

RECEIVED 23 SEP 2009

Ian Lucas MP

Minister for Business and
Regulatory Reform

Our ref: WH/149685

Your ref: 01092843

The Rt Hon Tessa Jowell MP
House of Commons
London
SW1A 0AA

18 September 2009

Dear Ms Jowell,

Thank you for your letter of 2 September to Peter Mandelson, enclosing correspondence from your constituent, about proposals in the Health Bill to ban the display of tobacco products at the point of sale and to age-restrict access to cigarette vending machines. You requested advice on how to respond to your constituent's concerns. I am replying as this matter falls within my portfolio.

Your constituent is correct in noting that the Health Bill is scheduled for 3rd Reading on 12 October. The Government fully recognises that smoking is the biggest single cause of cancer which is why a range of significant measures intended to reduce the number of people who smoke have already been taken forward, including a complete ban on advertising and the prohibition on smoking in confined public places. The measures contained in the Health Bill build on these previous steps with a specific aim being to reduce the number of young people who smoke.

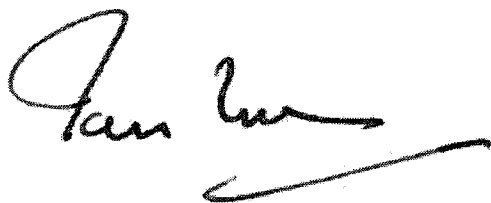
There is indeed evidence to show that cigarette vending machines are disproportionately used by children and young people. The international evidence base on what works to prevent young people from getting cigarettes from vending machines is mixed. Clearly an outright ban on the machines would be effective but there is also some good evidence to suggest that age restricting access to such machines can be done effectively. Whilst the Government is determined to deliver the health policy goal, we also have to recognise that vending machines provide consumer choice and that the cigarette vending machine retail sector employs a significant number of people and supports many small businesses.

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In the light of this the Government believes there is sufficient evidence that age restriction works (using new technology and factoring in proof-of-age arrangements) for this to be trialled. The success (or otherwise) of age-restricted access to cigarette vending machines will be carefully monitored and will be fully evaluated after two years. If the evidence from that evaluation shows that age restriction is not working the Government will prohibit cigarette vending machines outright. An enabling power to bring in such an outright ban is being sought through the Health Bill alongside the power to impose age-restricted access.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ian Lucas', with a long horizontal flourish extending to the right.

IAN LUCAS