

Caroline Flint MP
Minister of State for Public Health
Department of Health
Richmond House
79 Whitehall
London SW1A 2NS

26 April 2007

Dear Caroline

Re: BAT's tobacco promotional activities in the UK

I am writing to draw your attention to promotional activities in the UK by BAT which we are concerned may breach the UK's Tobacco Advertising and Promotion Act. If these activities don't breach the Act then legislation should be strengthened to make such activities unlawful since they are promotional activities which have enabled BAT to make Lucky Strike an iconic brand amongst young people in this country despite the controls on tobacco promotion afforded by the legislation.

The enclosed ASH report, "*You've got to be kidding*" which is being released to coincide with BAT's AGM on 26 April, explains how BAT continues to promote its cigarettes to young people around the world despite the fact that it claims to be acting in a socially responsible manner. Whilst most of the examples cited in the report are taken from other countries, the following are examples of BAT's marketing to young people in the UK which breach or undermine the UK law:

1. The display of BAT brands in nightclubs (page 19). The cigarettes being displayed at these nightclubs are not for sale; instead they act as an advertisement for Lucky Strike.
2. Multiple pictures of the Lucky Strike brand on vending machines. Under the law, only one image per brand is permitted.
3. Brand-sharing: BAT commissioned a software company to produce cigarette packs which could be over-printed with the name of a bar or pub.
4. The commissioning of artist Julian Opie to produce Lucky Strike branded artwork for dissemination on the internet.
5. The use of Lucky Strike brand colours as part of the décor of clubs and bars.

Earlier this week the BMA also called for the introduction of strengthened controls on the tobacco industry following publication of its report, "*Breaking the cycle of children's exposure to tobacco smoke*". We know how concerned you are about smoking amongst the young, and welcome the Government's change in the age of sale from 16 to 18 in England from 1 October 2007. However, more needs to be done. The lesson from the past is that with every change in regulation the tobacco industry looks for alternative means to promote its product so we need to continue to improve and update regulation of the industry. ASH would like to see the following changes in legislation to prevent the tobacco industry from continuing to promote its products to young people.

1. Prohibition of residual tobacco advertising at the point of sale.
2. Prohibition of any display of the product at point of sale.
3. Retailers should be required to hold a licence to sell tobacco as is the case for alcohol (a positive licensing system).
4. Ban sales of tobacco from vending machines.
5. Introduce graphic health warnings on tobacco packaging and at the point of sale.
6. Stricter controls on the portrayal of smoking in films and the broadcast media.
7. Require generic (plain) packaging for all tobacco products.

I look forward to your response to our suggestions.

Yours sincerely



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cc Nick Adkin, Tobacco, Tobacco Programme Manager, Anne Grosskurth, Graeme Tunbridge,

Enc. "You've got to be kidding". ASH report on BAT's promotional marketing to young people, 2007.