or gives rise to concerns about subsidiarity. It is also worth noting that both the Italian Senate and the Czech Republic Committee for the European Union have both already given negative opinions in relation to the Proposal and subsidiarity.

In addition, JTI has concerns regarding the interaction between the Proposal and the UK Consultation on Standardised Packaging of Tobacco Products and the Department of Health's

(DH) on-going work in that area. As raised with you at our meeting on 5 February, JTI remains unclear as to the DH's position on its current work on plain packaging in the light of the Proposal, and also the DH's views on the EU's impact assessment accompanying the Proposal. We would encourage the DH to consider undertaking a public consultation similar to that undertaken by Ireland, in order to canvass views on the Proposal from a UK perspective and inform the DH's position on these issues.

JTI is committed to playing an important role in the development of an appropriate and proportionate regulatory regime for tobacco products. In light of the concerns we have highlighted above (and expanded on more fully in the enclosed response) we would welcome the opportunity to discuss these issues with you further.

Your sincerely

[REDACTED]

Head of Government Relations, UK

Corporate Affairs & Communications

+44 (0)1932 [REDACTED]

+44 [REDACTED]

[REDACTED]@jti.com

JTI UK

Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

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From: [REDACTED]

Sent: 21 February 2013 13:55

To: [REDACTED]@dh.gsi.gov.uk'

Cc: [REDACTED]

Subject: Tobacco Packaging DH/JTI IA Consultation Meeting - JTI

Dear [REDACTED]

Thank you for meeting with [REDACTED] and me on 5th February to discuss aspects of JTI's response to the Consultation on the Standardised Packaging of Tobacco Products and accompanying draft Impact Assessment.

Please find attached a PDF of the slides presented during our meeting. As agreed, we have redacted commercially sensitive and confidential parts of the slides (slides 6, 7 and 9). We have done our utmost to leave the slides intact as much as possible and, therefore, have only redacted information which relates to pack images and pricing information that are highly confidential and commercially sensitive.

In addition, at our meeting we provided for you copies of our price list which identified recommended retail prices applicable from March to September 2012. We did so noting that price list information is treated by JTI as being confidential and commercially sensitive and recognising the fact that, as the Department of Health (DH) will be aware, competition law concerns can arise from disclosure of sensitive commercial information. In providing you with such information, we wish to be very clear that we expect you to resist vigorously any Freedom of Information request that you may receive where our commercially sensitive information may be in scope. We would expect you to adopt the same approach as the competition authorities to protect commercially sensitive information - which is to resist disclosure forcefully.

We provided you with an additional copy of JTI's Response to the DH's Consultation on the Standardised Packaging of Tobacco Products including the expert reports annexed to it. As we explained at the meeting, the attached presentation should not be regarded as encapsulating all of JTI's views. Our full consultation response explains in more detail why JTI is categorically opposed to the plain packaging of tobacco products. It also provides our views on Better Regulation and the flawed and incomplete evidence base that underpinned the consultation.

We also confirmed that Dr Andrew Lilico might be able to provide further detail or clarification on his report (*Economic Analysis of a Plain Packs Requirement in the UK, A Report from Europe Economics*) if it would be helpful to the DH. Furthermore, we suggested that the DH ought to discuss with retail representative bodies the role of the cash flow and footfall generated by the tobacco category in sustaining the financial position of community retailers.

Lastly, we would be grateful if you could confirm when we can expect the draft meeting minutes for our review.

On a separate note, we also relayed our concern regarding the closure of Arista UK's laboratory at our meeting. The Tobacco Manufacturers' Association (TMA) informed us of your email to them dated 13 February – thank you for letting us know that you are looking into the matter. We are conscious the 9 March deadline for the delivery of samples pursuant to the DH's guidance to date, is fast approaching. Therefore, we would be grateful for your guidance on the delivery arrangement for the samples as soon as possible. In the event that we do not receive further guidance by 28 February, please note that we will carry out the

testing of the samples in our EU-approved laboratory in Trier, Germany, in order to fulfil our sampling & TNCO verification requirement in the UK.

Please let us know if we can be of further assistance.

Your sincerely

[REDACTED]

Head of Government Relations, UK

Corporate Affairs & Communications

+44 (0)1932 [REDACTED]

+44 [REDACTED]

[REDACTED]@jti.com

JTI UK

Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

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From: [REDACTED]@dh.gsi.gov.uk [mailto:[REDACTED]@dh.gsi.gov.uk]

Sent: 30 January 2013 15:37

To: [REDACTED]

Cc: [REDACTED]

Subject: Re: Tobacco Packaging DH/JTI IA Consultation Meeting - JTI

Dear [REDACTED]

Thank you for confirming who will be coming to meet with us next week on tobacco packaging from JTI.

I was wondering whether you would be able to bring some packs samples to the meeting, including flip top boxes, slide packs and other innovative packaging? We don't necessarily need the tobacco products, just the packaging. I would also be interested to know how tobacco packs are constructed - including inner components of the pack.

See you on Tuesday.

Many thanks,

[REDACTED]
Tobacco Programme Manager
Department of Health

Tel: 020 [REDACTED]

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

Get off cigarettes with NHS support - call 0800 169 0 169 or visit www.nhs.uk/gosmokefree

" [REDACTED] <[REDACTED]@jti.com>

" [REDACTED]@jti.com>

30/01/2013 14:59

[IMAG [IMAGE]
E]

To [REDACTED]/MPI-PPB/DOH/GB@DOH

[IMAG [IMAGE]
E]

cc

[REDACTED]

"
< [REDACTED] >

[IMAG [IMAGE]
E]

Subject: Tobacco Packaging DH/JTI IA Consultation Meeting - JTI

[IMAGE]

[IMAGE]

Dear [REDACTED]

I can confirm the following from JTI will be attending the meeting on Tuesday 5th February, from 10.00 - 11.30am, in Room LG11 at Wellington House:

- [REDACTED] (Head of Corporate Affairs & Communications, JTI UK)
- [REDACTED] (Head of Government Relations, JTI UK)
- [REDACTED] (Corporate Affairs Manager, JTI UK)

Kind regards

[REDACTED]

From: [REDACTED]@dh.gsi.gov.uk [mailto:[REDACTED]@dh.gsi.gov.uk]

Sent: Thursday, January 24, 2013 12:23 PM

To: [REDACTED]

Cc: [REDACTED]

Subject: Fw: Tobacco Packaging DH/JTI IA Consultation Meeting - JTI

Dear [REDACTED]

This is to let you know that the above meeting has been confirmed for Tuesday 5th February, from 10.00 - 11.30am, in Room LG11 at Wellington House. I attach location map.

(See attached file: map1.doc)

Await to receive names of people accompanying you.

[REDACTED]
PA to Tabitha Brufal, Deputy Director
Tobacco & Public Health Responsibility Deal
Department of Health
7th Floor North, Wellington House
133 - 155 Waterloo Road, London SE1 8UG

Tel: 020 [REDACTED]

E-mail: [REDACTED]@dh.gsi.gov.uk

----- Forwarded by [REDACTED]/MPI-PPB/DOH/GB on 24/01/2013 12:02 -----

"[REDACTED]"
<[REDACTED]@jti.com>

21/01/2013 16:58

[IMAGE] [IMAGE]

To [REDACTED]/MPI-PPB/DOH/GB@DOH

[IMAGE] [IMAGE]

cc

[IMAGE] [IMAGE]

Subject Tobacco Packaging DH/JTI IA
t Consultation Meeting - JTI

[IMAGE] [IMAGE]

Dear [REDACTED]

Thank you for your email offering 5th February, 10.00 - 11.00am for our meeting; I can confirm that JTI will be able to attend this revised date and time.

JTI attendees by name will be confirmed shortly.

Kind regards

[REDACTED]

[REDACTED]
Head of Government Relations, UK
Corporate Affairs & Communications

+44 (0)1932 [REDACTED]

+44 [REDACTED]

[REDACTED]@jti.com

JTI UK

Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

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" [REDACTED] " < [REDACTED]@jti.com >

" [REDACTED] "
< [REDACTED]@jti.com >

14/01/2013 08:53

To [REDACTED]/OIS/DOH@DOH

cc [REDACTED]/MPI-PPB/DOH/GB@DOH

Sub Tobacco Packaging DH/JTI IA
ject Consultation Meeting - JTI

[IMAGE]

[IMAGE]

Dear [REDACTED]

Please find attached an electronic copy of [REDACTED] (GM, JTI UK) reply to your letter of 3 January (also attached).

Kind regards

[REDACTED]
Head of Government Relations, UK
Corporate Affairs & Communications

+44 (0)1932 [REDACTED]
+44 [REDACTED]
[REDACTED]@jti.com

JTI UK
Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

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From: [REDACTED]@dh.gsi.gov.uk [mailto:[REDACTED]@dh.gsi.gov.uk]

Sent: 03 January 2013 17:36

To: [REDACTED]

Cc: [REDACTED]

Subject: Re: Tobacco Packaging DH/JTI IA Consultation Meeting

[REDACTED]

Please find attached my letter in reply to [REDACTED] letter of 21 December.

(See attached file: JTI Invitation reply 3 Jan 2013.doc)

I hope that we will be able to arrange a meeting soon.

Thank you.

[REDACTED]
Tobacco Control Programme
Dept of Health

tel 020 [REDACTED]

" [REDACTED] <[REDACTED]@jti.com>

" [REDACTED] <[REDACTED]@jti.com>

21/12/2012 13:39

To [REDACTED]/MPI-
PPB/DOH/GB@DOH

cc [REDACTED]/OIS/DOH@DOH

Subj DH IA Consultation Meeting
ect

[IMAGE]

[IMAGE]

Dear [REDACTED]

For your information, please find attached our letter (dated 21 December 2012) to [REDACTED] in respect of the DH consultation meeting.

Yours sincerely

[REDACTED]

[REDACTED]
Head of Government Relations, UK
Corporate Affairs & Communications

+44 (0)1932 [REDACTED]
+44 [REDACTED]
[REDACTED]@jti.com

JTI UK
Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

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Registered in England No. 1501573

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- image002.png



- image003.png



- JTI_s Consultation Response_Ireland__16
January 2013_.pdf.pdf

From: [REDACTED]
Sent: 21 February 2013 13:55
To: [REDACTED]@dh.gsi.gov.uk'
Cc: [REDACTED]
[REDACTED]

Subject: Tobacco Packaging DH/JTI IA Consultation Meeting - JTI

Dear [REDACTED]

Thank you for meeting with [REDACTED] and me on 5th February to discuss aspects of JTI's response to the Consultation on the Standardised Packaging of Tobacco Products and accompanying draft Impact Assessment.

Please find attached a PDF of the slides presented during our meeting. As agreed, we have redacted commercially sensitive and confidential parts of the slides (slides 6, 7 and 9). We have done our utmost to leave the slides intact as much as possible and, therefore, have only redacted information which relates to pack images and pricing information that are highly confidential and commercially sensitive.

In addition, at our meeting we provided for you copies of our price list which identified recommended retail prices applicable from March to September 2012. We did so noting that price list information is treated by JTI as being confidential and commercially sensitive and recognising the fact that, as the Department of Health (DH) will be aware, competition law concerns can arise from disclosure of sensitive commercial information. In providing you with such information, we wish to be very clear that we expect you to resist vigorously any Freedom of Information request that you may receive where our commercially sensitive information may be in scope. We would expect you to adopt the same approach as the competition authorities to protect commercially sensitive information - which is to resist disclosure forcefully.

We provided you with an additional copy of JTI's Response to the DH's Consultation on the Standardised Packaging of Tobacco Products including the expert reports annexed to it. As we explained at the meeting, the attached presentation should not be regarded as encapsulating all of JTI's views. Our full consultation response explains in more detail why JTI is categorically opposed to the plain packaging of tobacco products. It also provides our views on Better Regulation and the flawed and incomplete evidence base that underpinned the consultation.

We also confirmed that Dr Andrew Lilico might be able to provide further detail or clarification on his report (*Economic Analysis of a Plain Packs Requirement in the UK, A Report from Europe Economics*) if it would be helpful to the DH. Furthermore, we suggested that the DH ought to discuss with retail representative bodies the role of the cash flow and footfall generated by the tobacco category in sustaining the financial position of community retailers.

Lastly, we would be grateful if you could confirm when we can expect the draft meeting minutes for our review.

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Please let us know if we can be of further assistance.

Your sincerely

██████████

Head of Government Relations, UK

Corporate Affairs & Communications

+44 (0)1932 ██████████

+44 ██████████

██████████@jti.com

JTI UK

Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

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From: [REDACTED]@dh.gsi.gov.uk [mailto:[REDACTED]@dh.gsi.gov.uk]

Sent: 30 January 2013 15:37

To: [REDACTED]

Cc: [REDACTED]

Subject: Re: Tobacco Packaging DH/JTI IA Consultation Meeting - JTI

Dear [REDACTED],

Thank you for confirming who will be coming to meet with us next week on tobacco packaging from JTI.

I was wondering whether you would be able to bring some packs samples to the meeting, including flip top boxes, slide packs and other innovative packaging? We don't necessarily need the tobacco products, just the packaging. I would also be interested to know how tobacco packs are constructed - including inner components of the pack.

See you on Tuesday.

Many thanks,

[REDACTED]
Tobacco Programme Manager
Department of Health

Tel: 020 [REDACTED]

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

Get off cigarettes with NHS support - call 0800 169 0 169 or visit www.nhs.uk/gosmokefree

" [REDACTED] " < [REDACTED]@jti.com >

" [REDACTED] "
< [REDACTED]@jti.com >

30/01/2013 14:59

[IMAG [IMAGE]
E]

To [REDACTED]/MPI-PPB/DOH/GB@DOH

[IMAG [IMAGE]
E]

cc

[REDACTED]

>

[IMAG [IMAGE]
E]

Tobacco Packaging DH/JTI IA Consultation
Subj Meeting - JTI
ect

[IMAGE]

[IMAGE]

Dear [REDACTED]

I can confirm the following from JTI will be attending the meeting on Tuesday 5th February, from 10.00 - 11.30am, in Room LG11 at Wellington House:

- [REDACTED] (Head of Corporate Affairs & Communications, JTI UK)

[REDACTED] (Head of Government Relations, JTI UK)

- [REDACTED] (Corporate Affairs Manager, JTI UK)

Kind regards

[REDACTED]

From: [REDACTED]

Sent: Thursday, January 24, 2013 12:23 PM

To: [REDACTED]

Cc: [REDACTED]

Subject: Fw: Tobacco Packaging DH/JTI IA Consultation Meeting - JTI

Dear [REDACTED]

This is to let you know that the above meeting has been confirmed for Tuesday 5th February, from 10.00 - 11.30am, in Room LG11 at Wellington House. I attach location map.

(See attached file: map1.doc)

Await to receive names of people accompanying you.

[REDACTED]
PA to Tabitha Brufal, Deputy Director
Tobacco & Public Health Responsibility Deal
Department of Health
7th Floor North, Wellington House
133 - 155 Waterloo Road, London SE1 8UG

Tel: 020 [REDACTED]

E-mail: [REDACTED]@dh.gsi.gov.uk

----- Forwarded by [REDACTED]/MPI-PPB/DOH/GB on 24/01/2013 12:02 -----

"[REDACTED]"
<[REDACTED]@jti.com>

21/01/2013 16:58

[IMAGE] [IMAGE]

To [REDACTED]MPI-PPB/DOH/GB@DOH

[IMAGE] [IMAGE]

cc

[IMAGE] [IMAGE]

Subject Tobacco Packaging DH/JTI IA
t Consultation Meeting - JTI

[IMAGE] [IMAGE]

Dear [REDACTED]

Thank you for your email offering 5th February, 10.00 - 11.00am for our meeting; I can confirm that JTI will be able to attend this revised date and time.

JTI attendees by name will be confirmed shortly.

Kind regards

[REDACTED]

[REDACTED]
Head of Government Relations, UK
Corporate Affairs & Communications

+44 (0)1932 [REDACTED]

+44 [REDACTED]

[REDACTED]@jti.com

JTI UK

Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

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" [REDACTED] < [REDACTED]@jti.com >

" [REDACTED] "
< [REDACTED]@jti.com >

To [REDACTED]/OIS/DOH@DOH

14/01/2013 08:53

cc [REDACTED]/MPI-PPB/DOH/GB@DOH

Sub Tobacco Packaging DH/JTI IA
ject Consultation Meeting - JTI

[IMAGE]

[IMAGE]

Dear [REDACTED]

Please find attached an electronic copy of [REDACTED] (GM, JTI UK) reply to your letter of 3 January (also attached).

Kind regards

[REDACTED]
Head of Government Relations, UK
Corporate Affairs & Communications

+44 (0)1932 [REDACTED]
+44 [REDACTED]
[REDACTED]@jti.com

JTI UK
Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

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From: [REDACTED]@dh.gsi.gov.uk [mailto:[REDACTED]@dh.gsi.gov.uk]

Sent: 03 January 2013 17:36

To: [REDACTED]

Cc: [REDACTED]

Subject: Re: Tobacco Packaging DH/JTI IA Consultation Meeting

[REDACTED]

Please find attached my letter in reply to [REDACTED] letter of 21 December.

(See attached file: JTI Invitation reply 3 Jan 2013.doc)

I hope that we will be able to arrange a meeting soon.

Thank you.

[REDACTED]

Tobacco Control Programme

Dept of Health

tel 020 [REDACTED]

" [REDACTED]@jti.com >

"[REDACTED]" <[REDACTED]@jti.com>

21/12/2012 13:39

To [REDACTED]/MPI-
PPB/DOH/GB@DOH

cc [REDACTED]/OIS/DOH@DOH

Subj DH IA Consultation Meeting
ect

[IMAGE]

[IMAGE]

Dear [REDACTED]

For your information, please find attached our letter (dated 21 December 2012) to [REDACTED] in respect of the DH consultation meeting.

Yours sincerely

[REDACTED]

[REDACTED]
Head of Government Relations, UK
Corporate Affairs & Communications

+44 (0)1932 [REDACTED]
+44 [REDACTED]
[REDACTED]@jti.com

JTI UK
Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

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Registered in England No. 1501573

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 - image002.png  - image003.png  - JTI_s Consultation Response _Ireland__16
January 2013_.pdf.pdf

" [REDACTED]
[REDACTED]@jti.com>
18/10/2010 15:26

To [REDACTED]/OIS/DOH@DOH
cc "[REDACTED]@jti.com>
bcc
Subj JTI: FCTC Articles 9 & 10 - additional papers
ect

Dear [REDACTED]

Further to my communication last week setting out JTI's views on Articles 9 and 10 of the FCTC, please find attached two briefing papers that we would like the Department of Health to have sight of, also in relation to Articles 9 and 10. I would be hugely grateful if you could pass them on to any appropriate colleagues in the Department. The documents are:

Ø

ø

These documents were sent to SCENIHR on 3 September 2010.

Please do come back to me if you need anything further.

Thanks and kind regards

[REDACTED]

||

||

[REDACTED]

Corporate Affairs Manager, UK

Gallaher Limited is the registered trading company of JTI in the UK

Contact Details:

Email: [REDACTED]@jti.com

DD: +44 (0) 1932 [REDACTED]

Mobile: +44 [REDACTED]

Address: JTI, Members Hill, Brooklands Rd, Weybridge, Surrey KT13 0QU

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" [REDACTED]
[REDACTED]@JTI.com> To Balance of Competences/OIS/DOH@DOH
28/02/2013 09:59 cc
Subj JTI's Response to the Call for Evidence
ect

Dear Sir or Madam,

Please see attached for JTI's Response to the Call for Evidence to the Department of Health's Review of the Balance of Competences.

Also attached is JTI's submission made in response to the Irish Department of Health's consultation on revised Tobacco Products Directive 2001/37/EC (TPD). As explained in JTI's Response to the Call for Evidence, our submission to the Irish Department of Health sets out more fully our concerns regarding the revised TPD.

Regards,

[REDACTED]
Head of Corporate Affairs & Communications, UK

+44 [REDACTED]
+44 (01932) [REDACTED]
[REDACTED]@jti.com

JTI UK
Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

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JTI Response to UK Balance of Competences Review _28 February 2013_.pdf



JTI_s Consultation Response _Ireland_ 16 January 2013_.pdf

" [REDACTED]
[REDACTED]@jti.com
>

17/05/2011 17:10

To [REDACTED]/OIS/DOH@DOH

cc

bcc

Subj JTI response to the EU consultation on the Tobacco
ect Products Directive (2001/37/EC)

Dear [REDACTED]

Possible Revision of the EU Tobacco Products Directive 2001/37/EC: Issues Raised by DG SANCO's Public Consultation (2010)

As you will be aware, the European Commission launched a Consultation on the possible revision of the Tobacco Products Directive 2001/37/EC ('the EU Consultation'), which closed on 17th December 2010.

JTI's views on the EU Consultation were posted to you and your Department colleagues today but please also find attached electronic versions of the correspondence we addressed to you, including:

§§§

Given the issues raised in the EU Consultation, extensive consultation with Member States will clearly be necessary and we would welcome the opportunity to discuss these issues further with you and the Department.

Yours sincerely

[REDACTED]

Head of Government Relations, UK

Gallaher Limited is the registered trading company of JTI in the UK

Contact Details:

Email: ben.townsend@jti.com

DD: +44 (0) 1932 [REDACTED]

Mobile: +44 [REDACTED]

Address: JTI, Members Hill, Brooklands Rd, Weybridge, Surrey KT13 0QU

For more information about **Japan Tobacco International** visit - www.jti.com

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- JTI Covering Letter - EU

Tobacco Products Directive consultation (Mr Lee McGill).pdf  - JTI Online Submission - Tobacco

Products Directive 2001-37-EC.pdf  - JTI Briefing Note - Tobacco

Products Directive 2001-37 - EC (key issues).pdf

From: [REDACTED] [mailto:[REDACTED]@jti.com]
Sent: 22 May 2013 22:04
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: DH Freedom of Information Request

Dear [REDACTED]

I confirm that we are content for the note attached to your email to be disclosed. Please do let me know if you receive other FOI requests in response to which you may wish to disclose correspondence with JTI.

Kind regards

[REDACTED]

|

|

[REDACTED]

Head of Government Relations, UK
Corporate Affairs & Communications

+44 (0) 1932 [REDACTED]

+44 [REDACTED]

[REDACTED]@jti.com

JTI UK

Members Hill, Brooklands Road, Weybridge, Surrey KT13 0QU

jti.com

From: [REDACTED]
Sent: 21 May 2013 13:31
To: [REDACTED]

Cc: [REDACTED]

Subject: DH Freedom of Information Request

[REDACTED]

DH Freedom of Information Request

We have received a request for information under the Freedom of Information Act regarding the letter DH sent [REDACTED] on 24 January 2013, as attached. This letter was referred to in the note of the meeting on 5 February which was disclosed in response to an earlier FOI request.

As you know, 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 an '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.

Please let me know if you have any views about the question of disclosure of any information under this request, or matters that you wish us to take into consideration. All relevant factors will be taken into account when deciding whether disclosure of the information identified is required under the FOI Act, in particular where appropriate, the public interest considerations both in favour of and against disclosure.

I would be grateful if you could respond to me by **28 May** to enable DH to consider any points you wish to make and reach a decision within statutory the FOI Act deadline.

If we do not hear from you by this date, we will assume that you are content with the disclosure of the attached note.

Yours sincerely

[REDACTED]

Tobacco Control Programme

Dept of Health

tel 020 [REDACTED]

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From: [REDACTED]
Sent: 14 May 2013 10:46
To: [REDACTED]
Cc: [REDACTED]; [REDACTED]
Subject: RE: DH Meeting Minutes with JTI Changes

Dear [REDACTED]

This is to let you know that we have received an FOI request for the note of this meeting and we intend to release the agreed note and publish the FOI response on the website, probably later this week.

[REDACTED]

Department of Health | Wellington House | 133-155 Waterloo Road | London SE1 8UG | tel - 020
[REDACTED] | [REDACTED]@dh.gsi.gov.uk

From: [REDACTED] [mailto:[REDACTED]@jti.com]
Sent: 30 April 2013 15:56
To: [REDACTED]
Cc: [REDACTED]; [REDACTED]
Subject: RE: DH Meeting Minutes with JTI Changes

Dear [REDACTED]

Further to your email below, if an FOI request is submitted which leads the Department of Health to consider disclosing the minutes of JTI's meeting with the DH, I would be most grateful if you could keep me advised on this – if possible, before the minutes are disclosed officially.

Thanks and kind regards

[REDACTED]

[REDACTED]

Head of Government Relations, UK

Corporate Affairs & Communications

+44 (0) 1932 [REDACTED]

+44 [REDACTED]

[REDACTED]@jti.com

JTI UK

Members Hill, Brooklands Road, Weybridge, Surrey KT13 0QU

jti.com

From: [REDACTED]@dh.gsi.gov.uk [mailto:[REDACTED]@dh.gsi.gov.uk]

Sent: 19 April 2013 14:41

To: [REDACTED]

Cc: [REDACTED]

Subject: Fw: DH Meeting Minutes with JTI Changes

Dear [REDACTED]

Thank you for your further comments, which DH has accepted. I attach a final record of the meeting, which will be disclosed in response to FOI requests.

(See attached file: Note of meeting with JTI 5 Feb 2013 - final as agreed.doc)

yours sincerely

[REDACTED]

Tobacco policy manager

[REDACTED]

Department of Health | Wellington House | 133-155 Waterloo Road | London SE1 8UG | tel - 020 [REDACTED] | [REDACTED]@dh.gsi.gov.uk

----- Forwarded by [REDACTED]/CQEG/DOH/GB on 19/04/2013 14:31 -----

"[REDACTED]
[REDACTED]"

15/04/2013 11:15

To [REDACTED]/CQEG/DOH/GB

cc "[REDACTED] <[REDACTED]@JTI.com>," [REDACTED] <[REDACTED]@jti.com>," [REDACTED] <[REDACTED]@jti.com>

Subject DH Meeting Minutes with JTI Changes

EMAIL SENT ON BEHALF OF [REDACTED]

Dear [REDACTED]

Thank you for the revised minutes from JTI's meeting with the DH on 5th February. Please see attached for a draft which accepts all of the changes made by the DH and shows two further changes proposed by JTI – in track changes. For ease of reference, I also list below the proposed changes with our reasons for their inclusion:

- **Inclusion of the phrase “who provided their independent opinions” in reference to Professor Zimmerman and Chaudhry’s report:** Professors Zimmerman and Chaudhry's analysis represents their independent opinions (as they themselves state in the report: "We have been requested to prepare this report for Japan Tobacco International (JTI). However, the views expressed are our own and build on our expertise in the area of illicit trade."). This is a point on which the experts feel particularly strongly and something we stressed during the meeting hence the statement reflects the discussion and should be included the minutes.

- **Reference to the Cogent research being commissioned by the TMA:** the Cogent research was commissioned by the TMA, and not JTI.

I would be most grateful if you could confirm whether the DH are able to accept these amendments in the final meeting minutes.

Yours sincerely

[REDACTED]

Head of Corporate Affairs & Communications, UK

[REDACTED]

PA to Head of Corporate Affairs & Communications &
Head of Community Relations, UK

Corporate Affairs

+44 (0) [REDACTED]

[REDACTED]@[jti.com](mailto: [REDACTED]@jti.com)

JTI UK

Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

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(See attached file: Note of meeting with JTI 5 Feb JTI comments (15 April 2013).doc)

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From: [REDACTED]
Sent: 08 April 2013 16:32
To: [REDACTED]
Cc: [REDACTED] [REDACTED]
Subject: Re: DH Freedom of Information Request - Note of DH meeting with JTI on 5 February

Dear [REDACTED]

Thank you for arranging for us to receive JTI's comments on the draft note of meeting of 5 February. DH officials who attended the meeting have considered these and I have sent some further comments to [REDACTED] for consideration.

As the note of the meeting is still in the process of being agreed, it will be exempt from disclosure at this stage under section 22 of the FOI Act. The response to the FOI request below will advise of this exemption and that we anticipate the note being finalised by the end of April. It would then be available for release for any future FOI request.

[REDACTED]

[REDACTED]

Tobacco policy manager

[REDACTED]


Department of Health | Wellington House | 133-155 Waterloo Road | London SE1
8UG | tel - 020 [REDACTED] | [REDACTED]@dh.gsi.gov.uk

[REDACTED]/OIS/DOH

15/03/2013 13:39

To "[REDACTED]" <[REDACTED]@jti.com>

cc [REDACTED]

Subject DH Freedom of Information Request - Note of DH
meeting with JTI on 5 February 

[REDACTED]

DH Freedom of Information Request

I am sorry to have to come back to you so quickly about the note of the meeting but we have now received a request for information under the Freedom of Information Act regarding the meeting on 5 February 2013. The request asks for:

1. all notes taken by officials
2. the name and title of each individual in attendance
3. the date
4. the location

For ease of reference I attach the note of the meeting that I sent earlier. It seems to me that this contains all the information asked for and I can confirm that DH officials no longer hold any further notes from this meeting.

[attachment "Note of meeting with JTI 5 Feb.doc" deleted by [REDACTED]/CQEG/DOH/GB]

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 an '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.

Please let me know if you have any views about the question of disclosure of any information under this request, or matters that you wish us to take into consideration. All relevant factors will be taken into account when deciding whether disclosure of the information identified is required under the FOI Act, in particular where appropriate, the public interest considerations both in favour of and against disclosure.

I would be grateful if you could respond to me (copied to my colleague [REDACTED]) by **Friday 22 March** with your comments on the accuracy of the attached note and any further points you may wish to make about the DH response to this FOI request. I am sorry for the short deadline but this will enable us to consider any points you wish to make and reach a decision within statutory the FOI Act deadline.

If we do not hear from you by this date, we will assume that you are content with the disclosure of the attached note. If, for any reason, it will be difficult to reply by the deadline, please let [REDACTED] (tel 020 [REDACTED]) know as soon as possible as I will be out of the office.

Yours sincerely

[REDACTED]

Tobacco Control Programme

Dept of Health

tel 020 [REDACTED]

" [REDACTED]
[REDACTED]@jti.com>

14/03/2013 08:20

To [REDACTED]/OIS/DOH@DOH

cc

Subject RE: Note of DH meeting with JTI on 5 February

Dear [REDACTED]

Many thanks for sending this through – we shall review internally and come back to you as soon as we can.

Kind regards

[REDACTED]

[REDACTED]

Head of Government Relations, UK

Corporate Affairs & Communications

+44 (0)1932 [REDACTED]

+44 [REDACTED]

[REDACTED]@jti.com

JTI UK

Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK

jti.com

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From: [REDACTED]@dh.gsi.gov.uk [mailto:[REDACTED]@dh.gsi.gov.uk]

Sent: 13 March 2013 17:36

To: [REDACTED]

Cc: [REDACTED]

Subject: Note of DH meeting with JTI on 5 February

[REDACTED]

With apologies to [REDACTED], I now realise that you have taken over as Head of Government Relations in the UK.

[REDACTED]

Tobacco Control Programme

Dept of Health

tel 020 [REDACTED]

[REDACTED]

Thank you for coming to the meeting on 5 February.

With apologies for the delay, as agreed, please find attached a draft note of the meeting for your comment. Please let me know if you would like any changes made, or if you are content with this draft.

(See attached file: Note of meeting with JTI 5 Feb.doc)

Thanks

[REDACTED]

Tobacco Control Programme

Dept of Health

tel 020 [REDACTED]

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From: [REDACTED]
Sent: 19 April 2013 14:41
To: [REDACTED]
Cc: [REDACTED] | [REDACTED]
Subject: Fw: DH Meeting Minutes with JTI Changes

Dear [REDACTED]

Thank you for your further comments, which DH has accepted. I attach a final record of the meeting, which will be disclosed in response to FOI requests.



Note of meeting
with JTI 5 Feb...

yours sincerely

[REDACTED]

Tobacco policy manager

[REDACTED]

Department of Health | Wellington House | 133-155 Waterloo Road | London SE1
8UG | tel - 020 [REDACTED] | [REDACTED]@dh.gsi.gov.uk

----- Forwarded by [REDACTED]/CQEG/DOH/GB on 19/04/2013 14:31 -----

"[REDACTED]
[REDACTED]>
15/04/2013 11:15

To [REDACTED] CQEG/DOH/GB
cc "[REDACTED] <[REDACTED]@JTI.com>," [REDACTED]"
<[REDACTED]@jti.com>," [REDACTED]"
[REDACTED]@jti.com>

Subject DH Meeting Minutes with JTI Changes

EMAIL SENT ON BEHALF OF [REDACTED]

Dear [REDACTED]

Thank you for the revised minutes from JTI's meeting with the DH on 5th February. Please see attached for a draft which accepts all of the changes made by the DH and shows two further changes proposed by JTI – in track changes. For ease of reference, I also list below the proposed changes with our reasons for their inclusion:

· **Inclusion of the phrase “who provided their independent opinions” in reference to Professor Zimmerman and Chaudhry’s report:** Professors Zimmerman and Chaudhry's analysis represents their independent opinions (as they themselves state in the report: "We have been requested to prepare this report for Japan Tobacco International (JTI). However, the views expressed are our own and build on our expertise in the area of illicit trade."). This is a point on which the experts feel particularly strongly and something we stressed during the meeting hence the statement reflects the discussion and should be included the minutes.

· **Reference to the Cogent research being commissioned by the TMA:** the Cogent research was commissioned by the TMA, and not JTI.

I would be most grateful if you could confirm whether the DH are able to accept these amendments in the final meeting minutes.

Yours sincerely

[REDACTED]

Head of Corporate Affairs & Communications, UK

[REDACTED]

PA to Head of Corporate Affairs & Communications &
Head of Community Relations, UK

Corporate Affairs

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Note of meeting
with JTI 5 Feb...

From: [REDACTED]
Sent: 21 May 2013 13:31
To: [REDACTED]
Cc: [REDACTED]
Subject: DH Freedom of Information Request

[REDACTED]

DH Freedom of Information Request

We have received a request for information under the Freedom of Information Act regarding the letter DH sent [REDACTED] on 24 January 2013, as attached. This letter was referred to in the note of the meeting on 5 February which was disclosed in response to an earlier FOI request.

As you know, 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 an '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.

Please let me know if you have any views about the question of disclosure of any information under this request, or matters that you wish us to take into consideration. All relevant factors will be taken into account when deciding whether disclosure of the information identified is required under the FOI Act, in particular where appropriate, the public interest considerations both in favour of and against disclosure.

I would be grateful if you could respond to me by **28 May** to enable DH to consider any points you wish to make and reach a decision within statutory the FOI Act deadline.

If we do not hear from you by this date, we will assume that you are content with the disclosure of the attached note.

Yours sincerely

[REDACTED]

Tobacco Control Programme

Dept of Health

tel 020 [REDACTED]