



Tobacco Programme  
Wellington House  
133-155 Waterloo Road  
London SE1 8UG

24 August 2012

[Redacted]  
Herbert Smith LLP  
Exchange House  
Primrose Street  
London  
EC2A 2HS

By email: [Redacted]@herbertsmith.com

Dear [Redacted]

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

I am informing you that the request we have received relates (among other things) to correspondence between DH and British American Tobacco during the period 16 April to 10 August 2012 (inclusive). Over this period you submitted FOI Act requests on behalf British American Tobacco, so DH holds the following records that are relevant to the request:

- A letter from you to DH dated 23 April 2012 requesting information under the FOI Act (your reference: 2465/30923038)
- Letter to you from [Redacted] (Freedom of Information Officer, DH) dated 22 May 2012
- Two letters from you to DH dated 12 June 2012 (your reference: 2465/30923038)
- Two emails to you from [Redacted] (Freedom of Information Officer, DH) of 6 July 2012

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

If you wish to notify us of any particular issues or considerations that you consider relevant to the question of disclosure of this information, please contact me. All

relevant factors will be taken into account when making a decision on whether the information identified is required to be disclosed, in particular the relevant public interest considerations both in favour of and against disclosure.

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

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

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

Email: [freedomofinformation@dh.gsi.gov.uk](mailto:freedomofinformation@dh.gsi.gov.uk)

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

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

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

Yours sincerely,

10bacco Programme Manager

Tel: 0207 9724843  
Email: [Andrew.Black@dh.gsi.gov.uk](mailto:Andrew.Black@dh.gsi.gov.uk)