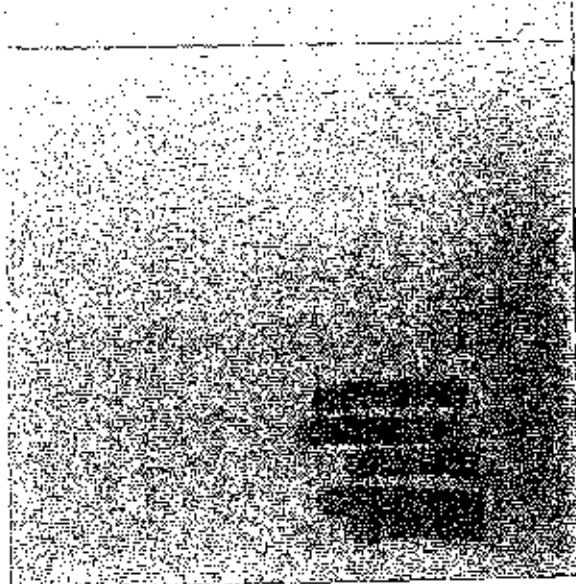


H001



Department of Health Standardised Packaging Consultation
PO Box 1126
Canterbury
CT1 9NB

22nd July 2014

DOH Plain Packaging Consultation Formal Response

Dear Sir

As one of the 665,000 who responded to the 2012 consultation I am very surprised to see that you are investing more of the UK taxpayers' money on another consultation, especially when I believe almost two thirds who responded last time were opposed to the introduction of plain packaging.

I have worked in the tobacco industry for over 20 years as a Sales Manager so I would like to believe that I have some expertise in this arena. Whilst I am no expert in politics I believe the Government announced in July 2013 that it was waiting on the impact in Australia before making a final decision, from what I've seen there is no evidence to suggest this has reduced smoking.

Furthermore, with the retail display ban coming into force for small stores next April and the new EU Tobacco Products Directive in May 2016 it seems rather strange to force another piece of legislation ahead without seeing impact of those pending. The retail display ban has already added several millions of pounds to the cost of trading, not to mention a reduction in retail productivity.

Taxation is a major source of revenue for any government so it's rather surprising why any Government would want to implement any legislation that would possibly encourage more illicit trade and more non UK duty paid stock purchases. I am sure the retailers across the border in Belgium and France will be rubbing their hands in anticipation as smokers will still be able to buy branded packs in other EU markets and illicit traders will continue to deliver the same branded packs, sourced from other markets or copied in illicit factories, to UK adult smokers' doorsteps.

With so many pressing issues affecting our country I urge you to listen to your voters and reconsider your approach to plain packaging as this, in my mind, will do nothing to reduce the smoking participation of the UK nation.

I look forward to hearing from you.

Yours sincerely



H.D02

~~excuse~~ Plain Packaging letter now in the

Yours Sincerely,



21st July 2014

To Whom it may concern,

I would like to voice my concern regarding the proposal to place all Tobacco product in plain packaging. This along with the cover up of cigarettes in April will have a massive effect on the running and profitability of our shop making each transaction slower and more risky and playing into the hands of the illicit traders who already corner the market in our town. There is little if any evidence to back the theory up that children will somehow find cigarettes less appealing in plain packets. I would therefore urge you to think again about this proposal and help the independent retailer. I am totally against

M1003

newtrade

Energising
Independent
Retailers



INVESTORS
IN PEOPLE

Department of Health
Standardised Tobacco Consultation
PO Box 1126
Canterbury
CT1 9NB

24 July 2014

Three reasons why retaining the status quo on tobacco packaging is the best option for effective long-term tobacco control in the UK

Dear Sirs

I am writing to you as the editor of Retail Newsagent. For 125 years we have been advising independent news and convenience retailers on how to serve their customers responsibly and legally. Today, 13,000 proactive retailers turn to us each week for information to help them run their businesses more efficiently and profitably.

Over the two years since the last tobacco packaging consultation, my magazine has investigated the Australian market, where plain tobacco packaging was introduced in December 2012, and the expected impact on UK businesses should the British government introduce standardised packaging.

We made three significant findings:

1. Plain tobacco packaging has had a negative impact on Australian retailers' ability to run their shops effectively. 90% of retailers have said it takes extra time to serve customers, 73% of retailers said they faced frustration from customers and 59% said staff had supplied the wrong product to customers. Plain packaging has also had a detrimental effect on staff training, stocktaking, ordering and restocking.
2. Plain tobacco packaging in Australia has triggered major growth in the illicit market. Around 13% of tobacco smoked in Australia is illicit, while counterfeit brand Manchester now holds a 2% share of the tobacco market.
3. There is no evidence that plain tobacco packaging has reduced youth smoking levels in Australia. In fact, legal tobacco sales increased in the year since the legislation was introduced, with 59 million more legitimate cigarettes sold than the previous year.

I have attached a number of articles from my magazine from the past eighteen months which provide background information on the above. I hope you find them useful and if you need any further detailed information please let me know.

Introducing plain tobacco packaging in the UK would be a mistake and I strongly urge you to keep the status quo on tobacco packaging.

Yours sincerely



Reviel Nawagone editor

NEW STOCK FOR
YOUR SHELVESPage
36

Report confirms fears of negative effect on businesses Government still undecided

Plain packs nothing but bad news down under

by John Hayward

The impact of plain packs on Australian tobacco retailers has been overwhelmingly negative since it was imposed three months ago.

The extra costs and wasted time were detailed in research from the Australian Association of Convenience Stores last Wednesday and reported in RN p28-29 this week.

90% of Aussie retailers said it took extra time to serve customers, while 75% said they faced

frustration from smokers and 59% said staff had supplied the wrong product to customers. As many as 77% said plain packs were having a negative effect on their businesses.

It coincided with a national newspaper claim that the decision to move to standardised packs in the UK had already been taken.

But the Department of Health moved quickly to state a decision will not come before the outcome of last year's public consultation into the subject is published later this spring.

Health under-secretary Anna Soubry said: "The government has an open mind on this issue. Any decision to take further policy action on tobacco packaging will be taken only after full consideration is given to the consultation responses."

But the news report in The Guardian was taken as a wake-up call by tobacco companies and the NERN.

JTI head of communications Jeremy Blackburn said: "Those who wish to close down the debate on plain packaging appear

to be using the media to pressure the government into making a decision on a policy, despite there being no credible evidence that it will have any public health benefit."

Speaking the day after HMRC busted 30 million contraband cigarettes in Southampton last week, NERN national president Alan Smith said: "This new research from Australia confirms what we have been saying all along. Putting tobacco in plain packs is plain nonsense."

In brief

Not so appealing

Local shop owners who are refused loans or overdrafts are failing to use an appeal process that could help to free up credit, the Forum of Private Business says. The lobby group said approval rates for first-time applicants were falling, but raised concerns that few micro-businesses were aware of the industry's appeals process. "The banks' false objective nature is stifling the next generation of business owners - and the government is doing nothing to help the situation," said FFB spokesman Robert Brown.

£265k ball ball

Industry charity GreaterA has raised more than £250,000 at its latest Diamond Ball. The event in London saw suppliers including Ant Foods, Coca-Cola Enterprises and Procter & Gamble donate raffle prizes which helped to provide the fund-raising. The charity said the event would allow it to help almost 200 beneficiaries in the next year.

High job hopes

More than a quarter of small businesses are planning to recruit staff in the second three months of 2013, according to the Federation of Small Businesses. Its annual members expected sales to grow and the number of firms planning to increase staff levels was at its highest since the beginning of 2011. But, said a spokesman, the end of last October's minimum wage rise were holding many back.

Flying start to campaign

RN's Home & Dry campaign to dry out the nation's magazine tote boxes got off to a thunderous start this week with calls coming in to the Wet Tote Hotline from all over England.

Turn to Your Issue on page 19 for the up to date map of recent incidents and reports from retailers.

Call 020 7689 3368 to report your experiences, or better, take a picture of the soggy items on your smartphone and send them to john.hayward@newtrade.co.uk. Next week we take the fight to the publishers.



Got knitted Carolyn and Steve (pictured) Ansell's store in the Hertfordshire village of Pirton has been immortalised in wool by customers who are fabricating the entire hamlet with their knitting needles for a Queen's Diamond Jubilee exhibition. "We have unique customers who support us very well," said Mr Ansell.

TV listings war wipes a third off sector

A price war which has broken out among cut-price TV listings titles has wiped almost a third off the value of one of the newtrade's most buoyant sectors, according to RN calculations.

Industry sources have told RN that supermarket EPOS data estimates newly-launched TV Pick was

on track to sell 200,000 in its first week on the newsstand - a market share backed by RN readers' sales figures. This week it cut its price to 20p and was followed by H Bauer's TV Choice - the UK's biggest selling magazine.

RN analysis of the market value shows that the cover price battle is likely

to have taken £340,000 off the total weekly sales value of £1,266,444 that TV Choice, What's on TV and TV Easy were generating in the weeks before the launch. Publishers have given no guarantees that inflated margins - 9.5p per copy for TV Choice and 18p for TV Pick - will remain in place.

Mark Ansell of Liskeard News in Cornwall said: "I won't have a magazine on display at 20p. If a customer asks for it, they can have it, but it won't get any shelf space."

Nimish Ashar of Newmarket in Rainham, Kent, added: "Customers aren't looking for a 20p magazine, so why produce one?"

PLAIN PACKAGING

On 1 December 2012 Australia became the first country in the world to see plain packaging legislation come into force. Nearly four months on, a key retail organisation has released a report into its effects and has been raising retailers' concerns in the media. Tom Gockelen-Kozlowski reports

Lessons from down under

Last month, the chief executive officer of the Australasian Association of Convenience Stores (AACS), Jeff Rogut, gave an interview with talk DJ Jason Morrison on the 2UE News radio network to outline the impact of plain packaging. RN got hold of the transcript and discovered four lessons that can be learnt from the experience of retailers down under.

1 Retailers' concerns have been brushed under the carpet

JEFF ROGUT I think plain packaging was probably a well-intentioned policy from a health point of view. But it was really badly communicated and very, very badly executed. The government spoke about consultation.

I've been leading this organisation for two years and I did not have one call from any government department to discuss the implications for retailers.

2 Getting rid of non-plain stock will be a particular burden on smaller retailers

JEFF ROGUT From 1 December it became illegal to sell any old packaging and the fine that was imposed was AU\$220,000 (£150,000) if a store inadvertently sold the old packaging. Retailers, manufacturers and suppliers negotiated to return some of the stock. But many of the slower-selling products, certainly in the smaller stores, weren't able to be returned, which meant after 1 December it really was a write-off, total loss of profit.

What can you do?

Priti says: Retailers should write to the business secretary, write to their MP and – if they feel strongly enough – the Prime Minister. You shouldn't feel you don't have a voice and, as there's now an opportunity before any decisions are formalised, you should inundate government with your opinion.

UK PLAIN PACKS EDGING CLOSER?

Last week, The Guardian reported that the government is set to go ahead with plain packaging regulation in the UK, despite the consultation not yet being reported. RN asked independent retail champion Priti Patel MP for her reaction.

I don't think anybody has any idea of what it takes to run a local shop. If they knew about the challenges, headaches and time implications of new regulation they'd think twice about implementing them.

So plain packaging, the government needs to make sure that the consultation is listened to and that it takes the opinions of all parties. It has to get out of the frame of mind that it's more regulation, it needs to appreciate the health lobby. So if there's any indication of a decision on

plain packaging occurring before the consultation has been reported, it would be highly questionable.

Any overriding concern about the proposed regulation is that, as always, it would mesh and impose punitive costs and regulations on small retail businesses. As with the minimum pricing of alcohol, we are talking about legal products and it's up to individuals if they don't want to consume them. Not only is the retail trade taxable and the government gets revenue on the back of them.

The introduction of the alcohol ban last year was outrageous when we've got a struggling economy with fewer people using local shops – we're heaping ever more regulations onto retailers and we wonder why they're going under. So taking cigarette costs, retailers a lot of money by restricting their cash flow, making them a target for crime and the margins are low thanks to taxation, but hope retailers never feel it's not worth selling tobacco because it would say a lot about the country we've become.

The Guardian did not cite its source for its story and the Department of Health denied the decision had been made. On his blog, the director of smoker lobby group Action on Smoking and Health suggested that AASH may have been involved in lobbying readers of its leading of stories before the vote on smoking in public places. "The week before the free vote we made sure the government got the message that we knew we were going to win and it would be better for them to be on the winning side."

TOBACCO DISPLAY BAN

PA Photos



THE LAW IN PRACTICE

The dark market was a prelude to plain packaging in Australia

An Australian retailer and rep tell RN about the impact of their country's display ban

Retailer Craig Glasby

FoodWorks at BR
Empire Bay, NSW



What did you think when you discovered you would need to cover your gantry?

My two biggest concerns were that it would be more difficult to locate cigarettes easily and also that it would be harder to train new staff. Unfortunately, I have to say both are true.

How did you prepare?

One of the biggest things we did was implement a planogram and stick to it. It helps staff to find the products and variants when they open the doors. We also put in permanent price locators to help

identify products and also alphabet stickers at the start of each product line so if someone asked for a packet of Marlboro 30s my staff would open the door with the 'M' on it.

What training do you give your staff?

When you get new staff in, it takes a long time for them to know where the products are and that slows down the process. This not only inconveniences the customer purchasing cigarettes but also those in line behind them.

What has happened to your cigarette sales since the display ban came in?

Now that the display bans are in, people don't know when there are new ranges so they just ask for the cheap cigarettes, so it's harder

“

Now that the display bans are in, people don't know when there are new ranges so they just ask for the cheap cigarettes

to sell new ranges. There has been no impact on volume, however.

What created the greater difficulty, the gantry ban or plain packs?

Plain packaging. The display ban has had a significant impact on staff serving time and creates a lot of confusion. On top of this, plain packaging is having an impact across the board – from stocktaking, ordering, re-shelving, locating and selling. Plain packaging just complicates display bans even more. With plain packaging you don't know where in the storeroom products are and what they look like when they're being delivered. Now with deliveries and restocking, you have to count and double check because you can't be sure that somebody hasn't made a mistake. All of that is time I don't have. >>

NEWS



Get your views in the magazine
email letters@newstrade.co.uk
tel 020 7689 0600

Under-age sales lead to removal of JTI gantry

JTI has removed its gantry from a store whose owner had received a tobacco retail banning order after selling cigarettes to under-age customers.

JTI said the actions of Shriraj Gindha at Tony's Newsagent, Torry, Aberdeen, were "inexcusable" and wanted to show it was prepared to get tough.

JTI's UK head of corporate affairs Paul Williams said: "Given the severity of this offence, we decided that the removal of our gantry was the right course of action. Selling cigarettes to minors is inexcusable and JTI is taking a lead to ensure that retailers involved in this type of conduct understand the consequences."

Last October JTI removed a gantry from a Cheltenham store where counterfeit tobacco was sold.

Stickers back to 1996 prices

Collectables manufacturer Topps is rolling back the price of its Official England World Cup stickers to the same price as its Euro '96 collection - 25p.

The company says that, with seven stickers per packet, it's better value for money than it was 18 years ago. Its Match Attax Official England World Cup trading cards are being launched on the same date, 4 April, with packets of 30 cards retailing at £1.

Dom D'Aquila, sports marketing manager at Topps, said: "This year's sticker launch will also be 5p cheaper than our 1996 England World Cup Collection, making it the best value ever, as well as being the lowest-priced World Cup sticker collectable on the market."

MP backs call for property crime action

The NERN has backed Tottenham MP David Lammy, who has called for more to be done to protect retailers from property crime, which he said strikes particularly hard at small independent

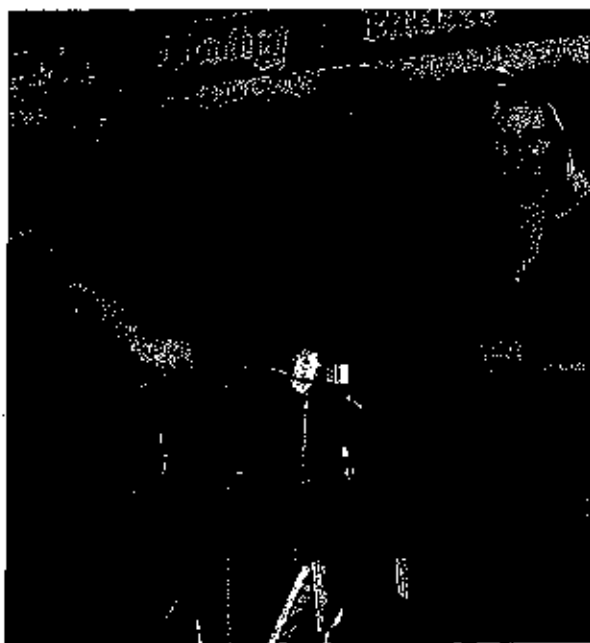
retailers and was one of "great neglected blights of our time".

Mr Lammy used his column in the Evening Standard to outline the problem of property crime, its impact on retailers and

concerns that half of all reported incidents in London resulted in "no further action". He has promised to look at ways of dealing with it in his role as visiting fellow at the Policy Exchange.

NERN chief executive Paul Baxter said: "We are pleased that Mr Lammy has drawn attention to this important issue and I will be writing to him shortly to offer the NERN's assistance with this project."

New bike for Jon Kind-hearted customers at Smith's Newsagents in Wheatley, Yorkshire, have raised £200 to help a paperboy replace his bike after it was stolen while he was on his round. Newsagent Steve Maxwell and his partner Sue Shutt organised the collection to help out 14-year-old Joe Maith, who was left to complete his round on foot after his beloved bike was stolen.



“

Facebook and Twitter are more important to us than they were two years ago

Bintesh Amin

Retailer, Kent

Page 20 >>

Evidence shows 59 million more legal cigarettes sold while black market also booms

'Aussie experiment' proves that plain packs don't work

by Steven Lambert

Tobacco manufacturers claim Australia's plain tobacco packaging plan has backfired after fresh evidence showed tobacco sales have increased in the country since its introduction.

A new industry study found that 59 million more legal cigarettes were sold following the first year of plain pack legislation.

In addition, a separate study conducted by Zurich University claims that it

found no evidence to suggest that plain packs had an effect on the prevalence of youth smoking.

The reports come in advance of Sir Cyril Chantler's review of the public health impact of standardised packs in Australia, which insiders claim will be presented to the Department of Health this week.

Eoin Dardis, director of corporate affairs at Marlboro manufacturer Philip Morris, warned the "Australian experiment" would boost illicit sales in the UK if ad-

opted by Westminster.

He said: "Consumers aren't smoking less, they are just buying cheaper alternatives like roll-your-own cigarettes or turning to branded packs available on the black market."

JTI UK managing director Daniel Torres added: "We have consistently said that no evidence has emerged from Australia to show that plain packaging has had any positive behavioural impact at all, these latest figures and the news that the illegal trade

is increasing in Australia, would appear to support that view."

NERN chief executive Paul Baxter said he was "unsurprised" by the results and called on government to put more resources behind education as opposed to "ineffectual policy".

"Rather than deterring people from smoking, plain packaging has merely encouraged people to purchase cheaper brands, affording people the opportunity to smoke more than they did previously," said Mr Baxter.

ILLICIT TOBACCO



Damage plain to see

With Australian plain packaging legislation now over a year old, its effects are starting to become clear. The rise and rise of illicit Manchester cigarettes is a case in point, Tom Gockelen-Kozlowski finds

Since the introduction of plain packaging in Australia over a year ago, arguments have raged over its effects on tobacco smoking rates and its impact on the industries which rely on tobacco revenue.

Health lobbyists such as Queensland Cancer Council talk of the legislation being "the latest win for the long-term health of young Australians" but others aren't so sure. A number of reports from London Economics, KPMG and others have concluded essentially the same thing: that the available data "does not demonstrate that there has been a change in smoking prevalence".

While lawyers, politicians and industry figures discuss the latest statistics and commission more reports into the impact of plain packaging, it can seem that the debate has drifted away from the effect plain packaging is having in communities and in retailers' stores.

It's for this reason that the

emergence of Manchester cigarettes - a hugely successful illicit tobacco brand sweeping Australia - is so important in understanding this law's impact and the effect a similar law in the UK could have.

Illicit tobacco is a major issue in Australia, as it tends to be anywhere where prohibitive tax rates make looking for other sources of tobacco attractive to people operating with tight budgets. It's been widely accepted that the current percentage of tobacco smoked which is illicit is over 13% and growing.

Until plain packaging came in, one relatively minor part of this illicit market was a fake brand called Manchester. Little is known conclusively about the brand, but it seems that it is produced in Dubai or elsewhere in the Middle East and is brought in to Australia, where it is sold, according to Australia's Customs and Border Protection's Service (ACBPS), by criminal

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Between 2012 and 2013, consumption of Manchester cigarettes quadrupled



nals "to finance further illicit drug purchases".

That's not unusual, as much of the illicit tobacco being sold around the world can be traced back to serious criminals and even major terrorists such as Mokhtar Belmokhtar, the Al Qaeda chief behind the Algerian gas plant attack in January last year.

Yet, in the year since plain packaging has been in place in Australia, Manchester has led the way as illicit tobacco rates have exploded.

"The Manchester cigarette brand is currently the largest illicit white brand in Australia, with a market share of 1.3%," Rachel Elliott, public affairs manager at Imperial Tobacco Australia tells RN, "Alarminglly, be-

tween 2012 and 2013, consumption of Manchester cigarettes quadrupled. Availability also increased: in 2012 availability was only identified in Sydney and Melbourne; by 2013, Manchester cigarettes were available in 13 out of 16 Australian cities."

M1004

25 July 2014

Department of Health
Standardised Packaging Tobacco Consultation
PO Box 1126
Canterbury
CT1 9NB

Dear Consultation Team

Support of standardised packaging

As a parent of three young children growing up in the North East, I am committed to ensuring that they take full advantage of all the life chances that are open to them. Underpinning these is their health and, outside of their own responsibility for making the right choices, I want to see all measures possible in place that will support them to live a full and healthy life to fulfil their potential. Not engaging in smoking will contribute to this and I therefore support the implementation of legislation that will impact on reducing the uptake of smoking in young people.

I welcome the findings of the Charter Review, particularly the impact that standardised tobacco packaging could have on uptake of smoking among young people.

Tobacco use is the leading cause of premature death and preventable disease in the North East, with 5,500 deaths every year occurring as a result of tobacco use. Around 9,000 young people in the North East start to smoke every year and we need to do all we can to ensure that this number reduces to negligible levels. Repeated surveys of North East smokers have found the average age of trying cigarettes and starting to smoke to be 15 years.

I particularly welcome Chantler's dismissal of tobacco industry scaremongering about the alleged impact of standardised packaging on the illicit tobacco trade. Chantler is not convinced by the tobacco industry's argument that standardised packaging would increase the illicit market, especially in counterfeit cigarettes. Recent figures from Australia have also indicated that the illicit market has not increased since the introduction of the measure and that tobacco use is at an all-time low.

In Australia, research has shown that social norms in smoking behaviour are already beginning to change as a result of the implementation of standardised packaging alongside other wider tobacco control interventions. Two points backing this up are:

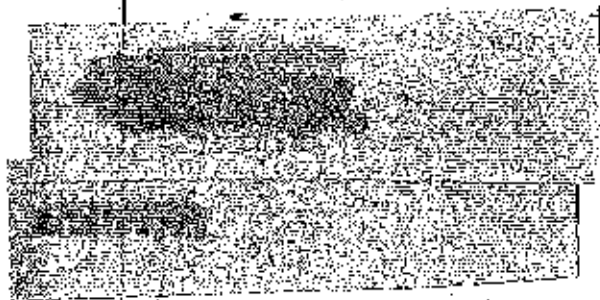
- The sharp rise in the number of calls to the Quitline in New South Wales;
- Smokers are less willing to display their packs in public or to smoke in outdoor public places particularly where children are present.

Figures released by the Australian government in July 2013 have shown adult smoking rates have fallen by a massive 15% since December 2012 when standardised packaging was introduced. The survey was conducted before the Australian Government's tobacco tax increases in December 2013, ruling out price as the primary reason for the dramatic fall in smoking during this 12 month period. Standardised packaging was the only major policy change over this time period and is therefore the most likely reason for the significant fall in smoking prevalence.

I therefore encourage the Government to act quickly. Given that notification to the European Union of the intended regulations will take six months, there is now only a short time available to do this before the 2015 General Election.

Let's make smoking history for our children.

Yours faithfully



4005

Department of Health Standardised Packaging Consultation
PO Box 1126
Canterbury
CT1 9NB

23rd July 2014

Dear Sir

This is a formal response to the Department of Health's consultation on the introduction of regulations for standardised packaging of tobacco products.

Landmark Wholesale is the UK's leading Wholesale Buying Group serving over 190,000 customers weekly with their food and drink requirements.

Our collective turnover is nearly £3b per year making us a major player in the Sector.

Tobacco is a key category for us and represents 25% of our sales.

It is also a vital part of the offering our retail customers offer the consumers who want to purchase a perfectly legal product.

We would ask you to note the following:-

1. No evidence is presented by the Chantler Review that plain packaging will actually have any positive behavioural impact on smokers in the UK. It does not provide an adequate basis to proceed with plain packaging, due to the lack of credible evidence considered.
2. Sir Cyril Chantler examined the "likely" impact of plain packaging. The review focused on the perception of future behaviour rather than actual behaviour, this is speculation at best.
3. The Chantler Review seeks to establish a link between appeal of packaging and behaviour; however there is no evidence reduced appeal of a pack, because of plain packaging, will lead to an actual reduction in smoking.
4. The Chantler Review focused primarily on public health impacts, and does not consider the wider implications of plain packaging, including the impact on wholesale businesses, retailers, packaging suppliers and the wider supply chain in the UK.
5. Disappointingly Sir Cyril claims that "It is too early to draw definitive conclusions" from Australia, yet he feels able to use selected attitudinal evidence from Australia to reach a conclusion that plain packaging is likely to have a positive impact on smoking behaviour, despite actual sales data and prevalence data suggesting otherwise.
6. Australia is the only country to have implemented plain packaging, having done so in December 2012.

7. There is no evidence that plain packaging has accelerated the rate of decline in smoking or had any positive behavioural impact. Data from Australia shows that the pre-existing downward trend in smoking prevalence has not been impacted by the introduction of plain packaging.
8. The Australian government will not review the policy themselves until December 2014. The Department of Health should await the outcome of this review until making a decision in the UK.
9. Recent data published by the Australian Government shows that underage smoking increased between 2010 and 2013, reversing previous declines.
10. There was no evidence at the time of the 2012 public consultation, and there is no evidence now, that plain packaging will have actual positive public health impacts.
11. This is the third public consultation on this issue over the past six years. Both Labour and Conservative governments have previously rejected the introduction of plain packaging because of the lack of evidence that it will work.
12. There is no good reason why the Government has changed its position from July 2013 when the Public Health Minister, Anna Soubry MP, said: *"We are waiting to see how things develop in Australia and, as I say, good laws are based on good, sound evidence. That is the way forward."*
13. Plain packaging is a highly controversial measure that was opposed by nearly two-thirds of respondents to the 2012 consultation. It is disappointing that the Department of Health has allowed such a short period of time (6 weeks) for this consultation, where there is not only a detailed Impact Assessment to consider but also the draft regulations.
14. The EU Tobacco Products Directive (TPD2) comes into effect in May 2016; amongst other things, this will ban packs of cigarettes of fewer than 20 sticks and all RYO under 30g. These larger packs will mean consumers will need to make fewer purchases per week, therefore reducing footfall. This could have a damaging impact on the wholesale trade due to fewer retail visits.
15. The EU TPD2 has the serious potential to increase the illicit trade throughout the UK. By doubling the minimum price of cigarettes, almost trebling the minimum price of hand-rolling tobacco and banning menthols altogether from May 2020, there is a greater incentive for UK consumers to be pushed to the cheaper illegal trade and cross-border shopping. This will bring further damage to legitimate retail and wholesale businesses.
16. The UK is pushing ahead with legislation for plain packaging before the display ban has even been fully implemented, and before it has introduced any of the many changes contained in TPD2. This layering of legislation makes it almost impossible to determine which legislation (if any) has been effective, and which has not. The UK should wait until both these are fully implemented before considering whether there is a need to add yet more red tape to the retail sector and other businesses.

17. The UK is already heavily disadvantaged due to high levels of taxation compared to other members of the EU. For example, latest figures from Customs show that cross-border shopping accounted for 1.5 billion cigarettes brought into the UK in 2012/13. Should the UK government proceed to "gold-plate" TPD2 with plain packaging, it will put the UK at greater risk of losing revenue to the illegal trade and cross-border shopping.
18. In February 2013, the Minister for Business and Enterprise stated his intention to "deliver more certainty for business [and to] continue to withhold agreement for any new regulations that gold plate legislation." We believe that the Government should stick to this promise and help small businesses in the wholesale and retail sectors.
19. We are concerned that plain packaging creates a template for criminals. The information in these regulations provides counterfeiters with one standard format across all brands, which is all they will need to produce illegal packs for the UK.
20. Plain packs are much easier to fake than branded ones, even if complex health warnings, tax stamps and anti-counterfeiting markings are adopted. Once counterfeiters have mastered a plain pack, they will be able to produce all brands easily for the long term because tobacco manufacturers will be prevented from innovating and changing their packs.
21. The draft regulations also fall foul of the Government's own Better Regulation principles. These principles state that any regulation must be clear, transparent, accountable, proportionate, consistent, and targeted only at cases where action is needed. How can the Government judge whether plain packaging is needed when other measures like TPD and the retail display ban have not even been fully implemented yet?
22. KPMG have published a report examining the illicit tobacco market in Australia which shows an increase in the size of the illicit tobacco market since the introduction of plain packaging. In the twelve months to the end of 2013 illicit tobacco rose from 11.8% of the market to 13.9%.
23. In the UK, Non UK Duty Paid already comprises up to 48% of the roll-your-own market and 16% of the cigarette market (HMRC figures).
24. If consumers want to purchase brands that look familiar to them, and at lower prices, there could be an increase in cross border shopping.
25. HMRC already believe that Non-UK Duty Paid tobacco costs the UK Government up to £3.1 billion a year.
26. The 2014 Impact Assessment published alongside this consultation states: "We conclude that there is likely to be an increase in the UK duty unpaid segment..." if plain packaging was implemented.

27. Early evidence from Australian retail groups indicates that consumers in Australia are now being driven by price as a result of plain packaging; if UK consumers follow the same pattern they could turn to buying tobacco illegally. This would mean less footfall for retailers which would have a detrimental knock-on effect for the wholesale trade.

We would strongly recommend that your efforts are channelled into helping the industry eradicate non duty paid stock and counterfeit stock which is illegal and dangerous to consumers.

We look forward to a positive response from you as outlined and required from these notes.

Yours sincerely



Managing Director

c.c. The Rt Hon David Cameron MP
The Rt Hon Jeremy Hunt MP
The Rt Hon Michael Fallon MP
The Rt Hon Sajid Javid MP
The Rt Hon Grant Shapps MP
The Rt Hon Mark Lancaster MP
The Rt Hon Iain Stewart MP

11006

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Department of Health Standardised Packaging Consultation
PO Box 1126, Canterbury
CT1 9NB

4th August 2014

Dear Sir / Madam,

I am writing as a formal response to the Department of Health's consultation on the introduction of regulations for standardised packaging of tobacco products.

First and foremost, as a responsible parent of 4 children, I believe in a measured and effective programme to reduce the level of smokers and eradicate young people taking up the habit. I also strongly believe in our freedom and celebrate the freedom we have as UK citizens to make our individual choices.

Having read the recent Chantler Review I must conclude that in my opinion it presented no evidence at all that plain packaging will actually have any positive behavioural impact on smokers in the UK. Therefore it appears, due to the lack of credible evidence, a completely inadequate basis to proceed with plain packaging.

Australia implemented plain packaging in December 2012. This must form a significant basis for the way forward. There is no evidence that plain packaging has worked or had any positive behavioural impact. Research from Australia has demonstrated that the downward trend in smoking prevalence has not been impacted by the introduction of plain packaging. This must be a major concern? The Australian government are not reviewing the policy until December 2014. My view is that as Australia is the only country that has introduced plain packaging, the Department of Health should surely wait for the outcome of this review until making any decisions in the UK.

The Chantler Review is also focused primarily on public health impacts, and does not consider the wider implications of plain packaging, including the impact on wholesale businesses, retailers, packaging suppliers and the wider supply chain in the UK. I am Director who owns and manages a graphic design agency - Nude Brand Consulting. The agency specialises in branding and packaging design. We work with large multinational companies including Pernod Ricard and Coca-Cola, but 60% of our work is in branding tobacco products for Japan Tobacco International. The company has eighteen full time employees. The proposed plain packaging law would have a direct impact on my company, without which I would be forced to cut back on staffing, with my own also at risk.

The proposal for plain packaging for tobacco sets a dangerous precedent. I believe the future impact should be considered regardless of individual views on tobacco and smoking. If the proposal for plain packaging for tobacco is approved in the UK, then the same rules must also be applied to other products that are bad for us. Therefore immediately the same principle should be applied to alcohol, fizzy drinks, fatty foods, salty foods, even cars brands. It is staggering that although alcohol currently has a social cost to the UK of £22 billion, it is viewed differently to the tobacco industry. A bad diet is one of the biggest threats to our national health, and with far less awareness than the dangers of smoking. So shouldn't all food with high salt content, high fat content or highly processed foodstuffs be in plain packaging too with extremely graphic images such as gastric bands and heart disease?

I would also question the legality of the move to plain packaging. The removal of an established company's IP (Intellectual Property) on a legal product that may have been built up over 100 years is a very dangerous and draconian step. Without individual packaging some consumers' brand loyalty would cease to exist and consumer's purchasing would be based on price alone. This is of particular concern in the tobacco industry

nude

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where driving the price down makes the products far more accessible for young people to buy, and counteracting the heavy taxing of tobacco to discourage purchase. It would also be the case for alcohol and food. A legal product should not be penalised in such a way and its brand value and identity taken away. I can only imagine the legal costs the Government and the UK tax payer will face if all the tobacco companies take this to European courts?

There are also the concerns about the increase in illicit trade that will come from standardised packaging. Plain packs are much easier to fake than branded ones. In fact illegal traders would benefit from continuing to sell 'branded' packaging without health warnings. In fact Canada has a terrible problem with consumers buying sticks in bundles from illicit traders – they don't even know what they are buying – and even more importantly, the Canadian government have completely lost track of current smoking figures due to forcing the market underground.

I can give many expert examples of why plain packaging is a dangerous idea, but please consider these two: With plain packaging, there will be no indication of strength of tar nicotine levels. What if smokers use a stronger tar nic product unknowingly? Can they in turn be causing more harm to themselves by a move designed to do the opposite? Can they then sue the Government for taking away information that was designed to inform them? The suggestion that consumers, even young consumers, are primarily influenced by branding to embark on an addiction knowingly detrimental to their health is a radical assumption with no documented proof. Within our office we have three design conscious employees under the age of 25 and a further five under the age of 35 all of who work on tobacco branding. None of who smoke and none of who have ever sampled the tobacco products that they work on even when their designs, which have been created to their personal aesthetics, are available in the market. Interestingly however, all admit to having sampled other, non-tobacco products such as cosmetics, foods and drinks that they have worked on. This leads me to believe that although branding is a powerful selling tool to existing consumers, the branding of tobacco products is not alluring enough to encourage trial. It is a known fact that the causes of young people taking up smoking are negative social influences, the ease of obtaining the product and a desire to seek an elite thrill. This behaviour is a difficult trend to break. In my experience, (from sitting in many research groups for nearly ten years) I hear only of the person who 'introduced' the smoker to the brand – for example, "I started smoking Silk Cut because my Nan smokes them". This strongly suggests that education in schools and family environment is the critical area to address to reduce the amount of 'new smokers'.

Previous governments have previously rejected the introduction of plain packaging because of the lack of evidence that it will work. There is no further evidence now, and no good reason why the Government should have changed its position from July 2013 when the Public Health Minister, Anna Soubry MP, said: "We are waiting to see how things develop in Australia and, as I say, good laws are based on good, sound evidence. That is the way forward."

Without conclusive evidence, the decision cannot be taken to implement plain packaging for tobacco, especially with the dangerous precedent it will set and the wider implications.

Yours sincerely,

nude

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H1007



House of Lords
London SW1A 0PW

Department of Health
Standardised Tobacco Packaging Consultation
P.O.Box 1126
CANTERBURY
CT1 9NB

3.8.2014

Dear Sirs

Plain/standard packaging for Tobacco Products

I am responding to the latest consultation with a submission date of August 7th. I have no interests to declare as I have never smoked and do not own any tobacco stocks or shares.

I am an active Member of the House of Lords and last spoke on this subject on Wednesday 29 th January 2014 cols:1238-1241- copy enclosed. Prior to entering the House of Lords I was MP for Northampton South from February 1974 until May 1997.

By Profession I am a skilled and experienced Marketing man having been a Marketing Manager with the Reckitt & Colman Group working in the UK, India, and Sri Lanka for 5 years covering a wide variety of branded products some of which were impacted by varying Government controls. From 1963 - 1979 I was a Director of three different major Advertising Agencies ; two of which handled Cigarettes, Tobacco & Cigars. I was the Director responsible for Senior Service, Park Drive, Manikn and several other brands.

All my experience tells me that different packs do not stimulate consumption of a market; what they do is differentiate one product from another and give the consumer an impression/feeling of the characteristics of the brand i.e. strong or weak /classless/everyday/special occasion and they are a hallmark of quality.

I now turn to Professor Chandler's Review:

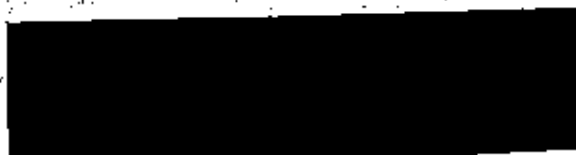
- (1) It was entirely wrong to ask a respected Pediatrician to determine whether Children & other persons consumption of cigarettes would diminish by the the introduction of plain packs. He is not a marketing professor and has no qualifications to make such a judgement
- (2) War time experience in the UK when there was at times plain packaging made nil difference to consumption but it did promote a 'Black Market'
- (3) There is thanks to the inefficiency of HM Customs, a thriving Black Market with the latest statistics showing an annual increase to 21.4% up from 15% last year. It is now common practice for people to smuggle cigarettes from Europe as they are cheaper. They are then sold @ building sites, outside factories, even calls on smokers at their place of work to meet specific orders. If HMG are foolish enough to go down the plain packaging route it will only get worse. One has only to see the effect of the 'Dark Net' on drug consumption to see the switch to plain packaging would be a disaster waiting to happen.
- (4) It is an extremely foolish Government that piles one new restriction on a market before earlier restrictions have even been implemented let alone had time to work and been analysed. i.e. The Tobacco display ban.

- (5) It is incredible to me as an experienced Politician that any Government would consciously and blatantly totally ignore & undermine the Intellectual Property Rights of Brands that have had millions of pounds invested in them often for decades. Does no one in Whitehall understand that any action to infringe these rights will be met with huge challenges in the Courts. The whole packaged goods market will react adversely particularly Confectionery, Food, Alcohol, Soft drinks to name a few. What Overseas Company is going to invest in the UK against a background where Intellectual Property Rights are totally ignored.
- (6) If this legislation is implemented then it is inevitable that the last UK factory manufacturing Cigarettes will close with the resulting unemployment of well over a 1000 people in Northern Ireland: a Province where jobs are scarce.
- (7) Tobacco is a legal product which must not be hounded out to meet the siren voices of the lobbyists. The evidence from Australia which is a totally different market to the UK is that plain packaging has not reduced cigarette smoking nor is there any reliable evidence that it has had any effect at all on young people taking up smoking

H.M.G. must respect due process and be evidence based. When it comes to the law particularly on Intellectual Property they cannot ride roughshod just because it may appease certain lobbyists and be seen as good Public Relations. It is a foolish Government that ignores its own new laws before they have been implemented and one that appears to take no notice of proposals forthcoming from the EU.

20% of the Nation smoke and enjoy smoking: many live to a ripe old age in their 90's. Slowly the incidence of smoking is falling as a result of current curbs and education. There is no need for draconian legislation such as Plain Packaging where the only clear effect will be an increase in illegal importation plus the likely increase in counterfeit cigarettes. Finally no decision should be taken on the introduction of standardised packaging in the UK until the WTO ruling on the Australia case has been heard at the end of December.

Yours



We have heard that opponents of the proposed ban on smoking in cars have argued that legislation of activity in private vehicles would constitute an invasion of people's private space. The noble Earl, Lord Howe, even said in Committee on this amendment that although smoke-free public spaces legislation has proven to be extremely successful in reducing people's exposure to second-hand smoke,

“it does not automatically follow from that that it is right to extend the scope of legislation to cover private cars.”—[Official Report, 20/11/13, col. GC 412.]

However, in the case of child protection, this may not be such a stretch of the imagination. My noble friend Lady Howarth absolutely spelt out that the issue of child protection is a perfect example of this distinction playing a secondary consideration to the well-being and health of the child. Children are protected by the law from abuse and neglect wherever they are.

I have heard about the impact that tobacco smoke has on the health of children. We have all heard about it. Their bodies are still developing and they are much more likely to be affected by smoke-related illnesses than their adult counterparts. A Royal College of Physicians report estimated that smoking around children causes more than 20,000 cases of lower respiratory tract infection; 120,000 cases of middle-ear disease; at least 22,000 new cases of wheeze and asthma; 200 cases of bacterial meningitis; and 40 sudden infant deaths—one in five of all SIDs.

We know that only a proportion of people continue to smoke around children, so the level of illness in children due to second-hand smoke is staggering. It would be difficult to impose such a law on the home—we have heard this already—but we can do something about children's exposure to smoke in cars. We also know that tobacco smoke pollution levels in vehicles can be 23 times greater than in a house. I am talking, of course, about a car with a roof on it. Moreover, when a child is strapped into the car, they do not have a choice about leaving the room—a choice possible, at least for some children, in their home—when adults are smoking.

More needs to be done to protect children from avoidable harm, whether this harm takes place in private vehicles or in public spaces. Moreover, there is also a precedent for banning smoking in vehicles. Cars are already recognised as potentially dangerous spaces for second-hand smoke exposure due to their confined spaces. This is why smoking has already been banned in all vehicles used for the purpose of work in the UK since July 2007. It is surely astounding that we cannot do something effective to protect children as well. There are no restrictions on smoking in private vehicles with children present. I believe fully that this needs to change.

Viscount Simon (Lab): My Lords, the greater majority of people live in smoke-free homes, not because of the law but because it is no longer acceptable to smoke in the home of a non-smoker. Equally, most smokers no longer allow smoking in their cars when children are present.

It is absolutely correct to protect children from second-hand smoke, but it is wrong to think that it is children who are most at risk from its catastrophic

consequences. While it is estimated that there are 1 million children with asthma, adults with asthma outnumber them by four to one—and I am one of them. While open windows in cars have been mentioned by a couple of noble Lords, I would have an asthma attack on the motorway with my windows closed if there was someone smoking a cigar at some time somewhere ahead. Also, the greatest risk from second-hand smoke is to those with a pre-existing heart condition.

The objective of Amendment 57BB, therefore, must not be simply to protect children but rather to further change public attitudes and behaviour so that people no longer smoke in cars carrying any passenger. Just as the law focused on workplaces had a great effect on smoking at home, it is hoped that this amendment will reduce the harm caused to non-smokers of all ages.

As it is the noble Earl's birthday today, I hope he will accept this amendment.

Lord Naseby (Con): My Lords, I want to make it clear that I have no interest to declare on this Bill. I have never smoked and I have no investments in any tobacco company. However, it remains a fact that 20% of our nation smokes. That 20% expects someone at least to speak up for the implications for it of any legislation that we in Parliament propose.

Perhaps surprisingly, the first dimension of the amendment that I draw to the House's attention is a constitutional one. I think many noble Lords will know that in another place I was Chairman of Ways and Means, and there one had to be very careful about constitutional innovations—I shall put it like that. This amendment is a constitutional innovation. Leaving aside the detail about the standard packaging for a moment, the broad framework of the amendment defines what the regulation is to be and says that the Secretary of State, not Parliament down at the other end, may make those regulations. We need to be quite clear about this. The amendment goes on to say, in new subsection (12):

“The Secretary of State must—

not “may”—

“obtain the consent of the Scottish Ministers ... the consent of the Welsh Ministers”

and,

“the consent of the Office of the First Minister ... in Northern Ireland”.

What it does not say is that the regulation needs to receive the consent of the House of Commons in the United Kingdom. Noble Lords may be very comfortable with that in relation to “standard packaging”, but I wonder whether they would be equally comfortable if it directly involved other packaged goods industries. One has in mind the sugar industry, the alcohol industry and the fizzy drinks industry, and there must be myriad others that interest groups outside would lobby to have contained or indeed restricted. I just put that on the record because it is a novel dimension to our constitution that I would like to have studied in a little more detail rather than have it sneaked in, if I may put it that way, in this Bill.

5.15 pm

The Countess of Mar (CB): Does the noble Lord realise that if the Secretary of State makes regulations, they will have to be done by statutory instrument? Statutory instruments are either affirmative or negative. In the case of a negative instrument we can pray against it, and in the case of an affirmative one we can debate it. Both Houses will have the opportunity to consider them.

Lord Naseby: While it is true that there is an opportunity to debate a statutory instrument after the Statutory Instruments Committee has looked at it and decided that it wishes to do so, nevertheless—

The Countess of Mar: My Lords—

Lord Naseby: Let me just finish. Your Lordships know full well that there is absolutely no way that we may amend any statutory instrument; we either take it as it comes or we reject it. I am just pointing out that this is a change to the procedures of this House that we have had hereto. The noble Countess may disagree with me; it happens quite often in law that people disagree—but I have had advice. Perhaps she also had advice on her intervention. I leave that aspect; it is on the record now.

I turn specifically to the amendment and its contents. There are three aspects of it that I draw to the House's attention. First is the matter of intellectual property rights. Such rights are a key dimension to any industry, particularly in the packaged goods world, where I had the privilege to work for some 20 years. Those rights are something that most of those industries have had for centuries. They distinguish between one product and another from a competitor; importantly, they produce a quality assurance for those who buy the product, and they provide for the businesses to have valuable assets that they can produce innovations from and so create competition. Those are assets to those companies that should not lightly be cast aside. There may be particular reasons why some of them should be confined at certain times in certain circumstances, but personally I think that society needs to tread very carefully.

In relation to this amendment, there is the legal situation. I am not a lawyer, but I have had a look and sought advice on the exact legal situation as matters stand at the moment. As I understand it, there are four constraints on Her Majesty's Government. When my noble friend winds up, I hope he will be able to reassure me that all these issues have been dealt with. Otherwise, the Government will have to deal with them before this part of the Bill becomes law.

The constraints are: first, Article 34 of TFEU covering the free movement of tobacco products; secondly, Article 13(1) of the tobacco products directive which affects the free movement of goods; thirdly, it would produce a disproportionate and unjustified interference with a company's property rights, which are specifically protected in the UK by, surprisingly, the Human Rights Act 1998 and in the EU by the European Charter of Fundamental Rights and would cut across the UK's

obligations made under international law, several World Trade Organisation agreements, particularly the agreement on trade-related aspects of intellectual property rights, and other agreements. Finally, I understand that fewer than five countries are taking action against the EU in relation to what this amendment addresses. My first question to my noble friend is: am I right in what I have been advised is the situation? If I am right, what action are the Government taking successfully to overcome what I see as considerable hurdles ahead?

I am not going to go through the whole of standardised packaging because this is not the appropriate time to do that but, in the round, as far as I see it as a marketing man looking at the evidence, there is as yet no real hard evidence. There are lots of assumptions and attitudes from surveys, but there is no hard evidence that consumption of cigarettes will fall if we have standardised packaging. Consumption is already falling without standardised packaging, and I am sure it will continue to fall in future, but I do not see any hard evidence that that will come.

What I do see is that it will be very bad for CTNs—confectionary, tobacco and newspaper shops—of which there are well over 100,000 in the United Kingdom. About 20% to 25% of their business is dependent on tobacco products. It is exceedingly bad news for them. It is pretty bad news for the 60,000-odd people employed in the industry. It is exceedingly good news for the counterfeiters, and we see increasing evidence of the number of counterfeit products. It is no good the noble Lord shaking his head—these are facts. We have facts on the importation of counterfeit products.

Lord Faulkner of Worcester: The figures on counterfeiting reached a peak in 2000 and have been steadily falling year by year. If the noble Lord had listened to my remarks earlier, he would have heard that I said that there is no reason why standard packaging should not be at least as secure as existing branded packs.

Baroness Howarth of Breckland: My Lords, I would like to ask a short question.

Baroness Northover: My Lords, I remind noble Lords that we are on Report. Noble Lords have one opportunity to speak. They can intervene to ask a question to seek elucidation from somebody who is speaking. Providing that is what noble Lords do, those interventions are all right. They must seek clarification from, or ask a question of, the person who is speaking.

Lord Naseby: I reassure the House that I do not intend to speak for very much longer. I respond to the noble Lord opposite by pointing out that the latest figures for Australia indicate an increase of 13% following the introduction of standardised packaging for counterfeit and illegal cigarettes. Therefore the most current evidence—perhaps he can get up to date—is a little more relevant. To finish off standardised packaging, if 20% of our nation smokes legitimately, and we have a legitimate industry, do people not have a right to choose between one pack which they like the look of as opposed to another pack?

I will finish with Australia. I, too, welcome Sir Cyril Chantler as chairman. I also know him quite well and have known him for a very long time. He will already be able to see two results. One is that standardised packaging has done absolutely nothing to the prevalence of smoking in Australia, and the other, as I have just mentioned as evidence to the noble Lord opposite, is the worrying fact that the illegal market has increased by 13% up to an all-time high in Australia of 13% of all consumption.

I draw the House's attention to a book in the Library which refers to the situation in the United Kingdom during the war. It is called *Black Market Britain, 1939-55*, by Mark Roodhouse, and it features, among other evidence, what happened to the cigarette market during the time of the black market. I refer to that book because if we go down the route of standardised packaging, a black market will undoubtedly emerge.

I wish Sir Cyril well; we await his report with interest, and I am sure that it will be balanced and thorough. However, whatever that report produces, I ask that first, the Government will give adequate time to this House to have a short debate on it, and secondly, and perhaps more importantly, that the industry will have a reasonable amount of time—and by that I mean some weeks and not days—to look at the evidence that is provided by Sir Cyril and to put its view to the Secretary of State on its interpretation.

Finally, I will wind up on a couple of other questions, specifically on proposed subsection (4)(d) of Amendment 57B on

"reducing the appeal or attractiveness of tobacco products".

I submit that that has little to do with the packaging. Proposed subsection (8)(d), which refers to,

"the shape of such products"—

as opposed to the package—does not have anything to do with the packaging, and proposed subsection (8)(e) would even more insidiously apply to,

"the flavour of such products".

Given that by nature all cigarettes are different, as tobacco is a vegetable product and they all taste different, I do not see how on earth the Secretary of State can intervene regarding the flavour of tobacco. I have already mentioned the contrast between the consent of Wales, Scotland and Northern Ireland and our own home Parliament.

Barness Howarth of Breckland: My Lords, I apologise to the noble Baroness for intervening earlier. I wanted to ask a short and straightforward question of the Minister: Should the noble Earl's amendment be accepted—I hope it is because I greet it hugely; noble Lords will know how much it means to me—can he tell us in his summing up what the timetable is likely to be as regards when the research would take place and how long it might take? If, when that was completed, the outcome was positive—I recognise that because it is research it could go either way—when would the Government be likely to bring in the legislation? I recognise that we are moving towards an election and I hope that the Minister would want to get this on the statute book before he might or might not leave office. We already have legislation on not displaying cigarettes,

but I still go in to my local tobacconist and see displays of cigarettes, so I wonder what is happening about that.

5.30 pm

Lord Storey (LD): My Lords, I want to speak to Amendments 57B and 62. First, on Amendment 57B, the Government are to be congratulated. The package that they propose—if I dare to use the term, package—of proxy purchase, e-cigarettes and looking at the whole question of standardised packaging of cigarettes and tobacco products is to be welcomed. I think it will result in thousands of people being saved from getting respiratory and lung diseases; it will save literally thousands of lives. I congratulate the Minister and the Government. I want also to thank those cross-party noble Lords who put down the original amendment because they initiated this debate.

On Amendment 62, I said in Committee and say again: some noble Lords have mentioned their grandchildren. Can you imagine carrying your grandson or granddaughter in a carry cot, putting that child into a metal box—a car—and allowing somebody to pump cigarette fumes into that metal box? You would not do that at all; you would not allow that to happen. Whatever our concerns are about personal space or civil liberties or whatever it is, this is about the rights of a child; the rights of a baby. A baby cannot say, "Well, actually, I don't mind"; a child cannot say, "Actually, I don't mind". In fact, research—certainly from talking to children—shows that they do mind. As we have heard, we can see when we look at the figures that children are particularly vulnerable to second-hand smoke. Why? Because they have small lungs, because they have faster breathing, and because they have a less developed immune system. That makes them more susceptible to respiratory problems, asthma, bronchitis and lung malfunction. Knowing that, and that passive smoking results in more than 165,000 new episodes of all sorts of diseases associated with lungs and respiration—and I am talking about children here—are we serious about allowing children and babies to be strapped in a car where that happens? Surely not; all the other arguments pale into insignificance.

We seem to cite lots of surveys here. Interestingly, in 2010 a survey that directly asked 11 year-olds and 15 year-olds found that one in five reported being exposed to second-hand smoke in cars.

A number of people have said, "How are we going to make this happen? The police are very busy; can we really make it happen?" I have two answers to that. Do noble Lords remember when seat-belt legislation was suggested? People got up and said, "(Oh) no, this is an attack on my civil liberties; oh no, we will solve the problem by advertising"; it was the "clunk click" advertisement, was it not? Oh—perhaps we had better move on from that. With the "clunk click" advertisements, in fact, something like 24% of people started to belt up in cars. Legislation was then brought in and we found that 97% of people then put on a seat belt. We do that automatically; we do not think about it or sit in our cars saying, "This is an infringement of our liberties; we shouldn't be doing this"; we do it. Why do we do it? Because it saves lives: it saves our lives and the lives of other people who are travelling in the car.

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Jeremy Hunt MP
Department of Health
Standardised Packaging Consultation
PO Box 1126
Canterbury
CT1 9NB

3 August 2014

Dear Sir/Madam

Plain Packaging Consultation Response

I am an independent CTN retailer who has three outlets in the North Wales area. I employ approximately 40 member of staff. All staff are fully trained for age related purchases. I also operate the Challenge 25 successfully in my stores.

I am writing as I totally disagree with the UK and Scottish Governments intention to introduce plain packaging of tobacco products from May 2016.

As you will be aware this will have a detrimental effect on our sales, and a decrease in transaction times. The cashiers will be much slower when finding these plain packaged products and also mistakes will increase due to confusion by staff and customers.

By introducing this packaging you can expect an increase in illicit trade in tobacco, and growth on the black market will have an impact further on our business.

The profit on cigarettes is minimal as the only winner is the taxman. We are only asking for the ability to sell a legal product to be sold to our eligible customer. If the plain packaging ban does come into operation we shall have to reduce our staff and also our sales will suffer.

I am totally against the Tobacco In Plain Packaging, now or in the future. If the Government want to help independent CTN retailers who provide jobs and also pay their taxes they will reconsider their decision.

Yours sincerely



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SOCOTAB

Frana SA

Tobac en feuilles

Department of Health
Standardised Packaging Tobacco Consultation
PO Box 1126
Canterbury CT1 9NB
Kent
United Kingdom

29 July 2014

Dear Sirs,

Subject: Open consultation on the standardised packaging of tobacco products – draft regulations

We are writing to express our concern about the proposed legislative initiatives aimed at imposing plain packaging on tobacco products. As one of the leading oriental leaf tobacco processors and exporters in Turkey, Greece, Bulgaria and Macedonia (our operating regions), selling to first-class cigarette manufacturers worldwide, we pay close attention to these developments as it is our view that plain packaging could have serious repercussions for thousands of small-hold tobacco farmers in those countries.

Leaf tobacco farming provides a stable revenue for more than 140'000 farming families in our operating regions, many of which live in rural, economically distressed areas where both employment opportunities and alternative crop choices are very limited. Additionally the in-country processing activities of the tobacco provides employment for thousands more.

The classical oriental tobacco crops are internationally recognised as being of the highest quality, grown by skilled and experienced farmers; these are the four countries where the classical aromatic leaf is grown and which is sought-after by cigarette manufacturers worldwide for use in their international blends. This has made our oriental farming partners the beneficiaries of a steady return from their tobacco crops and enabled them to support themselves in otherwise extremely difficult economic contexts.

One of the consequences of plain packaging is that it removes the ability of responsible, high-quality cigarette manufacturers to distinguish their product from those of other manufacturers, including those who pay little attention to product quality or social responsibility. Without the means to differentiate the product, the market is stripped of its capacity to effectively communicate with the consumer, who may unintentionally start purchasing products made with lower quality standards as well as slight regard for labour relations or responsible farming. Simply put, plain packaging could support irresponsible cigarette producers at the expense of the responsible ones. In Turkey, Greece, Bulgaria and Macedonia this could undermine the current effort to grow a quality product as well as the continued effort to introduce best agricultural practices. Not only would this lead to poorer farming communities and a tobacco industry which favours unethical practices, but it would have a considerably negative effect on a fragile part of the national economies.

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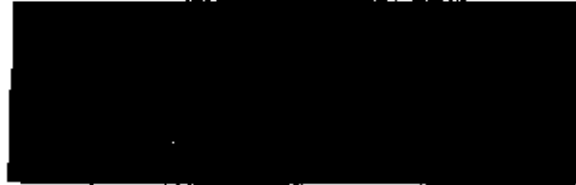
Tabac en feuilles

Department of Health, Standardised Packaging Tobacco Consultation

29 July 2014

In short, plain packaging can lead to irresponsible and unethical manufacturing which would indirectly penalise oriental tobacco farmers whose interests are parallel with ours.

Yours sincerely,



President & CEO



DAVIDOFF DISTRIBUTION (UK) LIMITED
Unit 3, Betchworth Works, Ifield Road, Charlwood, Surrey. RH6 ODX

[REDACTED]

Department of Health
Standardised Tobacco Packaging Consultation
PO Box 1126
Canterbury CT1 9NB
United Kingdom

UK STANDARDISED PACKAGING CONSULTATION

London, 29 July 2014

Dear Sir/Madam

Please find enclosed ITPAC's submission regarding the UK Standardised Packaging Consultation.

Davidoff Distribution (UK) Ltd. is a member of ITPAC and therefore, we fully support the enclosed statement written by [REDACTED]

Yours Faithfully,

[REDACTED]

Accountant
Davidoff Distribution (UK) Ltd

Enclosure mentioned.

**CONSULTATION ON THE INTRODUCTION OF REGULATIONS FOR THE
STANDARDISED PACKAGING OF TOBACCO PRODUCTS**

ITPAC CONSULTATION SUBMISSION

A. ITPAC ASSOCIATION

ITPAC is a trade association which represents the interests of 14 distributors of imported tobacco products in the UK. The Association's Core Members consist mainly of small and medium sized private companies, most of whom employ less than 50 people. These suppliers focus on specialist tobacco product ranges such as cigars, pipe tobacco and snuff.

ITPAC's Core Members are: Bull Brand Ltd, Davidoff Distribution (UK) Ltd, Gawith Hoggarth TT Ltd, Heintz van Landewyck, Hunters & Frankau Ltd, Karelia Tobacco Company (UK) Ltd, Ritmeester Cigars UK Ltd, Samuel Gawith & Co. Ltd, Scandinavian Tobacco Group UK Ltd, Tabac World Ltd, Tor Imports Ltd.

ITPAC's Associate Members, in their capacity as distributors of imported tobacco products, are: British American Tobacco UK Ltd, Gallaher Ltd (a member of the JTI Group of companies) and Imperial Tobacco UK Ltd, but they are represented separately by the Tobacco Manufacturers' Association.

The name and address of the respondent is:

[REDACTED] ncil,

Contact email address
Contact Phone Number

B. RESPONSES TO CONSULTATION QUESTIONS

1. Do you have any observations about the report of the Chantler Review that you wish to bring to our attention?

(i) Timetable

The Chantler Review was required to be completed in 3 months (reporting by March 2014). The amount of key information (from all sides) which was required to be gathered on this critically important subject resulted in a particularly compressed timetable. Against this, the Australian Government, which introduced SP on 1st December 2012, has announced that it will undertake a review of the effects of that measure in December 2014. Clearly, if the Australian Government considers that a 2 year period since implementation is appropriate in order to arrive at a realistic level of compelling evidence, the Chantler Review's ability to do so in such a short period of time must be questioned.

(ii) Evidence from Australia

The Chantler Review disregards evidence from Australia which so far demonstrates that Standardised Packaging (SP) has failed to:

- reduce the volume of tobacco sales
- reduce smoking prevalence
- deter young people from smoking

2.

and indeed to report that SP has resulted in a material growth in the illicit market. See response to Question 2, section (vi) below.

(iii) Specialist Tobacco Products

ITPAC would point out that none of the evidence reviewed by Chantler (nor that produced by the Stirling Review and others) involves specialist tobacco products such as cigars and pipe tobacco. Since there is no evidence, there is no justification for them to be included (as is intended to be the case in the draft Regulations).

(iv) Stirling Review

The Chantler Review largely accepts the evidence quoted in the Stirling Review which is widely accepted to be unconvincing, given the levels of assumption and hypothesis contained in the latter document, and which includes an admission to this effect by the authors themselves.

(v) Impact on Business

The Chantler Review takes no account of the impact on businesses operating in the tobacco supply chain and, due to the compressed timetable, was only able to conduct limited hearings (from which ITPAC was excluded).

(vi) Conclusions

The Report of the Chantler Review includes a number of statements which do not provide compelling and specific evidence that SP will meet the Government's policy objectives. The Report states:

"Research cannot prove conclusively that a single intervention such as standardised packaging of tobacco products will reduce smoking prevalence"

and also makes it plain at the outset that:

"There are limitations as to the likely effect of standardised packaging on tobacco consumption".

For all these reasons, ITPAC finds insufficient grounds to support the conclusions which Sir Cyril Chantler claims to have reached.

2. Do you have any information, in particular any new or additional information since the 2012 consultation, relating to the wider aspects of standardised packaging, that you wish to bring to our attention?

ITPAC stands opposed to the principle of SP for any category of tobacco product; there is no credible evidence to support the claim that its introduction would positively affect the tobacco-related attitudes, beliefs, intentions or behaviours of those whom the Government is seeking to protect.

(i) Non-UK Duty Paid and Illicit Trade

Partly as a consequence of successive UK Governments' high tobacco duty policies, which have helped to establish substantial price disparities between the UK and all other EU countries except Ireland, large quantities of tobacco products, mostly cigarettes and hand-

rolling tobacco, but also including premium hand-made cigars, are purchased abroad and brought back into the UK, or are imported illegally.

The non-UK duty paid and illicit market is comprised of the following main components:

- Cross-border purchases, complying with the EU's indicative allowances, brought into the UK by individuals for their personal consumption (legal);
- Smuggled, well-known, brands brought into the UK mainly from the EU, Eastern Europe and elsewhere (illegal)
- Cheap, unknown or lesser known, brands brought into the UK mainly from Eastern Europe and the Far East (illegal);
- Counterfeit products replicating well-known brands (illegal).

TPAC estimates that legal cross-border purchases consist of c. 25% of this trade. The majority of the illegal trade consists of well-known brands smuggled in from the EU, Eastern Europe and elsewhere.

Since 2008 HMRC and the UK Border Agency have introduced sophisticated measures, and worked closely with the tobacco industry, to reduce the consumption level of non-duty-paid and illicit tobacco yet, in spite of these, the incidence of this trade remains at a high level. HMRC's estimates for the 2012/13 year show the total non-UK duty paid share of consumption of cigarettes to be 16% and of hand-rolling tobacco to be 48%.

In this context, the unintended consequences of SP are likely to be:

- An increase in cross-border trade because the opportunity for adult smokers to buy a packet of cigarettes or hand-rolling tobacco, in their current familiar packaging as opposed to a standardised pack, is highly likely to add further competitive advantage over and above price to branded packs from overseas.
- Far more seriously, the illicit trade would have a further damaging effect on health because SP would increase the distribution of cheaper, inferior products in the UK. These products are unregulated, untested, often reported to contain rogue substances, and are sold indiscriminately to underage and vulnerable people. Additional drivers for this increase are that SP will result in easier replication by counterfeiters of the one basic main SP design than is the case with current tobacco packaging, and also lower counterfeiters' cost of production (due to the one basic design) thereby making their products even more competitive and accessible in the illicit marketplace.
- The possibility also exists that, if the UK introduces SP independently, there will be an increase in counterfeiters' practice of faking foreign (non-SP) products masquerading as overseas packs which, according to consumers' perceptions, are genuine smuggled products.

These latter 2 points provide clear indications of the likely adverse effect on public health, including that of under-age people, which would be brought about by SP.

ii) Young people

TPAC fully supports the Government's efforts to address smoking by under-age people, but does not consider that SP will positively affect their tobacco-related attitudes, beliefs, intentions and behaviours. It drew the Department's attention to the following studies in its 2012 SP Consultation submission, and does so again because of the importance of this topic.

In the Future of Tobacco Control Consultation 2008 the document states (Section 3.77) that 'Children may be encouraged to take up smoking if plain packages were introduced, as it could be seen as rebellious'. As acknowledged by the Department of Health in this document, ITPAC is concerned that a likely unintended consequence of the SP of legal tobacco packs could be an increase in their curiosity-value and attraction to younger consumers, which could make them 'cool' and 'enticing'

Further evidence in relation to the danger to young people is outlined in The Illicit Tobacco: North of England Study 2011 which found that '23% of 16-24 year old smokers say that they still buy illicit tobacco', that '14 and 15 year olds are twice as likely to buy illicit tobacco (as adults)', and also that 'almost 9 out of 10 people agree that children and young people are at risk because they can buy easily and cheaply from unscrupulous dealers'. Additionally, a survey by Tobacco Free Futures found that 50% of the tobacco bought by 14 to 15-year olds is illegal. See <http://www.tobaccofreefutures.org/category/strands/making-tobacco-less-affordable/>.

At best it is not proven that SP will have any impact on youth smoking. At worst, young people's access to illicit tobacco could be greater and so increase unregulated sales to them.

(iii) Price

The lack of branding as a result of SP would result in the only immediate competitive differentiation being via price. This would lead to the commoditisation of the category, which in turn would undermine premium brands and could also lead to lower quality. It might be argued that down-trading by adult consumers to the lower price end of the market can be offset by increases in tobacco duty but, as has been demonstrated over time, this practice will merely serve to increase the proportion of illicit tobacco products consumed in the market with the consequences outlined in 2(i) above.

(iv) Lower Ignition Propensity

Lower Ignition Propensity cigarettes were mandated across the EU with effect from 17th November 2011, and required cigarettes to be produced with fire retardant paper which causes the cigarette to self-extinguish when left unattended. This was promoted as a vital measure to help prevent, inter alia, house fires.

It is widely known that the majority of illegal products entering the UK do not comply with European Safety Standards. If therefore SP results in an increase in the illegal trade it will represent an additional health hazard.

(v) Retail Transaction Times

Recent retail trade reports indicate that the display ban in large shops continues to cause both consumer and trade confusion particularly for slow-moving, specialist tobacco products, which are suffering from long service times. This effect will be felt more widely next year when the display ban is extended to small shops where staffing resources are limited. SP, if introduced, would exacerbate this problem and increase the incidence of incorrect identification of products for consumers.

As such, claims made in the Impact Assessment that retail transaction times will improve as a result of SP are clearly entirely misguided.

(vi) Evidence from Australia

Further to the points relating to evidence from Australia in the response about the Chantler Review (see B.1(ii) on Page 1) ITPAC understands that the following key market developments have occurred following the introduction of SP in that country:

- Over 5 years in the lead-up to the introduction of SP total tobacco industry volumes were declining at an average rate of -4.1 per cent. In the 12 months after SP was introduced on 1st December 2012, industry volumes actually increased +0.3 per cent or 59 million sticks (InfoView).
- A year after SP was introduced the decline in the number of people smoking actually halved. From 2008 to 2012 smoking incidence was declining at an average rate of -3.3 per cent a year. Since SP was introduced the rate of decline slowed to -1.4 per cent (Roy Morgan).
- The number of cigarettes smoked on a daily basis declined at a rate of -1.9 per cent in the five years leading up to SP, while it slowed to -1.4 after the introduction (Industry survey).
- In the first full year of SP the amount of illegal tobacco in Australia grew by 20 per cent. Nearly 14 per cent of all tobacco (KPMG) consumed is now sold on the black market and mainly smuggled into Australia from Asia and the Middle East. These are branded packs sold for less than half the price of legal packs and the majority do not carry health warnings. Illegal tobacco now costs the Australian Government over 1 billion dollars p.a. in foregone excise revenue.
- Since SP was introduced the number of 18-29 year old smokers purchasing low priced cigarettes has more than doubled to 34.6 per cent.

It is thereby clear that the long term trend in the decline of tobacco volumes and smoking rates have slowed and not accelerated since SP was introduced. Additionally the incidence of illicit and counterfeit trade has increased. This runs directly counter to the Australian Government's intentions in taking this policy forward.

(vii) Proportionality

Under the current circumstances, with the level of regulation which already exists and is subsequently planned for the tobacco sector, and when the evidence in support of such a move and the resulting public health benefits are questionable, the introduction of SP in the UK would, in ITPAC's view, be entirely disproportionate.

3. Do you have any comments on the draft regulations, including anything you want to draw to our attention on the practicalities of implementing the regulations, as drafted?

(i) Specialist Tobacco Products

Given its focus on the specialist sectors of the trade, ITPAC welcomes the specific exclusion of Specialist Tobacco Products from the draft Regulations set out in Appendix B of the Consultation document for reasons of their low rate of use, particularly amongst young people.

ITPAC does however also note that the Regulations could be extended to Specialist Tobacco Products in the future if, for example, the market changes and these products become more prevalent amongst young people.

Given that there will be those who will make submissions in response to the Consultation calling for SP to include *all* tobacco products, ITPAC considers that it should nevertheless highlight a number of reasons why SP would equally be unjustified, unnecessary and disproportionate for these types of products:

- Evidence Base: as has been stated there is no real-world evidence base that SP will achieve the stated Public Health objectives for any tobacco product. Furthermore, in the case of specialist tobacco products such as cigars and pipe tobaccos which were not included in any of the studies evaluated to date, there is no evidence whatsoever supporting the efficacy of SP for these products.
- The consumption levels of cigars and pipe tobaccos are insignificant and declining, and their share of the UK tobacco market is very small. For the record an ITPAC review of sales of tobacco products to the trade in the UK indicates that in 2012 cigars represented 0.8% and pipe tobaccos 0.3% of total tobacco volume.
- Young people: as is stated in the Consultation document, usage of cigars and pipe tobaccos amongst young people is extremely limited. They are not widely smoked by young people and certainly not used as an 'alternative' to cigarettes for reasons of cost and availability in the market. The 2012 Omnimas Survey findings report the following usage demographics:

Cigars: 90% of users are over 25 years old, and 78% are over 35 years old

Pipe tobaccos: 97% of users are over 25 years old, and 94% are over 35 years old

- Product Range: the ranges of cigars, pipe tobaccos and snuff available on the market are significantly wider and more diverse than for other tobacco products (and vary widely in size and shape). An ITPAC survey conducted in November 2012 found that the numbers of different Brands and Stock Keeping Units (SKUs) of tobacco products available across the different categories in the UK market overall were as follows (an SKU represents each separate unit of a product that can be purchased by a customer):

	<u>Brands</u>	<u>SKUs</u>
Cigarettes	59	297
Roll your Own	30	103
Cigars	100	893
Pipe tobacco	227	509
Snuff	66	162
Others	<u>27</u>	<u>120</u>
Total	509	2,084

- The specialist tobacco product categories of cigars, pipe tobaccos and snuff, which have a very low level of consumption in the market, nevertheless account for the vast majority of the products on the market (77% of the Brands and 75% of the SKUs).

The trade implications of SP relate principally to the difficulties that retailers will face in locating products which have been requested by customers in their shops, a factor that will create different problems across different categories of tobacco product.

The most recent survey of its members by the Association of Independent Tobacco Specialists (AITS) found that shops which concentrate on specialist products stock a minimum of 200 brands up to a maximum of over 1,000 different SKUs, with an average of 500 SKUs per outlet (and many of these outlets will qualify as Specialist Tobacconists who will be permitted to display the products). Without the current easily differentiated packs to distinguish each product, and with a standard pack colour and typeface, the task of identifying an adult customer's choice from such an extensive selection in a retail shop would become highly complex and unworkable, would undermine customer relationships, and would also be financially damaging to retailers' businesses.

An assumption that if all tobacco products were to be subjected to the same SP regulations, and that no single product would suffer competitively as a result, would ignore the realities of modern trading conditions. The UK is not a fortress protected from conditions in the outside world. It is part of a single European market within the EU and British citizens enjoy the freedom to buy products from anywhere in the world.

The small British-based companies that import tobacco products and the specialist retailers who sell them to the British public would find it extremely challenging to continue to trade in the face of this type of competition.

4. Are you aware of any further evidence or information which would improve the assumptions or estimates we have made in the consultation-stage impact assessment?

(i) Policy Options

Three options are assessed in the Impact Assessment (IA):

1. Maintain all existing tobacco control measures currently in place and expected measures, including the display ban and the introduction of the revised TPD requirements in 2016;
2. Go beyond the TPD and require SP;
3. Defer a decision pending collection of evidence from experience in Australia.

The assessment of Option 3 however states that it is recognised that there may be a case for delaying a decision on SP until evidence from Australia, and any other jurisdiction that introduces SP, becomes available. The extent to which deferring a decision would be beneficial depends on the type of evidence which is likely to become available from international experience, against the public health costs of not taking action. While preliminary evidence on serving times is already emerging, other impacts will require a longer period of observation. The assessment concludes with the following statement: "A survey from the Australian Institute of Health and Welfare is expected to report results of overall prevalence in October 2014 and estimates for youth prevalence are expected in August 2015, in the Australian School Students Alcohol and Drug survey. Even then, it will be difficult to distinguish the impact of plain packaging from other drivers of prevalence".

Option 2 is recommended "in view of the possibility of very substantial health gains that it offers, deferral of which would be permanently detrimental to successive cohorts of young people and would-be quitters" in spite of the fact that the evidence in the Chantler Report and the Stirling Review does not, in ITPAC's view, present a sufficiently compelling case for the introduction of such a critically important measure as SP.

(ii) Quantification of Losses and Benefits

The IA's assessment period is limited to 10 years, and the following cost impacts are defined:

- losses to HMT £2.3 bn, the majority relating to the lifespan of smokers who quit;
- transition costs to manufacturers, packaging companies, wholesalers and retailers £176m-£181m (including £166m from brand value);
- benefits to health from the reduced take-up of smoking £4.4bn;
- benefits from improved quit rates £21.5bn;
- benefits from retail transaction times (1.5 seconds per transaction) £0.069bn;
- manufacturing cost savings £0.3bn.

ITPAC is concerned at the assumptions made and the viability of these calculations. For example, as mentioned above, there is no realistic likelihood that SP will reduce retail transaction times. Further, it is not at all clear how the valuation of £166m for the brand value of the tobacco industry, or the remaining £10m-£15m for 'transition costs' was reached, or how these numbers can be substantiated. Also, as acknowledged in Section 186 of the IA, the benefits largely stem from the health and pecuniary benefits to those who either do not take up or quit smoking. There are two key issues with the calculation of these benefits. The first is that the estimate of the impact of standardised packaging is based on a distillation of expert opinion rather than any hard evidence. The second is that the assessment uses median values for these expert estimates (1% for adults and 3% for children). The low end of the range suggested by at least one expert in each case was 0% and 0.4%. If these lower rates turn out to be correct most of the benefit from the policy disappears.

(iii) Illicit Trade

As outlined in the response to Question 2 Section (i) above ITPAC is concerned at the impact which SP will have on UK illicit trade. ITPAC therefore welcomes the statements in the IA that "There is a risk of an adverse impact of SP on the non-UK duty paid segment of the market by encouraging cross-border shopping and/or a larger illicit tobacco market. If this risk occurred it would increase the losses to the Exchequer and decrease the health benefits", and also the statement that "Although compliance measures are in place to mitigate generic risks associated with illicit tobacco goods, HMRC assesses that SP is likely to enhance and diversify current risks that the UK faces from tobacco fraud, although there is no direct information or evidence to enable estimation of any increase to the size of the illicit market. Further to this, an increase in cross border shopping cannot be mitigated where it involves travellers from the EU legally importing unlimited quantities of duty paid (but not UK duty) tobacco products for their own use. A potential increase in the size of the illicit market, apart from the adverse effect on duty receipts, may limit the potential influence of future tobacco duty policy. The potential impact on the UK duty unpaid market remains unknown and unquantified. If the illicit market increased significantly it could significantly increase the costs of a SP policy".

(iv) Small and Micro Business (SMB) Assessment

The IA makes the following statements:

- Costs to retailers in the form of increased serving time are expected to be negligible with the impact being short lived (a matter of weeks). Thereafter, *retailers are expected to see a reduction in transaction times.*
- SMBs are expected to incur costs in the form of reduced profits from their tobacco sales; also, the expected estimated fall in smoking prevalence rates will lead to a reduction in overall tobacco consumption as well as the down trading from more profitable higher priced brands to less profitable lower priced brands. However, the IA states that, by way of compensation it is expected that consumers will reallocate their income expenditure to other goods and services in the economy, and that *since SMBs are a component of the economy, losses from reduced tobacco sales may be offset by consumption of their other products.*
- Responses to the first Consultation suggested that tobacco may account for up to 30% of the revenue of a convenience store although, anecdotally, the profit margins on the sale of tobacco may be relatively low. *Small retailers such as CTNs, in order to thrive in this changing world (eg internet sales, economic cycles, big supermarket competition and demographic changes) already need to be planning their future business strategies, considering diversifying, and thinking about how to cope with all the trends and shocks that are likely to affect them.*

ITPAC would challenge these assumptions on the basis that there is absolutely no realistic evidence to support the assertion in the first point ('reduction in transaction times'), that the assumption made in the second point ('... since SMBs are a component of the economy, losses from reduced tobacco sales may be offset by consumption of their other products') is economically unviable, and that the third point ('small retailers already need to be planning their future business strategies') is unreasonable given the major challenges which SP would place on an important economic sector which is already under threat and facing considerable regulation.

C. CONCLUSION

A significant level of tobacco regulation has been introduced over the past 10 years, in addition to relentless annual excise increases. Furthermore, a full display ban will be in effect from April 2015 and an extensive range of measures, including 65% health warnings (itself a significant step towards SP), will be implemented from May 2016 as a result of the revision of the EU Tobacco Products Directive. Further still, the Government is currently consulting on a ban on smoking in private vehicles carrying children, and is soon expected to introduce a long-overdue ban on proxy purchasing of tobacco products.

Additionally, in ITPAC's opinion, the documents and evidence, including that in the Chantler Report, and also the IA which has received only an "amber" rating from the RPC, in support of such a critically important measure as the introduction of SP, do not make a sufficiently compelling and watertight case for the introduction of a new policy.

Under these circumstances it is ITPAC's view that the introduction of SP is a step too far, and the Government should give serious consideration to resisting the ideological temptation to take the policy of SP forward.



30th July 2014

Department of Health
 Standardised Tobacco Packaging Consultation
 PO Box 1126
 Canterbury
 CT1 9NB

Dear Sir,

As Convenor of the Lords & Commons Cigar Club (L&CCC), I am writing in response to the UK Government's consultation on standardised packaging of tobacco products.

The L&CCC was formed twenty years ago and now has about seventy members, broadly half from the House of Lords and half from the House of Commons, some of whom smoke and others who do not.

Firstly, I would like to say that at 6 weeks, the consultation period appears to be far too short for such an important policy measure that would have repercussions far beyond the sphere of tobacco. It should quite rightly be set at 12 weeks as per the recommended government guidance to ensure those interested parties have adequate time to respond.

I note that the consultation presents the following policy options:

Option 1: Require changes to legislation to bring the UK in line with the European Tobacco Products Directive, to be implemented in 2016. (This is essentially a "do nothing" option).

Option 2: Go beyond the European Tobacco Products Directive in 2016 and require standardised tobacco packaging of cigarettes and hand rolling tobacco (HRT). In line with the approach set out in the consultation document, this would involve the standardisation of pack colour and shape and the removal of all branding except brand name in a standardised typeface. Relevant legal markings such as health warnings and tax stamps would be retained as well as authentication markings to reduce trade in illegal tobacco products.

Option 3: Defer a decision pending collection of evidence on experience with plain packaging in Australia.

On reflection, Option 1 would be the preferred choice, although it is apparent that the European Tobacco Products Directive will have a significant impact on the UK tobacco market, therefore we are somewhat concerned by the apparent lack of parliamentary scrutiny and awareness on this matter. Fellow members of the L&CCC were somewhat

surprised by what is being taken forward by the Directive and therefore, why the UK Government wishes to go even further and "Gold Plate" the legislation by introducing plain packaging.

We welcome the exclusion of cigar and pipe tobacco products from the draft regulations and would sincerely hope that they are not re-introduced into the regulations at a later stage. Plain packaging proposals do therefore apply to cigarettes and hand rolling tobacco and we are somewhat concerned at the evidence base that is being used to support its introduction. Government publications on predictors of youth smoking do not cite packaging as a reason, but rather complex social factors. Those who are advocating its introduction readily admit it will not stop existing smokers.

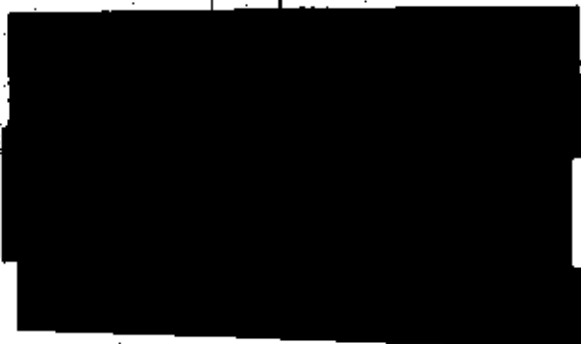
We also understand that the evidence emerging from Australia since plain packaging was introduced presents a very weak case for its introduction into the United Kingdom. Given that this is such an important policy proposal, with potentially very serious repercussions, it is unclear why the Government's preference is to rush ahead with Option 2, when Option 3 would at the very least provide the opportunity to assess the evidence from the Australian Government's planned review.

The plain packaging of tobacco products will set a very dangerous precedent, those who are advocating the policy claim that tobacco is unique and therefore other products will not follow suit, but this is not a convincing line of argument. If a public health policy can be based on very thin evidence, there is not much to stop it being implemented on other products, hence recent headlines on alcohol, confectionery and foods.

It is also apparent that tobacco smuggling is likely to increase with plain packaging, as counterfeiters would seek to exploit the less sophisticated packaging requirements. Tobacco smuggling presents a substantial cost to HM Government, up to £2.9bn per annum, therefore, it should not be seeking to introduce measures that would further encourage criminals and counterfeiters.

Young people should not smoke and I support evidence based measures that prevent them from doing so, such as the long overdue decision to prohibit the proxy purchasing of tobacco. However, plain packaging is not a sound public health measure, the evidence is not convincing and the risks are too great. The Government should take a long hard look at its tobacco control policy, thoroughly evaluate the effectiveness of existing control measures before embarking on further measures such as plain packaging.

Your Faithful,



MD12



**Birmingham
Airport**

Department of Health
Standardised Tobacco Packaging Consultation
PO Box 1126
Canterbury
CT1 9NB

28 July 2014

Dear Sir

Standardised Packaging a real concern for UK Airports

The proposed change to introduce standardised packaging by prohibiting branding will significantly affect the ability of our Duty Free Export Shops to retail tobacco, this would have a disproportionate impact upon this unique retail channel and on all UK airports that rely on the revenue generated. This would leave UK regional airports at a significant commercial disadvantage with tobacco sales being displaced to airlines and our overseas competition.

The UK government has already accepted the unique nature of the duty free retail channel by allowing UK duty free operators to continue to display tobacco products providing that they are kept in purpose-built tobacco display areas (TDAs). This legislation is due to enter into force in April 2015.

Travellers rely on brand recognition to identify the product they require so prohibiting branding on tobacco products will potentially prevent customers from purchasing the products that they intend to purchase. Where such passengers defer their tobacco purchases, they often also defer purchases in other categories resulting in additional lost sales.

Standardised packaging would defeat this communication, and competing retail offerings later in the journey, would not face the same challenges in communicating to those consumers. There can be no visibility of tobacco products from outside our new tobacco display areas. Our significant investment in these tobacco display areas, plus the cost of staffing these areas (three shifts per day, 365 days per year) would be seriously undermined by the introduction of standardised packaging.

Tobacco products sold in duty-free departure retail outlets are for export only and carried by the passenger unopened to their final destination.

Cigarettes are sold in multiples of 200 – no single packs are available in duty free shops. The duty free retail channel does not compete with domestic retailers, but rather with retailers in other airports or sales that take place on board flights. Export Shops stock products specific to the international customer base. Standardised packaging would result in a reduction of the range of products available to consumers.

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Registered at the above address. Registered in England & Wales no. 2078273.

The Chantler Report has not considered the economic impact on Export Shops and airport revenues. The revised Impact assessment, which was published in June 2014, stated the need for a better idea of: the likely scale, cost implications and any impact on duty-free imports, arising from standardised packaging.

However, it failed to provide any detailed information on the effect plain packaging would have on Duty-free sales made at UK airports

In summary the Bill should not apply to products sold in travel retail as this would disproportionately disadvantage and damage the UK duty free business and the UK airports that rely on the commercial revenues, and merely defer purchases to the airline or next airport on the journey, leaving UK airports at a competitive disadvantage

Yours faithfully,

Chief Executive Officer

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M10 13

Benkert UK Ltd



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4th August 2014

Dear Sirs,

Consultation on the introduction of regulations for standardised packaging of tobacco products

We wish to provide additional information for the consideration of the Government prior to a decision being made whether to implement the proposals published on 26th June 2014. A detailed response is attached.

Benkert UK Ltd is a foreign owned company, part of the "Benkert Group". The Group's main activity is the manufacture of multi-colour cigarette tipping paper for supply to the major international tobacco companies.

For more than 40 years Benkert has provided 150 well paid manufacturing jobs in Central Scotland. Inward investment of more than £20m has been made. More than 90% of production is for export.

The Board of Benkert UK cannot understand why the Government would enact the proposals when their effectiveness is unproven.

The proposals are of concern to Benkert for the following reasons:

The proposed future design of cigarette tipping paper takes away the features which we have invested in to be able to produce. The proposed cigarette tipping paper can be produced with less sophisticated equipment and has a lower resale value. The consequence is that the factory would become uneconomic.

The threat that producing material which contravenes the regulations could result in imprisonment would make our present business untenable.

If the Government decides to implement the proposals Benkert will consider closing the factory in UK and removing production to another site in a less



hostile environment. All employees would become redundant and all activities currently undertaken in the UK would cease.

The published Impact Assessment underestimates the affect. In our attached detailed response we calculate a cost relative to Benkert which is greater than the cost stated in your Impact Assessment for the whole of the packaging industry.

Yours faithfully,

A large black rectangular redaction box covering the signature and name of the sender.

Director

Benkert UK Ltd



Department of Health
Standardised Packaging Consultation
PO Box 1126
Canterbury
CT1 9NB

Alva
Clackmannanshire
Scotland
FK12 6DW
UK

Phone: +44 1259 762696
Fax: +44 1259 762626

4th August 2014

Dear Sirs,

Detail response to the standard packaging consultation and impact assessment.

The consideration of closure of our Alva factory is not an empty threat.

- The Benkert Group factories in Western Europe supply to a diminishing market as smoking prevalence decreases
- In 2013 Benkert Group closed a factory in Switzerland as production demanded was too low for economic operations to continue
- After the devastating fire in 2009 the Benkert Group reluctantly ceased production of non-tobacco products as production capacity was limited. Benkert UK has been unable to re-establish sales to those former customers and has become 100% reliant upon tobacco customers

It is not possible for Benkert UK to quantify the percentage of our current production which is ultimately sold in the UK.

Benkert UK supplies cigarette tipping to various cigarette factories within the EU. The cigarette factories supply cigarettes throughout the EU including UK.

The impact of standardised packaging upon the Benkert UK business within the EU could be to eliminate multi-colour products and branding.

- Based upon our current prices and volumes sales revenue could be reduced by approximately €4m pa
- Cost savings could arise due to improved waste levels and less materials content achieved by producing a less complex product. Based upon current we estimate this could be €0.35m pa



- There would be no saving in production costs as machines and printing cylinders would not be changed

The net reduction in profit could be more than €3.5m pa

Furthermore, if our customers decided that there is no longer a requirement for Benkert UK to print and slit white cigarette tipping paper the sales revenue loss would be greater, €10m pa.

Standardised and less complex products could be easily produced in low cost regions and imported into the EU. Benkert and its highly skilled employees will not be able to compete.

In all the above scenarios continuation of any production in UK would be unviable.

Existing plant and machinery would become redundant.

Our existing plant and machinery is designed to produce multi-colour branded cigarette tipping paper. Plant and machinery would either become redundant, or would be of a higher specification than would be required to produce the less complex products. Plant and machinery costing €15m is at risk.

A permanent impairment write-off could be required.

The current staffing of some processes would be excessive for the required less complex product.

Redundancy costs of €20K per employee could be incurred.

Benkert UK Directors have invested considerable time and cost over the past 30 months explaining our concerns to the British Governments.

- We have met with MPs, MEPs and MSPs.
- We have hosted visits to our factory.
- We have explained what we do and the role we play, and wish to continue to play, in the local economy.
- We have travelled considerably to attend wherever we are requested to meet with those who may inform and influence Governments decision.

- We have engaged with other parties throughout our industry in order to contribute to the production and presentation of information to explain the complexities of the production and packaging of tobacco products.
- We have had to engage external resources to assist us to try to understand the enormous amounts of information which we are required to review and pass our comments upon.
- We must take further advice from our legal advisers and insurers about the viability of our operations if the "offences and defences" in the draft regulations are not amended

We cannot quantify the huge drain upon our resources that this has been and the negative affect that the diversion of our attention from our core activities has caused

We reinstated our factory and maintained full employment following a devastating fire in 2009.

The shareholders decided at that time to reinvest the insurance monies in the UK rather than site a new factory closer to our customers. The support indicated at that time from politicians at Westminster & Holyrood was an important factor in that decision.

Further investment had continued because the Directors relied on the stated policy of the UK Government (confirmed in July 2013) to not proceed with plain packaging until clear evidence was available that it could produce a reduction in smoking.

The announcement of the Chantler Review caused us to put investment plans on hold.

Had we foreseen the UK Governments change in attitude we would not have continued with the investments.

The Board cannot understand why the Government would contemplate the action proposed with no conclusive evidence that it would reduce smoking

The majority of the board of Benkert UK are German nationals. In Germany the attitude to plain packaging and the measures taken to reduce smoking are very different to in the UK. The German Government has listened to the concerns of businesses whose existence depends upon continuation of the status quo.

If the UK Government does not continue to support our activities we may be forced to remove our manufacturing from the UK.

If the Directors are forced to conclude that continuing manufacturing in the UK is too difficult we will close the factory and the following impacts could result

- More than 130 employees could be made redundant in an area which already has higher than average unemployment
- Redundancy costs exceeding £2m could be incurred by Benkert UK
- A reduction of disposable income of £3m pa from our employees
- Other local jobs could be lost
- Our spending in UK would cease. We currently spend more than £5m pa with our 10 largest UK suppliers. It is probable that they could make some staff redundant, with consequent costs.
- The plant & machinery in Benkert UK would be removed and where possible transferred to other Benkert factories, or sold, or scrapped. The cost of write offs and removal could be £10m.
- The building would be sold, or demolished and the land sold, or abandoned
- Repayment of corporation tax previously paid would be due
- £4m pa of taxes currently paid by Benkert UK and employees would cease

In summary:

- Once only costs to Benkert £12m
- Annual costs to suppliers £5m
- Annual costs to employees and suppliers employees of loss of jobs £3m
- Annual costs to Government due to reduced taxes £4m

Your faithfully


Director

MD 14

23-07-2014

Department of Health
Standardised Tobacco Packaging Consultation
PO Box 1126
Canterbury
CT1 9NB

Dear Sir / Madam,

Introducing Legislation for Standardizing Cigarettes Packets

'Select Express' is a corner shop in Birmingham own and operated by me. I have heard about this consultation on the above said legislation and want to register my opinion too. I want to mention that Sir Cyril Chantler's report is a biased one. It never mind the troubles which are going to be faced by the retailers like me.

Large chain stores are expanding their businesses by opening small stalls in every nook and corner of the country. Comparatively they are wealthiest than our corner shops. In order to compete with them we have to provide individualised and attractive customer service, then only we can retain our old customers with us and attract more new customers. We have to train our employees to improve their efficiency in order to manage the stocks, handle the queue and let the customers go with pleasant memories about their shopping. This will increase our cost in terms of time and money.

From 2015 retailers can't display cigarette packets in the shelf. They have to be kept in a closed drawer. It shouldn't be able to seen by any customers. Once the seller spends time to identify the correct packet from those similar packets which are kept under the drawer he will lose his control over the other things. This will be a great opportunity for shoplifters.

Therefore stop this unwanted legislation at least at this point.

Cc: Ms Priti patel MP
House of Commons,
London, SW1A 0AA

MOIS

[REDACTED]

Department of Health
Standardised Tobacco Packaging Consultation
PO Box 1126
Canterbury
CT1 9NB

Dear Sir / Madam,

Standardized Packaging for Tobacco Products.

I wish to register my opinion as a retailer on this proposed legislation for standardized packaging of tobacco products. Smoking will lead to serious health conditions. Definitely it should be controlled but it shouldn't be at the cost of the survival of retailers. There are so many regulations presently prevailing at the country, but smoking never decrease.

Presently 90% of the cigarette packets were filled up with the warning pictures and sentences. The remaining space has the brand image and the name only. Those are never inducing people to smoke; they just differentiate the brands visibly. So, removing them doesn't make any significant difference.

Further display ban will come into effect for retailers from 2015. That means any one will be expose to cigarette packets after it was purchased from the shop. Therefore the arguments which cite that the packets attract people to smoke will not be applicable anymore.

But for the retailers it will have significant effects. Difficulties in identifying the packets will create unwanted confusions and misunderstandings between the seller and the buyer. Too much of time will be consumed per transaction. If the packets were return after opening it will be result in loss to the seller. Therefore please refrain from proceeding further on this legislation and let us survive.

Yours Sincerely,

[REDACTED]

Cc: Ms Priti Patel MP
House of Commons
London, SW1A 0AA

MD16

Department of Health
Standardised Packaging - tobacco Consultation
PO Box 1176
Canberra
ACT 2600

Dear Recipient,

please stop the plan to
plain package tobacco.
It's a ridiculous plan
which will not reduce the
amount of smokers but
will just cause trouble for
retailers.

Yours Sincerely,

MD17

Department of Health,
Standardized Packaging
Tobacco Consultation
PO Box 1126
Canterbury CT1 9NB

To whom it may concern,

Please do not introduce the law about plain packaging of tobacco because I am sure it will cause problems to me as a consumer and retailer. I am totally against it since it will not reduce the number of smokers but on the contrary it will affect negatively the sales of tobacco on retail businesses.

Thank you for your consideration,
I am convinced that you're going to take the correct decision.

Yours faithfully,

MD 18

Department of Health
Standardised Packaging Tobacco Consultation
PO Box 1128
Canterbury CT1 9NB

Dear Recipient,

I'm writing to say please stop
the plan for plain packaging of tobacco

It will just cause a lot of harm
for retailers. More mistakes,
more trouble. But I don't think
it will reduce the amount of
smokers.

Your sincerely,

HD 19.



Department of Health
Standardised Tobacco Packaging Consultation
PO Box 1126
Canterbury
CT1 9NB

20 July 2014

Dear Sir / Madam,

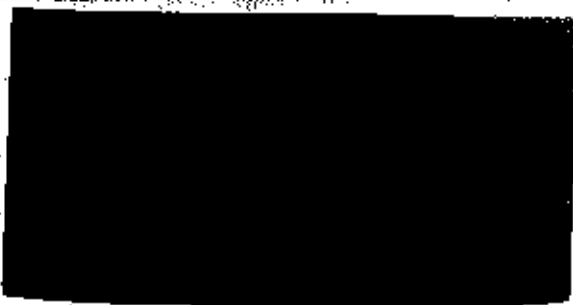
I own and run the above news agent shop. Earlier I wrote to the MP of my constituency about my problems related with this plain packaging legislation. Once I met him in-person and had a chat with him too. I firmly oppose this legislation as it will destroy my business in future.

I have enclosed the copies of the letter that I sent to the MP for your reference.

Yours sincerely,



Cc: Ms Priti Patel MP
House of Commons,
London, SW1A 0AA



Chuka Umuuna MP
36 Mount Ephraim Road
Streatham, London
SW16 1 NQ

12 March 2015

Dear Sir,

Thank you for meeting with a fellow shop owner in May last year, in response to our letters opposing the plain packaging legislation. The attendees shared your views from the meeting with the local convenience store owners.



I completely understand that public health is of huge importance, and that is one of the reasons you see the legislation as a good thing. However, you said yourself that consumers will continue to purchase tobacco products regardless of the legislation, and therefore our businesses won't be affected.


In truth, I agree that smokers will continue to smoke and the legislation will have little impact from a health perspective. However, I feel that shop owners will lose out no matter what effect the legislation has on smokers. If smokers continue to smoke, the number of people buying tobacco products will remain the same. The problem is coping with the additional volume of customers since it will take longer for us to identify the appropriate packaging for our customers. Large queues will force regulars to shop elsewhere and we are unable to compete with the number of checkouts in our local express supermarkets.

If the legislation has a positive public health impact, then our revenues from tobacco will decrease considerably and I re-state from my previous letter that my tobacco revenues amount to £1750 and helps me to sell other items to the tobacco customers at the same time. In the event of plain packaging, my shop's tobacco and other sales will be reduced.

I would be grateful if you could take these concerns into consideration.

Yours Sincerely,





Chuka Umunna MP
3a Mount Ephraim Road
Streatham, London
SW16 1NQ

27 March 2013

Dear Sir,

I own and run the above News agent business in the total floor area of less than 300 Square feet with the current weekly turnover of £4,500. Even though the current trading condition is very tough, I have recently refurbished the shop thinking that this will increase the sales.

However, last week I have heard about the intended tobacco plain packaging legislation by Government and worried that this will affect my business too. So I thought I will write you and register my opposition to this legislation on the basis that this legislation primarily will encourage illicit trade and will not help my business in anyway. I do appreciate the related health issues but this action will not stop People smoking.


I do deal with regular request from illegal traders to buy their product for re-sale and also have few bitter experiences in this respect as I refuse to their demand. In my mind this plain packaging will allow illegal operators to expand further in the expense of genuine traders like myself.

My weekly tobacco products turnover is around £1,750 and helps me to sell other items to the tobacco customers at the same time. In the event of plain packaging is introduced, my shop's tobacco and other sales will be reduced. As you know my shop space is very tight and at peak time it is very congested. As a result of plain packaging, I will have to spend even more time identifying the right product and thereby making all the customers to wait longer.

I hope you will understand my worries about the future of my business and appeal to you to take the necessary steps to stop the intended legislation.

I would like to come and see you as well at your convenience to discuss all my concerns. So please let me know the best time to meet you along with my few other local businesses as soon as possible.

Yours sincerely





Department of Health
Standardised Tobacco Packaging Consultation
PO Box 1126
Canterbury
CT1 9NB

20/07/2014

Dear Sir / Madam,

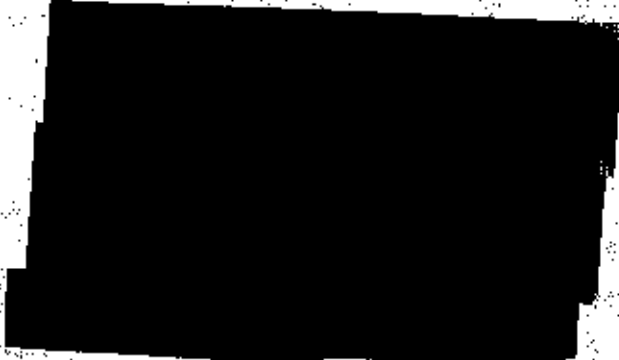
Plain Packaging of Cigarettes

This letter aimed at disclosing my concerns to the committee on the plain packaging regulation. I'm a retailer and find that this legislation would threaten my survival therefore I oppose this legislation. I already convey my arguments to the MP and here I enclosed those copies.

Yours sincerely,



Cc : Ms Priti patel MP
House of Commons,
London, SW1A 0AA



27th December 2013

Rt Hon Ed Davey MP

Surbiton

Dear Mr Davey

Plain Packaging of Cigarettes

I refer to my previous letter dated 10th April 2013 and enclose a copy for your reference.

I was so happy that the Government had shelved the idea and wanted to allow enough time to see what is happening in Australia after the introduction of plain packaging of cigarettes. However, recently our Government is planning to re-visit this subject and try to bring back the legislation without proper consultation of all parties concerned. As pointed out in my previous letter, I am not for promoting smoking but new legislation should only be based on real evidence.

I am writing this letter to stress the fact that my business is depending on foot flow and trust you will do your best to stop this unwanted legislation.

I am looking forward to a positive response

Kind regards



HD21

DEPARTMENT OF HEALTH
STANDARDISED PAUKABINIZ TOBACCO CONSULTATION
PO BOX 1120
CANTERBURY
CT1 9NB

DEAR SIR / MADAM,

PLEASE DON'T GO THROUGH
WITH THE PLAN TO PUT IN
PAUKABINIZ TOBACCO.

THE ~~SMOKE~~ SMOKERS WILL
SMOKE ANYWAY, IT WILL
JUST CAUSE RETAILERS AND
SNACK BUSINESSES
A LOT OF TROUBLE.

YOURS SINCERELY,

[REDACTED]

FD22

Department of Health
Standardized Packaging Tobacco
Consultation

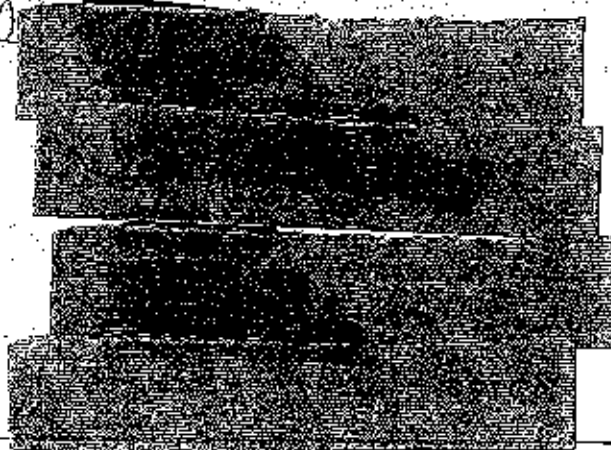
PO Box 1126
Canterbury
CT1 9NB

Dear Recipient,

I'm writing to say I'm against
plain packaging.

It will not most likely affect
the amount of smokers
but surely will cause harm
& losses for small retailers.

Yours Sincerely



HD23

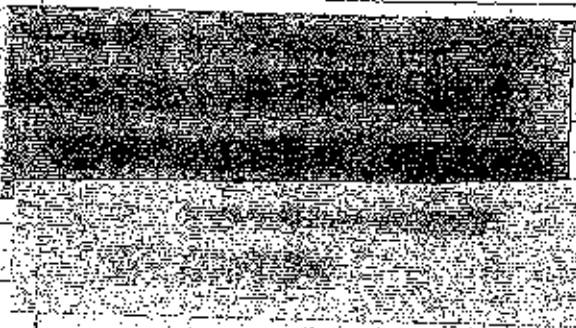
Department of Health
Standardized Packaging Tobacco Consultation
PO Box 1126
Canberra
CT 2603

Dear Sir / Madam,

Please stop the plan to
plain package tobacco.

It's a bad idea which
will not reduce the amount of
smokers. But just causes
trouble for retailers - for rolling.

Yours Sincerely,



→ HD 24



Department of Health
Standardised Tobacco Packaging Consultation
PO Box 1126
Canterbury
CT1 9NB

20 June 2014

Dear Sir / Madam,

Standardize packaging for tobacco products

I write this letter to the consultation team to register my opinion about the legislation. In my opinion this legislation does not consider its disproportionate effects on retailers. I discussed about this with MP and attached the copy of the letter herewith.

Yours sincerely,



1024

Rt Hon Edward Davey MP
21 Berrylands Road
Surrey, Surrey
KT5 8DX

27 March 2018

Dear Sir,

I'm married with two children and have a small news agent shop. I work at my shop full time with the support of two part-time staff. This is the only income to me and my family. With the current economic climate coupled with increased competition, shop turnover has declined over 35% in the last eighteen months period. As a result I'm financially struggling and building up further debt in order to meet the end needs. I have been trying to try to get any support towards my business from local agencies and government without much luck.

To add my distress, last week I came to know about Government's intended tobacco plain packaging legislation from another shop owner. This is a very serious matter to my business as I believe this will further reduce my turnover by 15-20% from the current weekly sales of £2.5-3K. My main concern in this regard is to do with illicit trade that will drive away impulse purchase customer base.

My [redacted] and facing increased competition especially from express supermarkets. If the plain packaging introduced, I believe the sales will drop further. In the short-term I will have to make part-time staff redundant and in the medium to long run I may end up closing the shop with additional debt burden.

Please consider my current circumstances and do everything you can to stop this legislation that will help my business greatly.

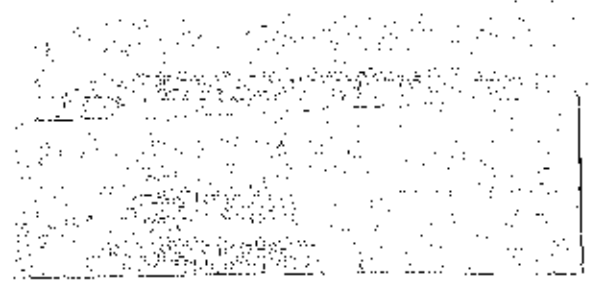
I will wait to hear from you with your actions in this regard.

Thank you.

Yours sincerely

[redacted signature]

MD 25



21st of June 2014

Dear Sir/Madam,

I want to register my concerns about this legislation as a convenience shop owner. I'm against this legislation as this will affect my survival. I already wrote to the local MP and conveyed my opinions about this legislation and herewith forward the copy of that letter for your reference.

Kind regards



Dear Mr Davey

I am living at the above address and owned three retail businesses until recently. However, due to economic condition and pressure on small businesses I was forced to sell two of them and just focusing on one business which is a convenient store mainly relying on local custom.

I strongly believe the prime reason we are struggling is due to our customer service to our local customers. I learned that the government is planning to introduce a legislation to sell cigarettes in plain packaging. This is going to put out more stress on our business which is already struggling. We have not yet introduced the shutters for cigarettes but once this law is in place this will also add pressure to me and my staff. I am already maintaining the line it takes to customers to sell cigarettes in places where they have shutters already in place. I just can't imagine the effect on my business in terms of profit and foot flow after the introduction of plain packaging.

I and other colleagues live in your area would like to come and meet you soon to discuss this issue in person. Hope you can allocate time for us with in your busy schedule.

Kind regards

H1026

23-07-2014

Department of Health
Standardised Tobacco Packaging Consultation
PO Box 1126
Canterbury
CT1 9NB

Dear Sir / Madam,

Request to stop the proceedings of standardize packaging.

I'm a convenience shop owner and find myself threaten by this regulation. I had multiple conversations with my local MP earlier in this regard and enclosed the copies of those letters here for your consideration.

Please consider my views and refrain from implementing this legislation.

Yours sincerely,

House of Commons,
London, SW1A 0AA

25 March 2013

House of Commons
London SW1A 0AA

Dear Stephen,

RE: Tobacco Products - Plain Packaging intended legislation.

I live in your constituency and own three small shops. A significant proportion of my turnover is driven by tobacco sales. It constitutes approximately 30% of my sales which is a key driver of my business.

I have come to understand that the Government is proposing plain packaging from reading recent newspaper articles as well as information provided by a number of tobacco companies.

I am not a smoker and I encourage non-smoking all round. However, I'm not convinced if this legislation will deter people from smoking but will have greater impact on my shop sales that include reduction in tobacco customer's impulse purchase. Furthermore, I sincerely believe that the plain packaging will open the door for more illicit trade and that will in turn reduce my shop sales.

On a practical point of views, as you ~~know~~ know our shop spaces are very limited and in peak hours we have queues when serving customers. If the plain packaging introduced then it will take lot longer to dispense tobacco products. As a result, in particular non-tobacco customers will have to wait longer with added frustration during peak hours. My great fear is that this will drive away REGULAR NON-TOBACCO customers to nearby express supermarkets like Tesco.


I have also spoken to other shop owners and they share the same concerns. This is a very difficult time economically for everyone and this legislation is something we can do without.

For the reasons outlined above, I urge you to NOT to support the intended plain packaging legislation and do everything you can to stop it.

I look forward to hearing back from you with any feedback you may have on this matter.

Thanking You,

Yours Sincerely



21 April 2014

House of Commons,
London, SW1A 0AA.

Dear Stephen,

Re: Introducing Plain Packaging for Tobacco Product.

I refer to my letter dated 25th March 2013 and your subsequent response letter dated 3rd April 2013 on the above subject to which I'm very grateful. Also I appreciate your extra efforts to understand our concerns regarding this plain packing issue; I'll never oppose any legislation that look forward to improve public health.

But in this case, as I stated previously this legislation will not help to reduce smoking. The habitual changes among the people could be possible only through proper education. Therefore the Government should focus on how to attract the public to non-smoking society through other means, as this legislation fails in Australia.

I recently watched news item that a research carried out in Australia on this indicates that illicit tobacco, whether smuggled, counterfeit or illegal, also jumped from 11.8% to 13.3% of the Australian tobacco market. Already HMRC Statistics estimates that £500 million worth of cigarettes were smuggled into the UK in 2012-13 than in 2011-12. Therefore we could forecast definitely with the ease of counterfeiting standardized packaging, this will continue to increase in the future and lead to many social problems.

Despite this, the proposed legislation will create many problems to the small retail traders like me. I need to train my staffs on this regard which will cost me in terms of time and money. Increased customer service time will lead to huge loss of my customer base to nearby express supermarket. Similar concerns are currently shared by other small retailers like mine.

In the light of the above, I expect you to stop the Government from implementing this unwanted legislation and to help the small retailers.

I look forward to hear from you and thanking you in advance.

Yours sincerely,

Dott,
Canterbury.

Dear Sir,

I understand that there is a proposal to introduce plain packaging for cigarettes in the U.K.

The effect of this would be the opposite of the intended legislation, as has been well demonstrated in Australia.

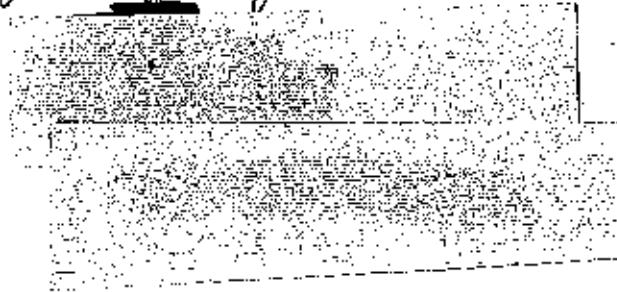
To reduce smoking the government should introduce better education and advertising.

I am sure that you are aware that about 15% of UK consumption consists of smuggled cigarettes and plain packets would make the problem much worse.

If this improper legislation

comes about, it must only be a
matter of time before all whiskey,
gin, beer etc will also have
plain packaging.

Yours faithfully,



HD28

3rd August, 2014

Department of Health,
Standardised Packaging Tobacco Products,
P.O. Box 1126
CANTERBURY,
CT1 9NB

Re: Standardised Packaging Tobacco Products

Dear Sir/Madam,

Further to my letter of the 1st August, 2014, in regard to the above, I wish to comment further as follows:-

Pursuant to eminent Legal Advice, I am informed that without a Radical reform of the Intellectual Property Legislation of the UK, any Unilateral action by H.M.G. in this regard, would be Unconstitutional and wide open to challenge in the Courts. Such challenge would be available not only to the UK Tobacco Industry, but to any consumer of it's products.

I would, therefore, suggest you give serious consideration to the legal position, before reaching any conclusions on this highly contentious issue.

Yours faithfully,

A large rectangular area of the document is redacted with a heavy black stippled pattern, obscuring the signature and name of the sender.

H. 8. 14

Dear Sir or Madam,

May I register my objections to the introduction of the "introduction of the Government draft regulations on standardized packaging of tobacco".

Over the years we have seen many restrictions on the use of tobacco and where smoking can occur.

I am of the firm opinion that by all means put out the hazards of smoking but the ultimate decision must be one of personal choice.

Yours faithfully



MD 30

4th August 2014

Department of Health Standardised
Tobacco Packaging Consultation
PO Box 1126
Canterbury
CT1 9NB

Dear Sirs,

Standardised Packaging

I am writing to you because I am concerned at the outline proposals for standardised packaging of tobacco products which I believe has been introduced in Australia.

So far as I can tell from the available evidence there has been no significant drop in smoking whilst the illicit sale of tobacco products has increased substantially (approximately 20%).

This seems to be an ill thought through proposal affecting the legitimate rights of smokers (I am not a smoker), damaging government income because of illicit trade and it is therefore a piece of legislation that is unnecessary and damaging and should not be put into practice.

Yours faithfully,

11031



Department of Health
Standardised Packaging Tobacco Consultation
PO Box 1126
Canterbury
CT1 9NB

August 4, 2014

Dear Sir/Madam

RE: UK Department of Health Consultation on Standards of Tobacco Products.

I am a British American Tobacco pensloner and write to express my opposition to the proposal to legislate for plain packaging of tobacco products. I used to work in the BAT Industries Management Centre which was known throughout the companies in the Group, including the tobacco subsidiaries world-wide, as *Chelwood*. *Chelwood* a Sussex country house, stood for delivery of unique management development programmes which were delivered to a quality monitored by the most senior personnel in the group including the Chairman. *Chelwood* was in effect a unique and trusted brand such as are "Kent" or "Marlborough" cigarettes. The effectiveness of our management training was distinguished by the Integrity and ownership, uniqueness, location, and culture of this residential Centre. Taken together these product attributes were associated with the brand *Chelwood*.

Similarly the packaging, identity and integrity of Oxford and Cambridge and other prestigious Universities and their individual colleges, is to the benefit of colleges and students. Also to the UK economy and our international reputation for higher education.

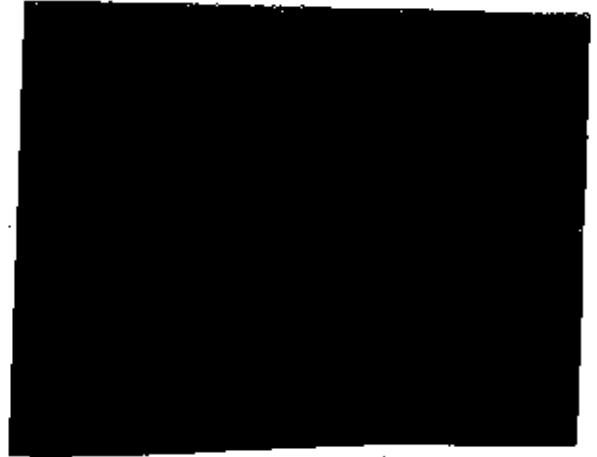
Could the "NHS" be managed and its quality and safety be ensured, if there was not similar identity and ownership within the health services? Without a name there is neither reputation to protect nor anyone to protect it. Consider the widespread and indiscriminate origin, distribution and use, including by children, of banned drugs? The consumption appears to be increasing and for banned substances there is no named ownership or product integrity. The market for substances creates its own branding, and prices regardless of legislation and control by the various authorities.

In Australia with recent plain packaging legislation the black market for branded cigarettes has increased. I live near to the port of Newhaven where, I believe, customs have seized large quantities of black market branded cigarettes. The illicit trade has been stimulated by price differentials.

The State should resist introducing restrictive tobacco legislation in the UK if it is not entirely certain of all the outcomes, as seems to be the case with the need for this public consultation. In my opinion by taking away the branding and packaging identity of tobacco products in the UK, we would create a new market opportunity for the unscrupulous to exploit. I do not believe it will significantly change young people's attitudes.



MD32



01/08/2014

~~REF UK DEPARTMENT OF HEALTH CONSULTATION ON STANDARDISED PACKING OF TOBACCO PRODUCTS~~

Dear Sirs

I write to register my disbelief that plain packaging will do anything for the control of the smoking habit. Rather the opposite

I have little doubt that it will result in an ever increasing loss of control for the authorities and present an open door to traffickers and the criminal world. Is that really your objective?

Yours faithfully



HD33

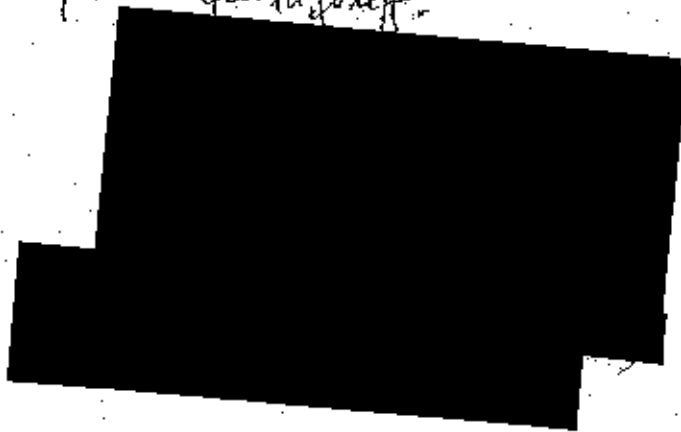


4/8/14

Dear Sirs,

I am strongly opposed to
standardised packaging of tobacco
products.

Yours faithfully,



HD 84.



Standard Packaging of Tobacco Products Consultation
Department of Health
PO Box 1126
CT1 9NB

3 August 2014

Dear Sir

CONSULTATION ON STANDARD PACKAGING FOR TOBACCO PRODUCTS

I oppose plain packaging of tobacco products because of the unintended consequences.

I have spent much of my career in the pursuit of various characters across Europe and Asia who manufacture products which illegally adopt the established brand names of major companies. These imitation products are always of inferior quality and are usually smuggled into affluent markets.

In the case of tobacco products, introduction of plain packaging will result in an increase in the flood of cheap, poor quality cigarettes and smoking tobacco. This leads to:

Increased health problems;

Loss of government revenue;

Cigarettes becoming easier for children to buy because they are cheap and not supplied through regulated outlets/shops;

The supply routes established by smugglers develop into routes for more serious drugs.

Yours faithfully



MD 35



1st August 2014.

Department of Health,
PO Box 1126,
Canterbury,
Kent CT1 9NB.

Dear Sirs,

Tobacco Products - Standardisation of
Packaging

As a pensioner of British American Tobacco, I am writing to express my concern over the possible measures being considered for the standardisation of packaging on tobacco products.

Is it really likely the measures will lead to a reduction in consumption? What evidence is there from the one country that has introduced the measures?

Press reports seem to suggest that it has not led to any reduction but has rather increased the smuggling of products.

There is the additional danger that by using plain packaging poor quality products will find their way on to the market.

There is time have a closer look at all the evidence and I suggest this should be done before the proposed introduction next year.

Yours faithfully,



AD36



Dear Sir/MADAM

I am writing as a
British American Pensioner
to express my opposition to
Plain Packaging Tobaccos.

I am very much against
as I dont think it will work



H037

[REDACTED]

1st August 2014

Department of Health
Standardised Packaging of Tobacco
Consultation
PO Box 1126
Canterbury
CT1 9NB

Dear Sir/Madam,

Re: UK Standardised Packaging of Tobacco Products.

I am writing to oppose the compulsory introduction of standard packaging.

I am not aware of any credible evidence that packaging is the reason for young people taking up smoking. Certainly not in my case, which was entirely through smoking being the thing to do. Choice of brand came much later, and long after the habit was established.

Furthermore, what evidence there is of the effect of plain packaging from Australia is that it has had little if any effect on the incidence of smoking but, worryingly, the uncontrolled and unregulated black market in tobacco products have both increased.

It is self-evident that this would happen in the UK, where there is already an established illegal trade.

Education is the best way to warn any people who might not already be aware of the dangers of smoking. Plain packaging will only restrict their ability to choose less harmful products.

Yours faithfully,

[REDACTED]

M1038

Department of Health
Canterbury
CTI 9NB



1st August 2014

STANDARD PACKAGING OF TOBACCO PRODUCTS

Dear Sirs,

Changing packaging cannot possibly have any effect on the quantity ~~of~~ of sales, and I would, therefore, object to any money being spent ~~on~~ on debating this.

How could the removal of the brand label & logo - e.g. Whisky, rather than JAMES WALKER WHISKY, - make any difference? Same with cigarettes.

The problem is international, and any local restriction stimulate smuggling; this already deprives us of huge tax resources.

I, therefore urge coordination with Europe and other major economies for effective control of products deemed to cause health hazards.

Yours faithfully



HD39.

Department of Health
Standardised Packaging Tobacco Consultation
PO Box 1126
Canterbury CT1 9NB

1/8/2014

Dear Sir/Madam

Re UK Dept. of Health Consultation on Standardised
Packaging of Tobacco Products.

I would like to express my opposition to the plain
packaging of cigarettes and other tobacco products.

As I understand it there is no credible evidence that
plain packaging will deter children from smoking. I suggest
that education will be more effective.

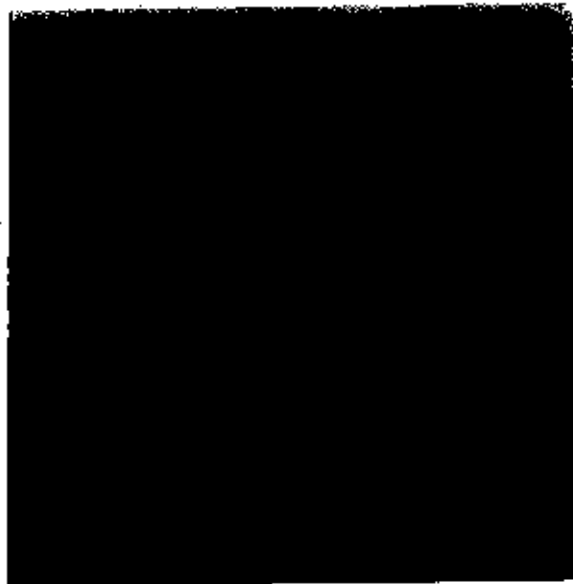
I also believe that plain packaging will only encourage
further black market cigarettes over which there will be no
control. To me black market cigarettes are my major concern
since who knows what contaminants they contain.

I am also concerned about a further extension of the
'nanny' state.

Yours faithfully

F1040

Department of Health
Standardised Packaging Tobacco Consultation
PO Box 1126
Canterbury
CT1 9NB



1st August 2014

Dear Sir,

DoH Consultation on Standardised Packaging of Tobacco Products

After consideration, I feel it necessary to write to you to record my opposition to the possible introduction of plain packaging for tobacco products in the UK. You may wish to note that I do so as a non smoker.

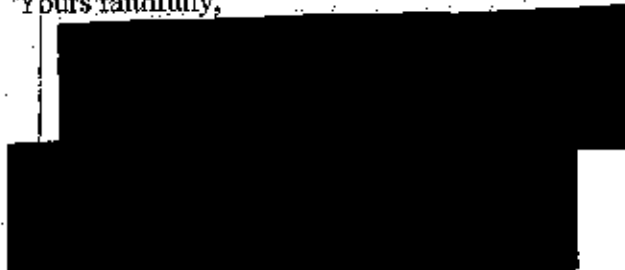
Policy formulation should be based on facts and I have yet to read any convincing evidence that plain packaging has a significant effect at stopping people from smoking or even deterring young people starting to smoke. Indeed, I understand that the Chantler Report itself only concluded that it was 'plausible' that plain packaging might have an effect and this cannot, by any stretch of the imagination, be construed as providing factual or scientific support for the proposal.

The introduction of plain packaging would adversely affect the level of competition in the market and is an unwarranted interference with the legitimate business activities of the tobacco companies concerned which could undermine the values of their brands. To single out tobacco companies in this way is simply unacceptable.

Whilst I recognise the health concerns associated with smoking, a person's decision to smoke is, in my opinion, an informed one (as is the case for many so-called 'risky' activities) and as such does not warrant the introduction of measures such as plain packaging.

I urge you, and the Government in general, not to proceed with the introduction of plain packaging for tobacco products.

Yours faithfully,




~~4~~

Dear Sir/ Madam

I am writing as British American
Tobacco Producer to express my
opposition to plain packaging.
There is no evidence that children
start smoking because of the packaging
or that plain packaging will deter
children from smoking, on the
contrary evidence suggests that people
start smoking ^{because of} their parents and peers
smoke, the only way is through
education, the plain packaging if
introduced will see an increase in
the Black Market, in Australia the
plain packaging has seen a increase
in the Black Marketing of Cigarettes.
I urge you to delay consideration of
any regulation on this issue.


HD 42



31st JUNY 2014

DEAR SIR/MADAM

I AM WRITING AS A BRITISH
AMERICAN TOBACCO PENSIONER TO EXPRESS
MY OPPOSITION TO PLAIN PACKAGING OF
TOBACCO PRODUCTS. THIS WOULD BE LIKE
TAKING THE SALE BY DATES OFF FOOD,
(GOOD OR BAD WE WILL NEVER KNOW)
THE ONLY THING TO GAIN IS THE
BLACK MARKET. A 90% INCREASE IN
AUSTRALIA.



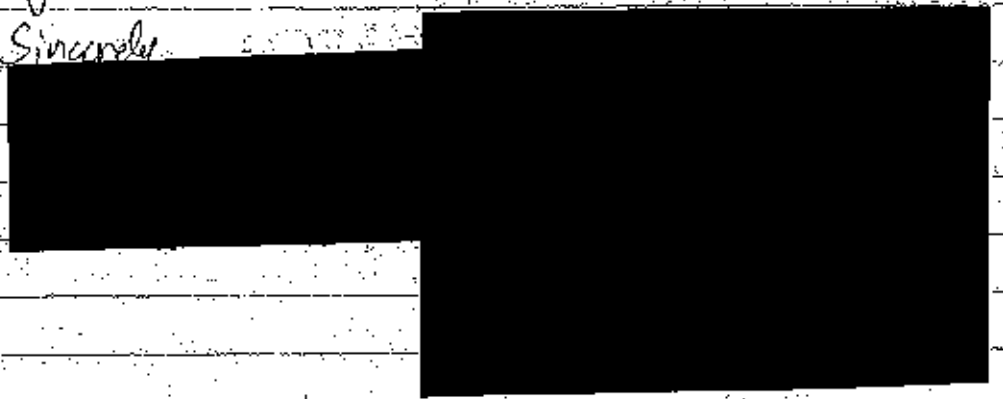
HD43.

To Whom it may concern,

I am writing to express my disappointment and how worried I am about the law concerning plain packaging of tobacco. I feel that the government don't take into consideration each and every effect that this action will have and that's why I can ensure you that retailers cannot cope with this. IF this new law is introduced all of us, as consumers and retailers, will undergo irreversible consequences and black market will flourish. Do not allow that to happen!

Thank you.

Yours Sincerely,



Dear Sir or Madam,

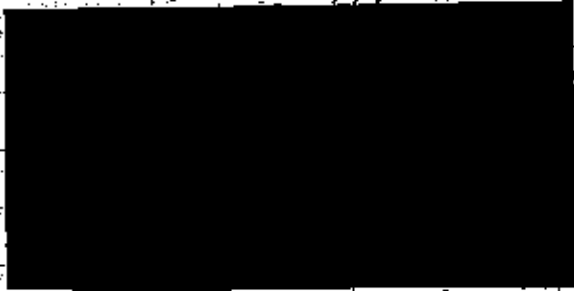
I recently got informed about the new law that the government attempts to introduce concerning plain packaging of tobacco and I am writing to declare that I am ~~opposed~~ ^{opposit} to it. It will cause huge problems to retailers and customers and I am not willing to see it happening.

Please reconsider this attempt.

Think of our future as retailers.

Thank you for your consideration.

Yours faithfully,



HD 45

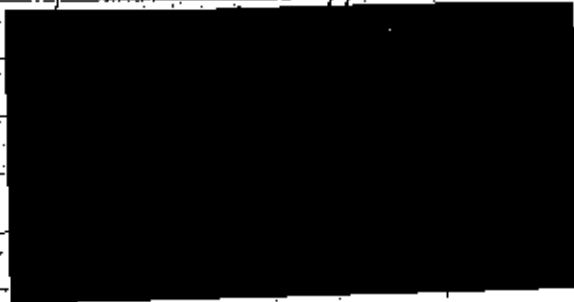
To whom it may concern,

I am writing to let you know that I am against the plain packaging of tobacco and as a retailer, I will try hard to prevent this law from being introduced.

I cannot afford the closure of my business. Please reconsider this idea. It's not a good one. I am sure that it will not reduce the amount of smokers and it will only cause problems, as it happened in Australia.

Think of us and your voters.

Yours faithfully,



HD46

To whom it concerns,

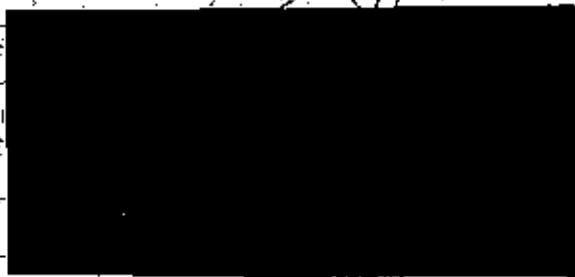
I just heard about the plain packaging of tobacco that you're willing to ~~introduce~~ introduce and I'd like to inform you about my opinion. I am pretty sure that it will cause confusion and a mess at the retailers part from the reduction of the sales and the black market's opportunity to blossom.

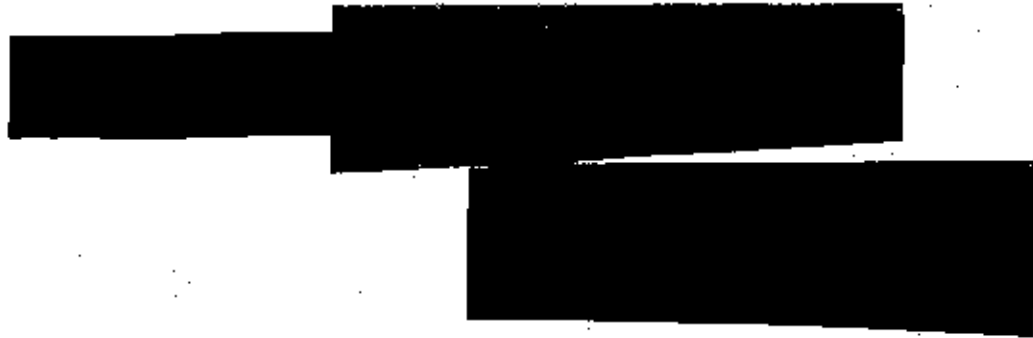
Please learn the packages like that since they are behind closed doors nobody will be able to see them so there is no point in changing the packaging.

Re-consider and make up your mind.

Thank you.

Yours faithfully





Friday, 1st August 2014,

Department of Health
Standardised Packaging Tobacco Consultation
PO Box 1126
Canterbury
CT1 9NB

ATTN: Standardised Packaging Tobacco Consultation 2014

Since the last consultation into standardised packaging of tobacco products, information has come to light about the effect that this policy has had on the trade in illicit tobacco in Australia, the only country to have introduced this policy.

Sir Cyril Chantler's Review into Standardised Packaging¹, which reported on 3rd April, seriously underestimated the effects this policy could have on the criminal trade in unregulated, smuggled and counterfeit products which could negate any benefit this policy is deemed to provide.

Illicit Tobacco in Australia

The independent auditor, KPMG, found that across 2013, the first year of standardised packaging in Australia, the illicit tobacco market soared by 18% to almost one-sixth of the entire tobacco market - its highest recorded levels. Entirely illicit brands are outstripping major legal brands, such as *Camel*. Contrary to Sir Cyril's estimation of standard KPMG terms of reference, the report, *Illicit Tobacco in Australia*,² relied on 14,000 consumer surveys and 12,000 collections of discarded empty packs. This methodology was described by BNP Paribas as 'significantly more robust' than Australian Customs data that relies entirely on the detection and seizure of illicit products.³ In our experience the detection of smuggled products at border control and the occasional raid is no measure of the genuine size of the illicit market.

Smuggling

We have previously warned that it is the view of an overwhelming majority of serving police officers that standardised packaging will reduce the costs and complexity of counterfeiting by eliminating hundreds of trade marked packaging designs to one simple uniformed design. We have also previously stated that this is the view of parents, the public, retailers, the Institute of Economic Affairs, Transcrime - the joint research group on transnational crime, the Centre for Economic and Business Research - who calculated a large increase in illicit trade if the UK introduced standardised packaging and Mike Norgrove, Excise Director at HMRC who said:

"I can say that the obvious danger from our point of view is that the ability to detect counterfeit or illicit material would be made more difficult by a system where there was no difference between one packet and another" 4

Earlier this year, the Sun Newspaper infiltrated an Indonesian smuggling gang who import ten containers of illegal cigarettes a year to the UK.⁵ The leading member of this gang applauded the UK's intention to introduce standardised packaging; punching the air as he talked about how this would reduce their costs and lower their risk involved in the detection of their products. Toxicology reports on the sample products found they contained sawdust, skin and crushed flies. The target of these illicit products was even specified as minority communities on low incomes in the UK.

Illicit products avoid the legally enforceable barrier to sale imposed by a retailer. Criminals sell unsanitary products at 'pocket money' prices with no discretion on how old the person they are sold to may be. Products are known to frequently contain asbestos, rat poison and faeces as well as many times the legal maximum quantity of substances such as lead.

Costs

Official HMRC figures show that HMRC is already losing up to £2.9 billion a year to the illicit trade in tobacco.⁶ The Centre for Economic and Business Research have calculated a 27% increase in illicit cigarettes and 32% increase in illicit rolling tobacco if the UK introduces standardised packaging, akin to the effect already reported in Australia.⁷ This could add £billions to the annual levels of lost tax revenue but moreover the impact assessment provides no reference to the increased costs and burdens of policing, the subsequent increase in crime fuelled by the profits from this increase and the effect that this will have on frontline police services.

Organised Crime

The traders in illicit tobacco are often organised criminal gangs, such as the Indonesian one mentioned above. Cigarette smuggling was a major method of funding for the IRA as well as a source of revenue for Mokhtar Belmokhtar, the Al Qaeda Commander who attacked the Algerian gas plant last year.^{8 9}

Policies that may have a detrimental impact on the ability to tackle this crime present a serious danger at a time with major tensions in the world along with the radicalisation of British citizens returning from Syria.

Conclusion

It is our view that the Impact Assessment is heavily reliant on assumptions and claims as to the effect standardised packaging will have whilst failing to provide sufficient weight or scope to key areas of concern, particularly areas where we have considerable expertise. Assumptions are no substitute for hard evidence, much of which is starting to be confirmed by evidence from Australia.

In particular, treasury figures from Australia reinforce concerns over a growth in the illicit market as they show a consecutive monthly decline in tobacco tax revenues. It is well documented that consumers are down-trading to cheaper products and with the illicit market almost a fifth larger than in 2012 it is only reasonable to conclude that these treasury figures are showing these changes. Furthermore, if tobacco has become cheaper to purchase as a consequence of this change in consumer behaviour and an inflated black market, it is conceivable people may be smoking more. Indeed, industry figures show that, after four consecutive years of decline, the actual quantity of tobacco purchased has increased.¹⁰

It is imperative that the UK bases its decision on all the evidence and could substantially benefit from the example of Australia. Ireland, should they proceed with this policy, also provides an opportunity to see what impact this policy has on a genuine market with similar levels of consumption and illicit trade as the UK.

The robust methodology of reports such as that produced by KPMG should not be dismissed simply because of their standard terms of reference. Government departments regularly use KPMG reports for the own research purposes as independent analysis, regardless of the funder, is an important method of gauging the impact of policy initiatives.

If we can provide anything further to assist the consultation please feel free to contact us.

Yours faithfully

CC

Rt. Hon. Theresa May MP, Home Secretary
Rt. Hon. Chris Grayling MP, Secretary of State for Justice
Rt. Hon. Mike Penning MP, Minister of State for Justice
Priti Patel MP, Exchequer Secretary to the Treasury

¹ Standardised packaging of tobacco, Report of the Independent review undertaken by Sir Cyril Chantler, 3rd April 2014
<http://www.kcl.ac.uk/health/10095-TSO-2901853-Chantler-Review-ACCESSIBLE.PDF>

² KPMG Illicit Tobacco In Australia, 2013 Full Year Report, 3rd April 2014
https://www.imperial-tobacco.com/assets/files/cms/KPMG_FY2013_Illicit_Trade_Report_FINAL_11_April_2014.pdf

³ The Plains are Coming, BNP Paribas, 23rd June 2014, James Bushnell

⁴ Fuel Laundering and Smuggling in Northern Ireland, Northern Ireland Select Committee, 5th September 2012
<http://www.publications.parliament.uk/pa/cm201213/cmselect/cmniaf/nc556/nc55801.htm>

⁵ Sun smokes out Mr Cig, The Sun, 4th June 2014
<http://www.thesun.co.uk/sol/homepage/news/5669365/Sun-Investigates-fake-cigarette-foreign-crime-ganga.html>

⁶ Tobacco Tax Gap Estimates, HMRC, 11th October 2013
<https://www.gov.uk/government/publications/tobacco-tax-gap-estimates>

⁷ Impact of Plain Packaging, Centre for Economic and Business Research, 31st March 2013
<http://www.cebr.com/reports/impact-of-plain-packaging/>

⁸ IRA cigarette smuggling millionaires, Daily Mail, 6th June 2013
<http://www.dailymail.co.uk/news/article-2396865/IRAs-cigarette-smuggling-millionaires-Former-terrorists-flooding-UK-potentially-fatal-fakes-cheating-taxpayers-billions.html>

⁹ Profile: Mokhtar Bismokhtar, BBC News, 4th June 2013
<http://www.bbc.co.uk/news/world-africa-21081480>

¹⁰ Australia tobacco sales edge up despite plain packaging, Reuters, 23rd March 2014
<http://www.reuters.com/article/2014/03/24/tobacco-sales-idUSL2NQM11D720140324>

Department of Health Standardised Packaging Consultation
PO Box 1126
Canterbury
CT1 9NB

31st July 2014

DQH Plain Packaging Consultation Formal Response

Dear Sir,

As an employee of a major tobacco manufacturer but a non-smoker I wanted to express my views on your approach to plain packaging.

In 2012 you received 665,000 responses to the consultation. I am led to believe that almost two thirds of those responses were opposed to the introduction of plain packaging.

In July 2013, the government announced it would "wait until the emerging impact of the decision in Australia" before making a final decision. However, in November 2013 a new "independent review" of the public health evidence plain packaging was announced - The Chantler review.

There are some key issues with "The Chantler Review" I would like to bring to your attention:

- No evidence is presented by the Chantler Review that plain packaging will actually have any positive behavioural impact on smokers in the UK. It does not provide an adequate basis to proceed with plain packaging, due to the lack of credible evidence considered.
- Sir Cyril Chantler examined the "likely" impact of plain packaging. The review focused on the perception of future behaviour rather than actual behaviour, this is speculation at best.
- The Chantler Review seeks to establish a link between appeal of packaging and behaviour; however there is no evidence reduced appeal of a pack, because of plain packaging, will lead to an actual reduction in smoking.
- The Chantler Review focused primarily on public health impacts, and does not consider the wider implications of plain packaging, including the impact on wholesale businesses, retailers, packaging suppliers and the wider supply chain in the UK.
- Disappointingly Sir Cyril claims that "it is too early to draw definitive conclusions" from Australia, yet he feels able to use selected attitudinal evidence from Australia to reach a conclusion that plain packaging is likely to have a positive impact on smoking behaviour, despite actual sales data and prevalence data suggesting otherwise.

On reviewing data from Australia, I would like to highlight the following:

- There is no evidence that plain packaging has accelerated the rate of decline in smoking or had any positive behavioural impact. Data from Australia shows that the pre-existing downward trend in smoking prevalence has not been impacted by the introduction of plain packaging.

- The Australian government will not review the policy themselves until December 2014. The Department of Health should await the outcome of this review until making a decision in the UK.
- Recent data published by the Australian Government shows that underage smoking increased between 2010 and 2013, reversing previous declines.

Finally I would like to raise the following points as a reminder and for your consideration.

- This is the third public consultation on this issue over the past six years. Both Labour and Conservative governments have previously rejected the introduction of plain packaging because of the lack of evidence that it will work.
- The EU Tobacco Products Directive (TPD2) comes into effect in May 2016; amongst other things, this will ban packs of cigarettes of fewer than 20 sticks and all RYO under 30g. These larger packs will mean consumers will need to make fewer purchases per week, therefore reducing footfall. This could have a damaging impact on the wholesale trade due to fewer retail visits.
- The EU TPD2 has the serious potential to increase the illicit trade throughout the UK. By doubling the minimum price of cigarettes, almost tripling the minimum price of hand-rolling tobacco and banning menthols altogether from May 2020, there is a greater incentive for UK consumers to be pushed to the cheaper illegal trade and cross-border shopping. This will bring further damage to legitimate retail and wholesale businesses.
- HMRC already believe that Non-UK Duty Paid tobacco costs the UK Government up to £3.1 billion a year.
- The 2014 Impact Assessment published alongside this consultation states: "We conclude that there is likely to be an increase in the UK duty unpaid segment.." if plain packaging was implemented.

I am a firm believer that we live in a democracy and as individuals we should have a choice. I believe historically the tobacco industry has had its challenges and legislations introduced that impose tight parameters for tobacco and its purchase. I believe its time to leave the tobacco industry alone and review other industries/categories that have implications on people's health and live style, such as alcohol, soft drinks and confectionary.

This consultation and decision is not about winning votes, it should be about doing what's right based on facts and taking into considerations the negative impact on people's business, livelihoods and futures.

I look forward to hearing from you.



HD 49

Dear Sir or Madam,

This letter is to declare that I am
against plain packaging of tobacco
and I don't want under any circumstances
this law to be introduced.

Please think of the consequences before
taking your final decision.

Thank you for your time

Yours faithfully,

A large black rectangular redaction box covering the signature area of the letter.

DEPARTMENT OF HOME AFFAIRS
STANDARDS PACKAGING
TOBACCO CONSULTATION
CAMBODIA



DEPARTMENT OF HOME AFFAIRS
TOBACCO CONSULTATION
PACKAGING OF TOBACCO

AS BEING A INVESTOR IN MANY UK
INDUSTRIES, THIS AND OTHER FACTS BY
SO GOOD TOGETHER PLEASE

DISREGARD THE COST OF JETS, LOSS OF TAX
AND ONLY DESTROY MANY UK INDUSTRIES
ONLY HELPING BLACK MARKETS IN POWER 50

Yours faithfully



HD 51



4. 8 14

Dear Sir

My husband & I are both retired pensioners of W.D. & H.O. WILLS and we are voting "NO PRIME MINISTER to standardised packaging"

Yours Faithfully



HO 52

DEPT OF HEALTH
P.O. BOX 1126
CANTERBURY
CT1 9NB



04/08/2014

"PLAIN CIGARETTE
PACKAGING CONSULTATION"

Dear Sir / Madam,

I have just heard about the consultation on "Plain" Cigarette Packaging. I AM OPPOSED TO THE PLAIN PACKAGING OF TOBACCO.

I am not a smoker, but am very concerned about the ease with which a plain cigarette package, and (more to the point) the contents can be forged. This will lead to an increase in smuggling (with its loss of tax revenue to the Government) and spare embers to unripe cigarettes.

I fail to see any advantages to health in terms of reducing childhood smoking, especially as

2

I understand that further EU controls are being implemented which will address health/availability issues. I was in Australia earlier this year and they seem to be having second thoughts on the wisdom of their plain packaging regulations.

PLEASE REGISTER MY OPPOSITION TO PLAIN CIGARETTE PACKAGING. Its a left idea,

Regards

[REDACTED]

HD53



5th August 2014

Department of Health
Standardised Tobacco Packaging Consultation
PO Box 1126
Canterbury
CT1 9NB

Dear Sirs,

I cannot agree that standardised packaging will make any difference to the number of people buying cigarettes. I do not think that packaging attracts or detracts in this instance, people are only interested in the contents.

In my view, it will probably increase the amount of illegal tobacco coming into the country therefore reducing the revenue from tax even more.

Yours faithfully,



41054



04/08/2014

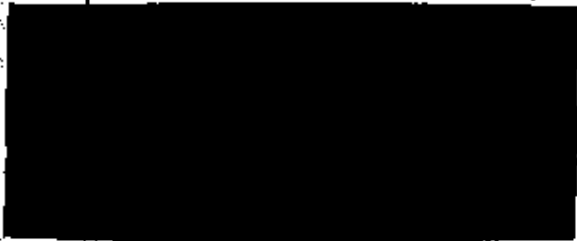
Dear Sirs

Please accept this letter as my objection to standardised packaging of tobacco products.

As a smoker I want to know and see quite clearly the name and manufacturer of my selected product and not to, possibly, end up buying an illicit smoke.

It is legal to buy and sell tobacco products so do not deny smokers their choice

Yours



HD55

[REDACTED]

[REDACTED]

Dept. of Health Stand^d
Tobacco Packaging Com^{on}, H. 8. 14
P.O. Box 1126
Canterbury.

Dear Sirs,

I am very concerned about the prospect of standardised packaging of tobacco products coming into force in this country.

Having a family & many friends in Australia, I'm fully aware that since its introduction there not only has smoking NOT fallen - but unlawful trading of tobacco products has greatly increased.

2.
Whilst I have every sympathy with the Prime Minister's wish to discourage consumption of tobacco, I strongly oppose this proposed method of dealing with the situation, as I feel it will (as has happened elsewhere), do much more harm than good.

Yours faithfully,



5/8/14

Dear Sirs,

I understand you are trying
to standardise packs of cigarettes.

They have enough warnings on them
now to put people off. (No warnings on drink bottles)
WHY?

Illicit traders will soon copy
standardised packing so what's the point?

In their good times tobacco companies were
paying duty £1,000,000 per day to the government,
which was the cost of running the NHS in the
early days!

Start hammering the spirits, and weird
bottles youngsters drink - police and hospitals use hours
of time and money with weekly binge drinkers. Smokers
don't cause this do they?

[REDACTED]
[REDACTED]
[REDACTED]
August 20, 1948

Dear Sir/Madam,
I have had a letter from Imperial Tobacco, Ltd. regarding the standard packing of tobacco products.

My answer is NO. Let the tobacco products stay as they are.

[REDACTED]
P.S. I am a Treasurer of the above company.

HD58

[REDACTED]
[REDACTED]
5th August 2012

Dear Manager,

I object to standardised (plain) packaging. It is not likely to reduce smoking to any great extent but the risk of dangerous products being sold illegally is greatly enhanced. This could bring a huge cost in increased health risks.

There is also a likelihood of the government suffering a loss in revenue.

Yours faithfully,
[REDACTED]



5.08.14

Dear Sirs & Madam,

I would like to protest, because I am opposed to standardised packaging of tobacco products as I believe it will be a disaster for the country classes to flood the country with illegal substances.

I honestly think its very dangerous. and the government is embarking on

Yours,





418/114

Dept of Health

PO BOX 1126

Canterbury CT1 9NB

Dear Sirs,

I am very much against standardised packaging in the tobacco industry. It does not appear to have worked in Australia, and I see no point in introducing it in the U.K.

Yours faithfully



To Tobacco Packaging Consultation

5-8-19

I am a 74-year-old Senior Citizen who has enjoyed being a Pipe Smoker for 35 years with no apparent adverse effect to my health.

I am writing to oppose the Government's Standardised Packaging scheme which, in my opinion, would be an infringement on the liberty of all those law-abiding people who enjoy having a freedom of choice regarding how they live their lives.

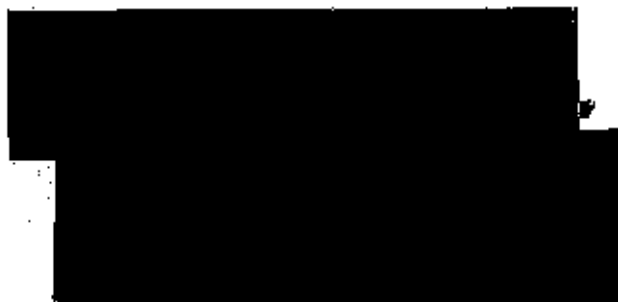
No doubt there are many Members of Parliament who enjoy having a smoke who also are against these regulations.

What would Winston Churchill say if, in his day, his colleagues had put restrictions on his beloved Havana Cigars?

Yours sincerely

[Redacted signature]

HD 62



The Department of Health,
Standardised Packaging Tobacco Consultation,
PO Box 1126
Canterbury
CT1 9NB

1 August 2014

Dear Sirs,

Re: Current consultation on standardised packaging of tobacco.

I understand that you are currently conducting a consultation on the proposal to standardise the packaging of tobacco in plain wrappers, and I am writing to express my opposition to such a move.

I presume that the background to this idea is that young people are attracted to smoking because of the attractiveness of the packaging of cigarettes, which frankly seems to me to miss the entire point as to why people take up smoking in the first place. I believe that the evidence relating to this suggests that young people do it to imitate their elders, whether their parents smoke or not. Smoking is considered by young people to be a 'grown-up' activity and they wish to emulate them. The type of cigarette is, from my discussions with my own children and grandchildren, entirely irrelevant. What matters is that you have got a cigarette!

In my own case my parents both smoked, my Father, Churchman No 1 and my Mother du Maurier. As far as I can recollect my first cigarette was a Sweet Afton, which were the only cigarettes which a school friend could acquire at Carlisle station on a school trip to Hadrian's Wall in 1950. It is the cigarette not the packaging that attracts!

More seriously however I understand that the results of the plain wrapper imposition in Australia has not resulted in any appreciable change in smoking habits, and has in fact probably encouraged the trade in black market tobacco products, over which governments have less control relating to quality and content.

Further I understand that even in Sir Cyril Chantler's report there was only the comment that it was 'plausible' that puffing cigarettes in plain packaging may have some effect on smoking rates.

Surely the way forward if you seriously want to reduce the number of smokers and to deter young people from taking up the habit is education and the enforcement of the current prohibitions on purchasing by young people and to seriously tackle the black-market trade. Until that action has been taken and the results of that rigorously analysed it is only guess work that a plain packaging regime would have any effect at all. I suggest that the government thinks again about this proposed restriction.

Yours faithfully,



H065

Dept of Health
Standardised Tobacco Packaging Consultation,
P.O. Box 1126
Canterbury CT1 9NB.

Dear Sir

STANDARDISED TOBACCO PRODUCTS PACKAGING

In regard to the above Government proposals, I and a majority of people feel this will have no impact whatsoever on the production of smokers in this country.

It is a known fact that if people want to smoke they will, despite efforts to convince them otherwise. Many smokers know only too well of the possible risk to health, but are prepared to take them, because they enjoy smoking. The

There is also a possibility that the increase in illicit tobacco trade will increase to gain access to alternative packaging. I hope you will consider my comments before implementing any proposed changes.

Yours faithfully

H D 66

Dept. of Health,
S.T.P.C.,
PO Box 1126
Canterbury,
CT1 9NB.

4.8.2014

Dear Sirs,

May I register my protest against the proposal to standardise tobacco packaging in the UK.

It has been a disaster in Australia, the only country to standardise tobacco packaging so far. Smoking prevalence has not decreased whilst illicit trade in tobacco has increased by 20%.

If the UK adopts this policy millions of pounds will be lost in duty because illicit trade will increase.

Yours sincerely,

Dear Sir or Madam,

I am an Imperial Tobacco pensioner and wish to voice my opinion and register my concern at the proposed draft regulations on standardising packaging tobacco products.

I worked for 27 years in the industry and know from my experience just how important the packaging and labelling on the packet itself is, it helps sell the product and is immediately recognisable for the customer.

I see from data obtained in Australia, who have standardised packaging, that illicit dealing made a marked increase and if it this is not of any help to either the industry or the present government.

HD 68



August 4, 2014

Department of Health
Standardised Packaging Tobacco Consultation
PO Box 1126
Canterbury
OT1 9NB

Dear Sir/Madam,

Re : Dept of Health / Standardised Packaging of Tobacco products.

As a pensioner of British American Tobacco I wish to express my strong opposition to the concept of plain packaging of tobacco.

I think there is more than enough independent evidence to show that packaging does not influence a young person to start smoking but is much more likely to be related to what happens in the immediate family and circle of friends. Those who have taken a conscious decision to smoke then look at brand packaging as part of the freedom of consumer choice with appropriate information on the packaging concerning the product within.

To my mind the key to a healthier lifestyle is informative education rather than another set of rules and restrictions. People should be trusted to take their own decisions rather than the government making more rules and regulations. The counterfeiters/smugglers of China, Pakistan, Ukraine, Africa etc will have a field day with plain packaging and the tobacco contents will be an unknown factor as well as the significant loss of tobacco duties on legally controlled products.

Yours faithfully,



HD.69



22nd of June 2014

Department of Health
Standardised Tobacco Packaging Consultation
PO Box 1126
Canterbury
CT1 9NB

Dear Sir / Madam,

Concerns on plain packaging regulation for Tobacco products

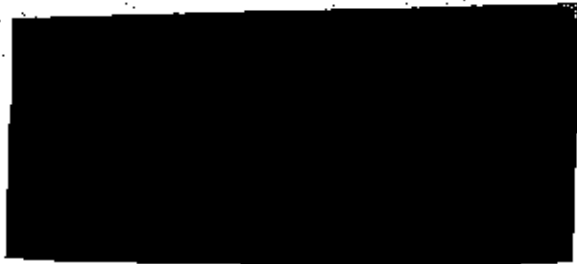
I own two retail shops in South East London. This plain packaging regulation will cause damages to my business. Therefore as soon as I got to know about this I wrote to Mr Stephen Hammond MP and met him to discuss about this issue.

Here with I have attached those letters. Please go through those letters and register my views against this legislation.

Yours sincerely,



Cc to Priti Patel MP



Stephen Hammond MP
House of Commons
London SW1A 0AA

27 March 2019

Dear Mr Hammond,

Meeting request

I am a qualified engineer and living at the above address. I gave up my professional engineering job to do business and currently running two small convenient stores. The past twelve months have been very difficult time with declined customer foot fall and sales.

Recently, I learnt that our Government is planning to introduce plain packaging to tobacco products. Whilst I do not encourage smoking but this particular legislation will damage my business through illicit trade and black market.

Sales at my two shops are heavily depending on tobacco products and also attract tobacco purchasing customers to buy other items. If the proposed legislation is passed I fear that the sales will decline further. In addition, I am also concerned that the proposed legislation will create burdens on the business such as spending more time looking for right product and dealing with long queues and frustrated customers.

The above concerns are also shared by my friends who own similar businesses. Therefore on behalf of my friends and myself, I request a meeting with you at your convenience time to discuss our issues.

Trust you will allocate a suitable time to meet us and look forward to hearing from you.

Thanking you in advance.

Yours Sincerely,





30th April 2014

Stephen Hammond MP,
House of Commons,
London, SW1A 0AA.

Dear Stephen,

Re: Standardized Packaging for Tobacco Product.


This is with reference to my letter dated 27th of March 2013 request to discourage the legislation on standardized packaging for tobacco products. First I would like to thank you for your positive response to my previous letter and I want to make sure that I am not encouraging smoking. Moreover I'll appreciate any legislation that concerns about the benefits to the public health. But this particular legislation will not assure its intended results.

Consumers of tobacco products are only attracted by the content, not by the containers. Therefore the change in the packing will not make any changes in the consumption. But on the other hand it will increase the burden of the retail shops. Such as, sellers need to be trained, service time will increase, lower capacity to increase the counter, customer dissatisfaction will increase and finally we will ended up with the loss of our valuable customers. This will in turn resulted in financial difficulties.

Furthermore the ban on display of cigarettes on small shops will come into effect from 2015. If the cigarettes can't be displayed, it's pointless to say that the packaging itself attract the people. These standardized packages will increase the complications only. Seller at the counter will finds difficulties in choosing the requested pack and it will increase the confusion while ordering stocks for the shop.

As I understand that Australia has introduced the same legislation in 2012 December, but a recent study by KPMG reveals that the consumption of tobacco products was increased by 13% in 2012-2013 periods. As this legislation doesn't guarantee any favourable results in Australia, we can't guarantee it here.

I would like to meet up with you once again and share our further concerns on this matter. I look forward for your positive reply with a meeting date. Thank you.

Yours Sincerely,


HD 70

Heathrow
Making every journey better

Heathrow Airport Limited
The Compass Centre, Nelson Road
Hounslow, Middlesex TW6 2GW
T: 08443351801
W: heathrow.com

Department of Health
Standardised Tobacco Packaging consultation
PO Box 1126
Canterbury
CT1 9NB

14 August 2014

Dear Sir / Madam

Consultation on the Introduction of regulations for standardised packaging of tobacco products

I am responding to the above consultation on behalf of Heathrow Airport Limited where we have a number of Export shops operated by Concessionaires in all our terminals, whose retail outlets are located after security control. These shops are licensed to sell duty-free tobacco for export to adult travellers leaving the European Union.

Our response to each question in the consultation document is set out below.

1. Do you have any observations about the report of the Charter Review that you wish to bring to our attention?

We consider that the proposals made by the Chantler review for the introduction of standard packaging do not take into account the specific factors pertaining to airport Export shops as recognised within the 2010 Tobacco Display legislation. This legislation allowed a different regime for Export shops because of the special nature of their retail environment.

The solution reached with the Department Of Health in 2010 was based on the low risk posed by Export Shop sales of tobacco products to children or adults considering faking up smoking.

Imposing standardised packaging for Export Shops would place them again at a competitive disadvantage as branded tobacco packs would be available to passengers once on-board the aircraft or at the passengers next airport on their journey.

In compliance with the Tobacco Display Regulations, Export shops are spending considerable sums of money on reconfiguring their stores to accommodate and construct TDAs and will be operational in the whole of the UK early next year.

Airports rely on non-aeronautical revenue to fund infrastructure and growth projects. Airport revenues will fall as a consequence of TDAs. Revenues will fall further with the introduction of standardised packaging. These impacts will aid airlines and overseas airports – where there are no such restrictions.

Unlike the domestic market, a large percentage of Export Shop's customers are overseas visitors. Many of these customers are unable to speak or read English and cannot therefore articulate their preference. They rely on branding to identify the products they wish to purchase – e.g. the No 2 seller in Heathrow is Chungwa – a Chinese brand.

Many overseas passengers will defer their purchase until they are on their plane or at the airport of arrival / transfer where they will clearly see the range of products available and buy in the confidence of knowing they have chosen their preferred brand.

2. Do you have any information, in particular any new or additional information since the 2012 consultation, relating to the wider aspects of standardised packaging that you wish to bring to our attention?

The requirement to use the Roman alphabet on tobacco packaging will hinder product selection from customers where a different alphabet is used such as China and Russia.

Brands not generally available on the UK high street will no longer be available in Export shops as it will not be economical for producers to manufacture products just for UK standardised packaging in Export shops.

3. Do you have any comments on the draft regulations, including anything you want to draw to our attention on the practicalities of implementing the regulations as drafted?

N/A

4. Are you aware of any further evidence or information which would improve the assumptions or estimates we have made in the consultation-stage impact assessment?

In the TDA discussions in 2010 the Government accepted the unique nature of Export shops. The proposed inclusion of Export shops in any regulation on standardised packaging ignores previously accepted discussions and would place UK airports at a distinct competitive disadvantage.

We urge the Department of Health and Ministers to exclude Export shops from the proposal.

Yours faithfully



Head of Category – World Duty Free, Bureau and Services

H071

Dear Sir/Madam,

Re: UK Department of Health Consultation on Standardised Packaging of Tobacco Products.

I am hoping that this question will be objectively investigated. I understand that the situation is:-

- 1/ No credible evidence that children start smoking because of the packaging - there is evidence that this is not correct
- 2/ The Chantler Report noted that it was only plausible that plain packs might have an effect. Speculation and conjecture are no substitutes for hard facts.
- 3/ In Australia shipments of tobacco products have increased; the decline in smoking has not slowed.

I urge you to delay introduction of any regulation on this issue. The display ban will not be implemented until 2015 and has not yet been fully reviewed.

Yours faithfully,

HD 72

Wed 6 August 2014

Dear Sir,

I am writing to you in protest against my governments draft regulations on standardised packaging of tobacco products.

Standardised packaging has severe unintended consequences and there is

no credible, or new, evidence that it will achieve the Dept of health's

objectives. In Australia, the only

country to have implemented standardised packaging, the facts are clear - Smoking

Prevalence has not decreased whilst illicit trade has increased by 20% since

its introduction, now accounting for 13.9% of total consumption. If the proposals

are introduced it would affect consumers, wholesalers, retailers, the business, and

lives of all past present tobacco workers and their families

Yours sincerely

HO 73

5.8.14

No, No, No. to Standardised Packaging
This Country is getting like
a dictatorship, Nanny State
Call it what you like.
You Politicians seem to love
Putting People out of Work with
your CrackPot ideas, you can't
Stop People Smoking and this idea
certainly won't.
I will just say this I know
several people who have tried
without knowing illicit Cigarettes
which as you should know are
dangerous, if that takes off,
your Politicians should accept
the consequences. So I say
No Prime Minister to
Standardised Packaging

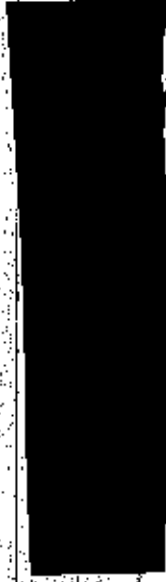


Dear Sir's

it is in our opinion
that plain packaging will only
increase smoking. It will help
that trade of young people will
be able to obtain cigarettes
cheaply and easily. Please
consider the millions of people
it will affect through job
losses throughout the industry.
Finally the loss of much needed
revenue that is obtained through
Tobacco tax. Please re-think
the idea of plain packaging
pro

and reap the idea all together
Put the people who work
in the industry first and
what job leaves that the world
commit to

thanks you



Dept of Health
Canberra

05-08-2014

Dear Sirs

I strongly object to
the proposals on standard
packaging of cigarettes.
There is no evidence from
Australia that it has been
introduced that it cuts
the volume of smoking.
Indeed it has led to
a rapidly growing
in illicit products with
all the inherent dangers
associated with that kind
of trade and a loss of duty
to the exchequer.

It really looks more and
more like a vindictive
action against the industry
rather than a logical step
to be taken. Yours truly

HD76

5/8/2004

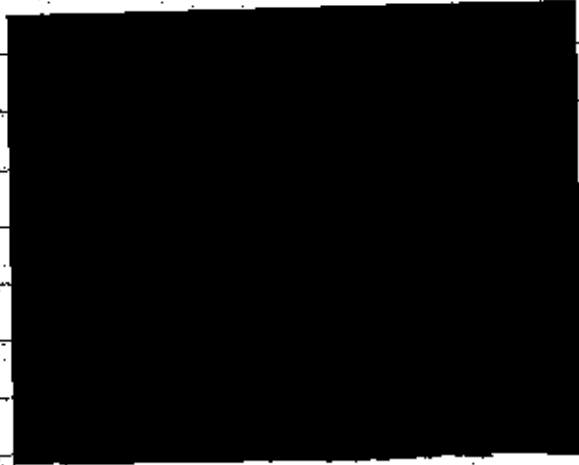
Dear Sir

I am signing my answer
of No minutes as requested.

PETITION

my answer is (No minutes)

signed





I wish to have my view in regards
to the "Pain" Minister position
stop the standard package of
your products. I do not agree with
it. Well stop —

Yours sincerely,



[Empty lined area for additional text]

HD78

[REDACTED]
6-2-2014,

Dear Sirs,

I am writing to register my protest
re standardised packaging of tobacco
products.

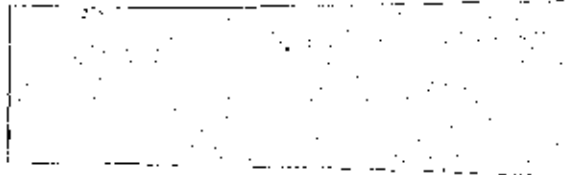
Smoking prevalence has not decreased -
smokers are obtaining their products
from other sources.

Yours faithfully,

[REDACTED]

Am willing to suffer to leave
tobacco packaging alone if affects
people's jobs and pensioners does
the Government want more people
out of work and on benefits
the Government gets most of its
tax from smokers which goes
towards NHS? Worry more
about Drinkers Drug takers and
overweight people that's not doing
there health any good

HD 80



Department of Health Standardised
Tobacco Packaging Consultation
PO Box 1126
Canterbury CT1 9NB

Dear Sir or Madam,

Standardised Packaging of Tobacco Products

I worked for Imperial Tobacco Company as a representative for many years before my retirement.

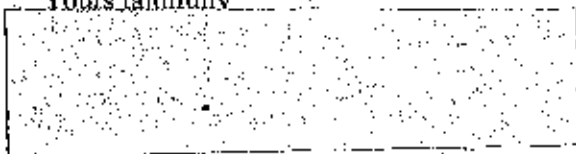
I am writing to put on record my objection to the implementation by the Government of plain packaging for cigarettes despite the fact that during the 2012 Public Consultation over 425,000 respondents stated clearly they were opposed to the measure. I believe I am correct in saying that this action for plain packaging has been taken in Australia and made very little, if any, impact on smoking by the general public.

As a representative, I think it is insulting to my customers that you think they only buy a brand because of the "pretty or eye-catching packaging". I can assure you this is not the case. It is price, value for money and above all, quality which leads the choice of tobacco products. There are ample health warnings on the packet and on the various media outlets so very few people can be under any illusion that smoking doesn't damages their health. So does driving a car or crossing a road if there is an accident! **Do you think it would help to make cars all the same colour?**

I do hope you will take notice of my objection, along with many, many of my colleagues and not just ignore it and bulldoze through legislation that is not based on fact. It is not only costly to the industry and consumers but also as a pensioner could well affect my standard of living as the Company will have to spend millions on introducing the packaging. Millions spent on packaging which could increase my pension and help prevent me claiming State benefits!

I trust you will take the trouble to read this letter.

Yours faithfully



HD 8 |

5 August 2014

Department of Health,
Standard Packaging Tobacco Consultation
PO Box 1126
Canterbury
CT1 9NB

Dear Sirs,

I am writing to express my opposition to the proposal for legislation in the current Parliament which would require tobacco products to be marketed in uniform plain packaging. I am a pensioner and shareholder of British American Tobacco plc which has a modest share of the cigarette market in the UK.

Good government requires that new policies and legislative proposals should be evidence-based, with a clear definition of the problem to be addressed, an analysis of the costs, benefit and risks and of the intended effects.

Having announced that a decision whether or not to require uniform packaging in the UK would wait an evaluation of experience in Australia where such a requirement came into force in December 2012, in November 2013 the Government commissioned an independent review based on "existing and any fresh evidence" to assist in arriving at a decision whether or not to proceed with early legislation.

The Review, completed in March 2014 consists largely of an assessment of existing literature together with material gathered during a visit to Australia. The main conclusion rests largely on the author's judgment of the plausibility of assertions that the very presence of brand images on tobacco packaging triggers experimental smoking and subsequent maintenance of smoking behaviour. Particular significance is attached to a rather breathlessly sententious academic piece to this effect "... islands" of smoking impulses typically become "continents" .", which appears to lack any supporting data. (3.21). On the other hand, the author dismisses as "not entirely lacking plausibility" suggestions that plain packaging, by characterising tobacco products as somehow nefarious, may have a perverse effect by actually stimulating smoking among the young.

The Review rules out as impracticable employing controlled trials of standard packaging to ascertain its likely effect on the exercise of consumer choice. Trials among the young are ruled out on ethical grounds. The author also believed that analysis of experience in Australia will not yield meaningful results within a measurable time and therefore saw no reason for the Government to delay legislation if ministers are minded to go down this route. It appears to be his view that proof is neither necessary nor possible.

The general tenor of the Review is not one of objectivity. Moreover, its independence may be questioned in the light of its heavy reliance on facilities provided by an NHS Hospital Trust.

In relation to Australia the tobacco companies who operate there have observed no falling away of consumption since 2012 below what would have been expected in the absence of a requirement for standard packaging *ceteris paribus*. If anything, they think consumption may have exceeded expectations.

Before going down a road which would result in owners of trade marks owners being deprived of the benefit of costly investment in brands, Ministers ought at least to await an objective assessment of the effect of the standard packaging regime in Australia. It is hard to believe that credible evidence of the impact, one way or the other, will not emerge within a reasonable time. The principle of evidence based government decisions would certainly point strongly in this direction.

Yours faithfully,

[Redacted signature block]

[Redacted signature block]

HD 82

Department of Health Standardised
Tobacco Packaging Consultation
PO Box 1126
Canterbury,
CT1 9NB

Dear Sirs,

I write with objection to Standardised Packaging and believe this is a step too far.

Australia the only country to have implemented this have shown a total failure and indeed illicit trade has increased, which is extremely alarming from a health point of view and could result in the NHS being burdened with further resulting illnesses. Further in Australia smoking prevalence has not decreased.

There has been success from prevailing laws on tobacco, but I believe this will not work in this country and therefore should not become law.

Yours faithfully,

[Redacted signature block]

HD 83

5TH AUG 2014.

SUBJECT.

CIGARETTES PLAIN
PACKAGING.

Dear Sir,

I do not smoke myself, but I do totally disagree with the changing of all cigarette packs to plain packaging! First of all, my brother died last May, two weeks before his 91st birthday and he has been smoking 60 cigarettes a day since he joined the navy in 1939, that's what everybody says kept him going.


Because of this, I am not voting for the Conservatives again.

Why pick on cigarette packaging, why not go after "cars". We have cars that can do over 100 M.P.H., yet the restrictions on our roads are, 30, 50, 70 M.P.H., why not restrict car engines to a maximum of 100 to be built, or even a 1.4 engine. This would save down on deaths.

Why not restrict everything to plain paper.

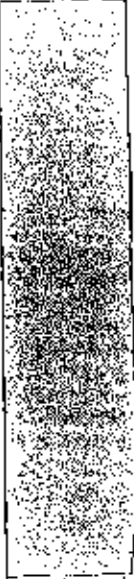
Yours faithfully,

[Redacted signature]

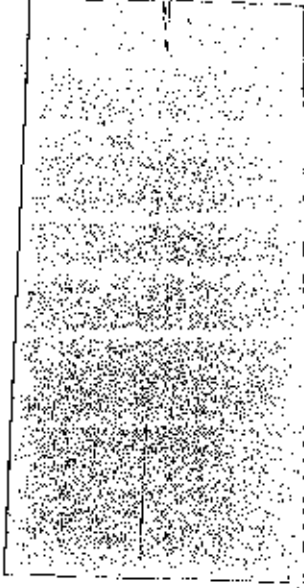


Dear Sir

We do not want
Plain Packaging We want to
see what we are getting for
our money you are taking
our choss away from us
and it into hole so you
lose my vote and I shall
vote for UKIP a smother



HD85



DEAR SIR

I DO NOT WANT
STANDARDISED PACKAGING ON
ANY TOBACCO.



A-8-14,


Department of Health

My Wife's Day Received
a letter from her Private Pension
Imperial Tobacco Co. about
the UK Government's govt
Standardised packaging of
Tobacco Products as part
of a 5 week Consultation

We can't see why they are
doing this. We are None Smokers
if people want to smoke they
will if the Government change
things or Not. People are
Dying every day if they have
Smoked or not. We have had
three Die in our Family of

~~10/10/10~~

Curses None of them Smoked
and Wasted away
Allooo My Wife Relies on her
pension to live.
Please leave things ^{How} they
are.

yours Faithfully

PS

Do the Government want
more people out of Work

5/8/14

~~HD88~~
HD87

Dear Sir or Madam,

I am totally against the government trying to standardise packaging on tobacco products,

Having worked for Imperial Tobacco for many years I know the government has had millions of pounds in

Tax BEY its now trying to finish the tobacco industry off, with this

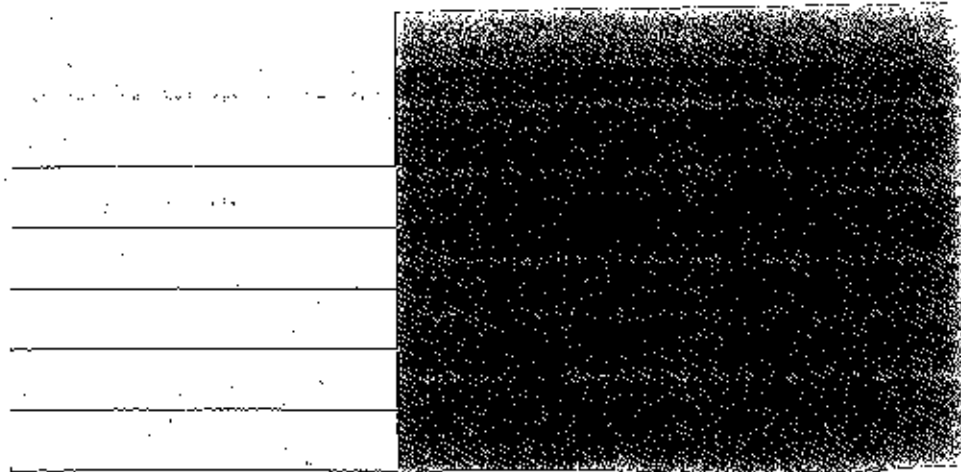
stupid game, youngsters will still buy CIGARE packaging just because their not allowed, tell them not to do

Something guaranteed's they will,
HANDS OFF OUR TOBACCO PRODUCTS

NOW

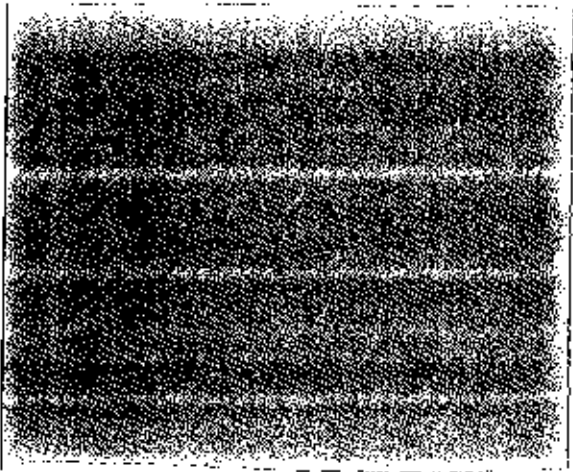
~~HD 86~~

HD 88



I would like to register my objection to cigarettes in plain packages. In my opinion teenagers do not start smoking because they are in fancy packets. It will encourage the illicit trade in smuggled tobacco products. Also cigarettes in plain package can contain added contents that can cause more problems for the N.H.S. If people change to illicit tobacco products the country will lose out of tax

~~141090~~
41089



Department of Health,
Standardised Packaging Tobacco Consultation
PO Box 1126
Canterbury
CT1 9NB

Dear Sir/Madam,

Re UK Department of Health Consultation on Standardised Packaging of Tobacco Products

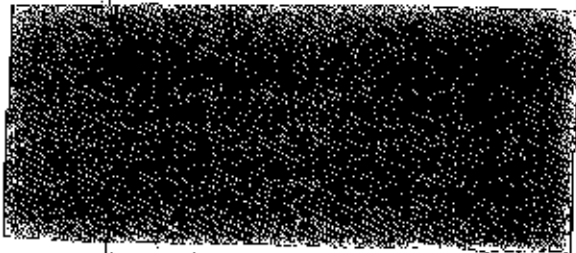
I am writing in response to the invitation to express an opinion on the proposal to introduce regulations regarding the standardised packaging of Tobacco Products.

It would seem to me that there is no credible evidence from the (limited and largely academic) studies that have been carried out that the introduction of these regulations would decrease the attractiveness of smoking either in general or to young persons in particular.

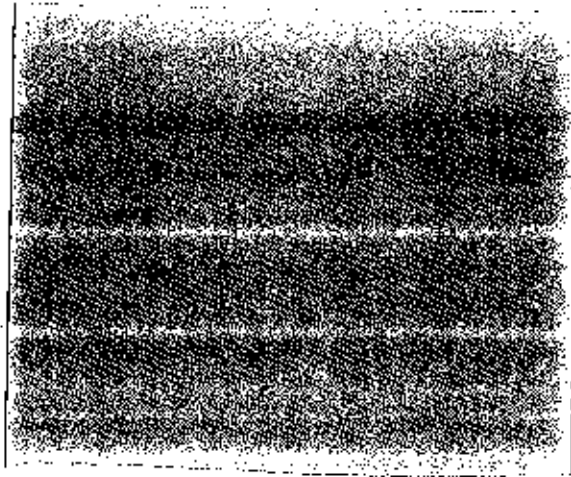
On the contrary, it seems that the evidence from Australia where these regulations have been imposed is that the experience has been that the practical result has been the opposite to that which was intended with an increase in the illicit trade in Tobacco products.

There are already a number of initiatives in progress to limit smoking among young people in the UK and the regulations limiting the display of Tobacco products are due to be extended in 2015.

Rather than introducing yet more regulations it would seem to be preferable to concentrate on increasing the effectiveness of those which are currently in force, at least until there is more evidence from Australia of the practical outcome of the implementation of the regime there.



H1090



20-07-2014

Department of Health
Standardised Tobacco Packaging Consultation
PO Box 1126
Canterbury
CT1 9NB

Dear Sir / Madam,

Standardize packaging for cigarette packets

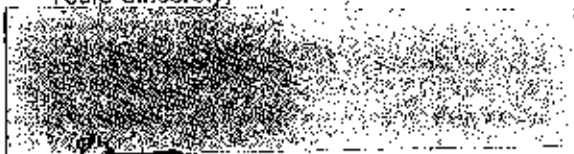
I'm a service station cum convenience shop owner. I heard about this consultation program and want to register my opinion too in front of this team. Sir Chantlar's expert report contains everything except the legislation's effect on retailers. I afraid, that our survival will threaten by this legislation.

Large chain stores are expanding their businesses by opening small stalls in every nook and corner of the country. Comparatively they are wealthiest than our corner shops. In order to compete with them we have to provide individualised and attractive customer service, then only we can retain our old customers with us and attract more new customers to our shop.

We have to train our employees to improve their efficiency in order to manage the stocks, handle the queue and let the customers go with pleasant memories about their shopping. This will increase our cost in terms of time and money.

From 2015 we can't display cigarette packets in the shelf. They have to be kept in a closed drawer. could not be able to seen by any customers. Once the seller spends time to identify the correct packet from those similar packets which are kept under the drawer he will lose his control over the other things. This will be a great opportunity for shoplifters. Therefore please stop from enforcing this legislation and ensure a healthy business environment.

Yours Sincerely,



Cc: Ms Priti Patel MP
House of Commons,
London, SW1A 0AA

~~HD 91~~
HD 91



04 August 2014

Dear Sir,

**Re: UK Department of Health Consultation on Standardised Packaging
of Tobacco Products**

I wish to express my opposition to plain packaging of tobacco. I am writing as an individual shareholder of various FMCG companies who deliver dividends to their shareholders through their branded products.

My opposition is on two counts. First, the political interference with the ability of companies to brand their own products. Brands represent to customers their confidence in the integrity of the product they are buying. In a world of easy counterfeiting plain product labelling can only lead to greater 'black market supply of a product.

Second, there is no credible evidence that the use of plain labelling will in any way reduce the proportion of children who will start smoking. Evidence emerging from Australia where the 'experiment' has been tried shows quite the opposite effect with the added problem of significant increase in black market trading.

Even the recent Chantler Report, which took no account of the possible increase in black market products, only noted that it was 'plausible' that plain packets might have an effect.

I urge the Department of Health and Government to delay further consideration of any regulations on this issue. The upcoming tobacco display ban has not yet been fully implemented and yet attempts are made to do even more.

When will politicians base their consideration on facts rather than speculation? Focus on education to prevent young taking up smoking. And above all remember that smoking is legal for adults and governments rely heavily on the tax revenue sales generate. Tinkering at the edges just creates more problems than you are trying to solve.

Yours sincerely,



HD 92



24-07-2014

Department of Health
Standardised Tobacco Packaging Consultation
PO Box 1126
Canterbury
CT1 9NB

Dear Sir / Madam,

Plain packaging for tobacco products

I write this letter to you to seek your concerns towards retailers. Chantier's report on this plain packaging legislation does not count its impacts on retailers.

I welcome any legislation that would increase public health, but this particular one will not be able to reduce smoking rather it'll increase the burden to the retailers. There is a chance of increasing crimes in the city too. While the seller concentrates fully on selecting particular brand's packet among those identical packets, he'll lose his attention on other things. This will create an opportunity to thieves to steal from my shops. I already suffer a lot from these kinds of incidents in the filling station like drive-offs. This legislation may increase this further.

If the Government really wants to control smoking, it could find an effective tool. The awareness could be created through proper education. I please you to ensure that the Government consider the interest of all the parties and deter the Government from implement this legislation.


Thank you.

Yours Sincerely,



Cc: Ms Priti Patel MP
House of Commons,
London, SW1A 0AA

HD93



20-07-2014

Department of Health
Standardised Tobacco Packaging Consultation
PO Box 1126
Canterbury
CT1 9NB

Dear Sir / Madam,

Standardize packaging for cigarette packaging

I'm a convenient shop owner and wish to disclose my opinion regarding this legislation. We - the retailers are the people highly affected by these tobacco regulations. There are so many regulations to control smoking, but none of them seems effective to control smoking up to now.

We can't sell cigarettes through vending machine which could help to reduce waiting time of the customers. From 2015 we can't even keep the cigarettes in the shelf, they have to be kept in a close drawer. We have to ensure the age of the prospective customer by requesting for the proof of age. In the reality those legislations never induce people to quit smoking. Now, this plain packaging of tobacco products will further increase our operational burdens.

More than 30% of our sales proceeds are from tobacco sales. If the Government keep bothering us with its' useless legislations we haven't any option other than giving up. In the future this will create more problems with unemployment too. So please drop down this unwanted legislation.

Kind Regards,



Cc: Ms Priti Patel MP
House of Commons,
London, SW1A 0AA

H094

[REDACTED]

20-07-2014

Department of Health
Standardised Tobacco Packaging Consultation
PO Box 1126
Canterbury
CT1 9NB

Dear Sir/Madam,

Standardized packaging for cigarette packs

I write to you to convey my objection regarding the above legislation. The plain packaging legislation will shower its negative impacts on retailers only, Sir Cyril Chantler's review doesn't concern about this. On the other hand it will never induce people to quit smoking.

From 2015 there will be a display ban to all tobacco products. We can't keep tobacco products in a way that exposed to customers. If it is so, then this legislation will be more or less duplicating it. If the people are not exposed to cigarette packets, how they will be attracted by it. Therefore the legislation seems to be inefficient.

But it is really a headache for retailers. It'll confuse both retailers and the consumers. The difficulties in identifying brands will results in confusion. If a consumer given with a wrong brand and if he returns it after opening, the cost should be borne by the retailers. The same situation will arise in ordering stock also. Inefficient stock management will affect the business's goodwill. In the long term we will lose our profit and the survival will be a hardest task for us.

Therefore I plead you not to continue the legislation further and ensure a favourable business environment for the retailers:

Thank you.

Yours sincerely,

[REDACTED]

CC: Priti Patel MP
Witham Constituency

HD95



Department of Health
Standardised Tobacco Packaging Consultation
PO Box 1126
Canterbury
CT1 9NB

06.08.2014

Dear Sir/Madam,

As a retailer I strongly oppose this plain packaging legislation. I agree that the consumption of Tobacco based products should be reduced in the country in order to improve the public health. But unfortunately this legislation will not give any positive results in reducing the usage of tobacco. Even if the government introduce the plain packaging, the smokers won't give up consuming tobacco based products. They only concern about the content only, not the containers.

Further this plain packaging will trigger the illicit tobacco business more in the country. Last HMRC (2013) statistics estimate that £ 3 billion worth of cigarettes were smuggled into the UK. This cost nearly £ 500 million to the Government. We can expect the ease of duplicating identical package will make this worse.

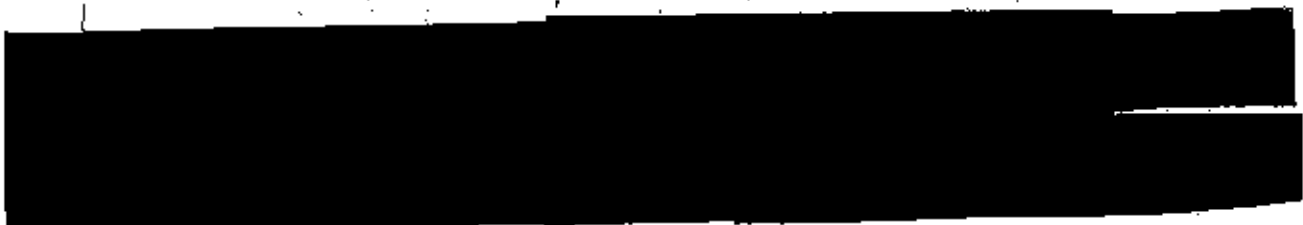
Thus, plain packaging will only be resulted in increasing operational burden of retailers. Identical packets will make it more complicate while selecting a particular brand's packets. And this complication will make us to lose our control over stock ordering too. That's why we the retailers oppose this legislation and ask you to stop it.

Yours sincerely,



Cc: Ms Priti Patel
House of Commons,
London,
SW1A 0AA

HD96



04 Aug. 2014

Department of Health
Standardised Tobacco Packaging Consultation
PO Box 1126
Canterbury
CT1 9NB

Dear Sir/Madam,

Standardised Packaging for Tobacco Products

This standardising packaging legislation will be another obstacle to the retailers. I'm retail shop owner and write this letter to convey my opinion regarding this proposed legislation. More than 30% of our sales income used to drive from the tobacco sales. We already suffer from increased controls by regulations.

We can't sell tobacco products through vending machines. We can't keep them visible to customers. We have to ensure the age before selling tobacco products. While asking for proof of age some customers may get angry and leave the shop. But even though it's damn difficult, we follow all the regulations. The sales of tobacco never decline because of these regulations.

Now the Government has come up with a new legislation which will increase the retailers' struggle further. Seller at the counter should pick up the requested brand for the customers. Identical packets will cause delay in servicing customers. No one likes to wait in the queue to buy things. Therefore they will go to the nearest express stores. This will have huge impact on my turnover. Thus I request you to refrain from implementing this legislation; it has disproportionate impacts on retailers.

Yours sincerely,



Cc: Priti Patel
House of Commons,
London, SW1A 0AA

HD97



21-07-2014

Department of Health
Standardised Tobacco Packaging Consultation
PO Box 1126
Canterbury
CT1 9NB

Dear Sir / Madam,

Standardize packaging for tobacco products

I wish to register my objection against Sir Cyril Chantler's report on Plain packaging. In my opinion it is a biased one. The report doesn't consider its consequences carefully. We - the retailers will be the victims of this useless legislation. Cigarette packets do not provide any information which induces the public to smoke; by their nature they can remind the customers of the brand's existence only.

Identical packaging will confuse the seller at the counter as well as the buyer. If by chance, a customer was given with a wrong brand of cigarettes and brought them back in after opening them the shop would have to deal with the situation. Then we are stuck with a product valued around £ 5 - £ 8 that we cannot get returns on. It is going to have a massive cost effect.

The same situation could be applicable on ordering of stock. If we order the wrong brand we will end-up with over stock in one brand and out of stock in another. Over stock will reduce the revenue due to the additional capital bound with the purchase and the storage space taken. Out of stock will redirect the customers towards competitors and thus will not only lose the income from tobacco sales but also the income from other possible sales. A customer who steps in to the shop to purchase cigarette may purchase other products too.

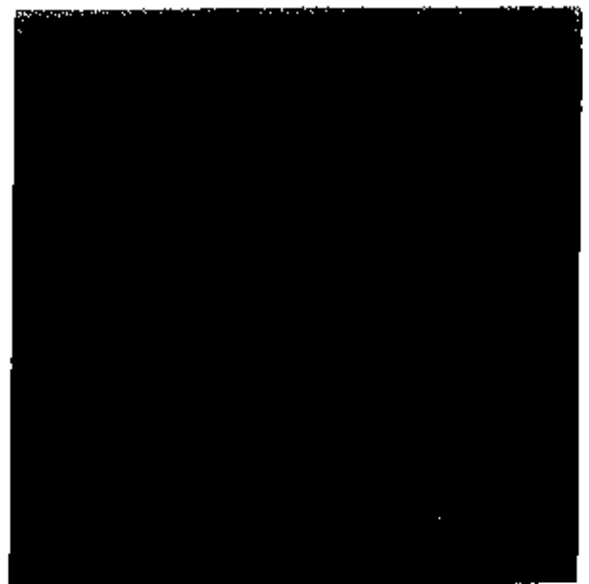
Therefore please give-up this legislation for the sake of the retailers' at least.

Yours Sincerely,



House of Commons,
London, SW1A 0AA

HD98



Department of Health
Standardised Tobacco Packaging Consultation
PO Box 1126

To whom it may concern,


Statistic numerical facts of people who have died of cancer caused by smoking, are published what about numbers being published of non smokers and still get cancer. I am one of those I have had cancer and have never smoked.

Its a persons choice if they smoke, the consequences are advertised and written about enough. No grotesque design on packaging will make a difference. In fact smoking is no worse than long term antidepressant pills.

Obesity whats that going to cost the NHS. What labels will describe fat.

Or diesel fumes causing asthma

How long has tobacco been around.

Yours sincerely


HD99



Department of Health,
Standardised Packaging Tobacco Consultation,
P.O.Box 126,
Canterbury,
CT1 9NB

**RE UK DEPARTMENT OF HEALTH CONSULTATION ON STANDARDISED
PACKAGING OF TOBACCO PRODUCTS**

Dear Sir/Madam,

I am writing to express my opposition to plain packaging of tobacco.

There is a great deal of speculation about the effects of plain packaging and even the recent Chantler Report said that it was only "plausible" that plain packs might have an effect. Speculation and conjecture are no substitute for hard facts.

Whilst there is no credible evidence that plain packaging will deter children from smoking or will speed up the decline in smoking rates there are in fact hard facts to the contrary.

In Australia, for example, plain packaging of tobacco products has resulted in increased shipments, a slower rate of "giving up" and last but not least a significant increase (+ 20%) in black market trade.

This latter point is very worrying because black market cigarettes and roll your own tobaccos are not controlled and can contain any old rubbish never mind the significant loss in Government revenue. In addition the increase in black market cigarettes makes it actually easier for children to buy these cheaper products on the streets and at car boot sales rather than over the counter in a controlled environment - exactly the opposite of what the Government intends with this policy.

The introduction of plain packaging would be disastrous and I strongly urge you to delay/ reject any regulation on this issue.

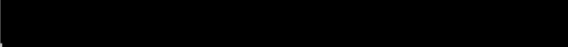
Yours faithfully,



Department of Health
Standardised Tobacco Packaging Consultation
PO Box 1126
Canterbury
CT1 9NB

Dear Sir / Madam,

Legislation to Standardizing the Packaging for Tobacco Products

I operate a retail shop in combine  other service stations do. Mostly, at the time when the drivers stop in to the shop to pay for their petrol fillings they used to buy cigarettes. Major portion of our profit is derived from the sale of tobacco products. This legislation will harm our profitability.


I'm not encouraging smoking but the said legislation seems to be a useless one. According to KPMG's report on the same legislation which was implemented 18 months before in Australia doesn't give any favourable results. Rather it shows that the illicit trade was increased by almost 13%.

After implementing this legislation only one kind of packet will be left there for the smugglers to master copying. This ease will foster illicit tobacco business in the country. They will be able to supply those illicit products at comparatively lower prices in the market. As there is no branding people will go for cheaper ones.

Often large scale enterprises are involved with this illicit trade. They are also likely to be committing other offences, such as drug trafficking, money laundering, funding terrorist groups, etc.

Sir Cyril Chantler's review never considers the legislation's disproportionate effects on retailers. So please consider it in this consultation and stop the legislation from further proceedings.

Thanking You.


Cc: Ms Prii Patel MP
House of Commons,
London, SW1A 0AA

HD101



10 DEPT OF HEALTH
STANDARDISED TOBACCO CONSULTATION
P.O. BOX 1126
CANTERBURY CT1 9NR

Dear Sir, Madam.

I am aware that in the near future there is a possibility that the names on tobacco products are to be erased and I feel this is unjust and unfair to smokers!

Apart from the difficulty of being able to receive my preference of Golden Virginia Handmade Tobacco I feel sorry for the person who is going to serve me, but just that person is an unavailable person.

Please reconsider the terrible mistake you are making.

Yours sincerely



HD 102

Department of Health
Environmental Hygiene to Food Inspection
No 107 10/6
Cambridge 10/6

Dear Sir/Madam,

It is wrong to say that I think
the plan to pack factory services is
a really bad idea.

It will not reduce the amount of
smokes but just makes it
very hard to serve the customer
& take care of the stock.

Yours Sincerely



HD103

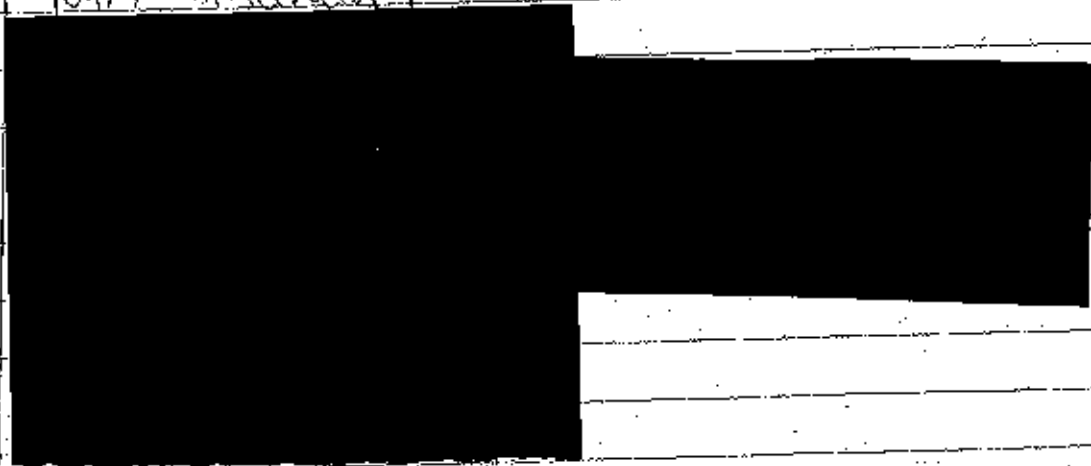
Department of Health
Standard Packaging - Tobacco Consultation
PO Box 102
Canterbury CT9 9B

Dear Sir/Madam,

I'm writing to say that the
plan to plain package tobacco
should be stopped.

People will always smoke if they
want to, this will not change
that. But it will affect our
small businesses and cause
a lot of harm.

Yours Sincerely,

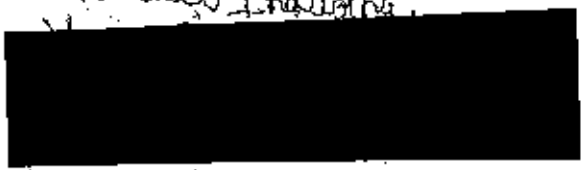
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40104

DEPARTMENT OF HEALTH
STANDARDISED TOB PACKAGING
CONSULTATION
8-8-2014



Dear Sir As a retired
Pensioner I will like to protest
against Standard Packaging
as I feel it is unfair against
the Tobacco Industry.



HD105

Department of Health
Standardizing Tobacco Concentration
in the
Cigarette CANS

DEAR SIR / MADAM,

PLEASE STOP THE SILLY PLAN TO
PLAIN PACKAGE TOBACCO.
I'M SURE EVEN YOU KNOW IT
WILL NOT REDUCE THE AMOUNT
OF SMOKERS. THE PEOPLE WHO
SMOKE WILL DO SO REGARDLESS
OF THE REGULATIONS.

BUT REGULATIONS LIKE THIS
JUST MAKE IT SO MUCH HARDER
TO RUN OUR SMALL BUSINESSES.

YOURS SINCERELY,

