

START

To: [EU.RegulatoryReporting@uk.imptob.com](mailto:EU.RegulatoryReporting@uk.imptob.com)

Cc: [REDACTED]@uk.imptob.com

Dear [REDACTED],

**Menthol flavoured cigarettes**

We are writing to you in our capacity as the UK Competent Authority for the management and publication of notifications for tobacco and herbal products for smoking.

As you are aware, the sale of cigarettes with characterising flavours, including menthol has been prohibited since 20<sup>th</sup> May 2020 under [The Tobacco and Related Products Regulations 2016](#)

Imperial Tobacco Limited have notified a number of products which we would like some further information on. These cigarette products are listed below:

First Submission Date	Submission Type	Product id	Brand Name(s)	Brand Sub Type Name(s)	Launch Date(s)
20/05/2020	Reporting of information on a new product	00010-20-00366	Superkings Green Superkings Green Superkings Green	Superkings Green Superkings Green Superkings Green	09/03/2020 15/08/2019 22/09/2019
11/05/2020	Modification of information on a previously reported product.	00010-20-00356	JPS Cigarettes	JPS LSS Lights KS Channel AB	11/05/2020
11/03/2020	Updates to information to be submitted in regular intervals/annually	00010-19-01307	Richmond Superkings Green Richmond Superkings Green Richmond Superkings Green	Richmond Superkings Green Richmond Superkings Green Richmond Superkings Green	11/03/2020 11/03/2020 11/03/2020
04/02/2020	Updates to information to be submitted in regular intervals/annually	00010-20-00096	Carlton Cigarettes	Carlton Menthol Lights SKS	21/04/2020
04/02/2020	Updates to information to be submitted in	00010-20-00088	JPS Cigarettes	JPS VB Menthol (Lights) KS	30/03/2020

	regular intervals/annually				
04/02/2020	Updates to information to be submitted in regular intervals/annually	00010-20-00089	Windsor Blue Cigarettes Windsor Blue Cigarettes	Windsor Blue Menthol SKS Windsor Blue Menthol SKS	21/04/2020 21/04/2020
04/02/2020	Update of existing product – other information.	00010-20-00090	JPS Cigarettes	JPS VB Menthol (Lights) SKS	17/03/2020
10/06/2020	Update of existing product – other information.	00010-19-00977	JPS Cigarettes JPS Cigarettes JPS Cigarettes	JPS LSS Lights SKS Channel AB JPS LSS Lights SKS Channel AB JPS LSS Lights SKS Channel AB	30/04/2020 30/04/2020 10/06/2020

We note your promotional claims appearing in the trade press, including these [here](#) and [here](#) regarding your new Green Filter range, which have been added to some existing brand ranges. These are Carlton, JPS Players, Lambert & Butler, Richmond and Windsor Blue. The new variant ranges, with their new white filter tips are being marketed as providing former adult menthol cigarette smokers with a more even and harmonious tobacco smoking experience.

We would remind you that under the *Tobacco and Related Products Regulations 2016 Parts 3 & 4*, producers of tobacco products to the UK market are required to comply with regulations regarding the characteristic flavouring of cigarettes and fulfil your responsibilities to provide information on ingredients and emissions of such products.

It is a criminal offence to breach these regulations, and the maximum penalty for such an offence is copied below. Public Health England is in direct dialogue with Trading Standards colleagues about this issue, as we work to ensure that non-compliant products are not available on the UK market:

## Penalties

**51.** A person guilty of an offence under these Regulations is liable—

(a) on summary conviction—

(i) in England and Wales to imprisonment for a term not exceeding three months, or a fine or both, or

(ii) in Scotland, to imprisonment for a term not exceeding twelve months, or a fine not exceeding level 5 on the standard scale, or both;

(iii) in Northern Ireland, to imprisonment for a term not exceeding three months, or a fine not exceeding level 5 on the standard scale, or both; or

(b) on conviction on indictment to imprisonment for a term not exceeding 2 years, or a fine, or both.

Following a telephone call between [REDACTED] UK & Ireland, Imperial Tobacco Limited and Martin Dockrell, Tobacco Control Lead, PHE on Monday 15<sup>th</sup> June, [REDACTED] stated that Imperial Tobacco Limited no longer have menthol or other characteristic flavoured cigarette products on sale in the UK.

You are required to confirm that the products you have notified comply fully with UK regulations and do not contain menthol or other characterising flavours. We are seeking clarification to your claim on how you have achieved the 'menthol' effect. PHE will, in addition, be commissioning independent product testing.

We request that you provide us with all the associated/relevant documentation for these products within 15 days from the date of this letter, including those submitted to the European Union Common Entry Gate.

In accordance with Article 5.3 of the FCTC, we are required to publish a summary of the correspondences and information you provide. However, we will exclude information that you have marked as commercially sensitive.

All communication in this matter should be conducted in writing and addressed to [tobacco.notification@phe.gov.uk](mailto:tobacco.notification@phe.gov.uk)

Kind regards,

A large black rectangular redaction box covering the signature area.

**END**