

03rd September 2024

Andrew Gwynne MP
Parliamentary Undersecretary of State for Public Health and Prevention
Department of Health and Social Care
39 Victoria Street
London
SW1H 0EU

Dear Mr. Gwynne,

Subject: Analysis of the Impact Assessment for a Proposed Generational Sales Ban on Tobacco Products as it Applies to Cigarillos, Cigars, Pipe Tobacco and Snuff

I would like to begin by offering my sincere congratulations on your recent appointment as Parliamentary Undersecretary of State for Public Health and Prevention.

I am writing you on behalf of J.J. Fox St James's Limited, trading as James J Fox, [REDACTED]. We have one store in St James's Street, run the concessions in Harrods and Selfridges as well as an e-Commerce site. Our flagship store in St James's Street has been trading in cigars and pipe tobaccos since 1787 and have seven royal warrants. We do not sell any tobacco products other than cigars, cigarillos, pipe tobacco and snuff.

As your government considers introducing legislation for a generational sales ban (GSB) on tobacco products, I wish to draw your attention to a critical aspect of the Impact Assessment (IA) undertaken by the former Conservative government prior to the introduction of the Tobacco and Vapes Bill. Our industry association, the Imported Tobacco Products Advisory Council, has conducted a thorough analysis of the IA, specifically focusing on the impact of a GSB as it would apply to cigarillos, cigars, pipe tobacco, and snuff, which together comprise the Other Tobacco Products (OTPs) segment of the UK market for tobacco products.

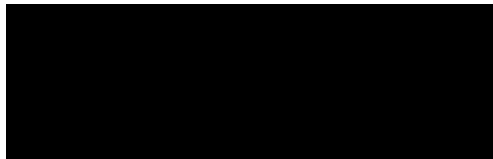
While we fully support efforts to reduce smoking rates and prevent youth smoking initiation, our analysis reveals that the IA, as currently drafted, falls short of providing an accurate assessment of the proposed measure's benefits and impacts. The IA provides no specific data or evidence demonstrating that the inclusion of OTPs will meaningfully contribute to achieving the GSB's objectives, namely, preventing youth smoking initiation, reducing tobacco addiction and improving public health outcomes. The question of the contribution of OTPs to achieving these goals has simply not been included as part of the analysis, which relies exclusively on data pertaining to cigarettes and hand-rolling tobacco. Nor does the IA consider the impact of a GSB on the SMEs and micro businesses that comprise the OTPs sector. I hope you will agree that this glaring oversight constitutes a remarkable failure of the IA process, and the previous government, to ensure sound, evidence-based policy making.

Given the significant economic and other implications of including OTPs in a GSB, I strongly urge you to initiate a revision of the IA before any legislation is introduced. It is essential that the assessment be comprehensive, data-driven, and reflective of the diverse tobacco market in the UK. Without such revisions, there is a substantial risk that the policy could lead to unintended consequences, particularly for SMEs and micro businesses that specialize in OTPs, without delivering corresponding public health benefits.

Enclosed with this letter is a detailed analysis of the IA, which outlines its deficiencies in greater depth. We would be pleased to assist with any further enquiries and are keen to engage in discussions to ensure that the forthcoming legislation is both effective and equitable.

Thank you for your attention to this important matter. I look forward to your leadership in addressing the shortcomings of the previous administration's handling of the IA process and to the development of a more robust, informed approach moving forward.

Yours sincerely,



J.J. Fox (St James's) Limited t/a James J Fox

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