



FEDERAL GOVERNMENT'S PLAIN TOBACCO PACKAGING PROPOSAL IS UNLAWFUL AND FLAWED: IMPERIAL TOBACCO CANADA

Montreal, Quebec, September 1, 2016 -- Yesterday, in its official submission to Health Canada, Imperial Tobacco Canada detailed its opposition to the Liberal Government's proposal to implement plain tobacco packaging in Canada.

"Our reasons are clear and strong," said Tamara Gitto, Vice President of Legal and External Affairs at Imperial Tobacco Canada. "The government's consultation and legislative process is flawed. At the core plain packaging is unlawful, the suggested legislative changes are fraught with problems, and plain packaging will only exacerbate an already embedded illegal tobacco market."

Canada is already facing a contraband tobacco crisis with illicit products making up almost 20 per cent of tobacco products. Plain packaging will lead to an increase in Canada's already rampant illicit tobacco production and trade, as indicated by the experience in Australia, thereby actually undermining public health objectives.

Imperial Tobacco Canada stated that the government has reversed the legislative process, which is designed to protect Canadians against overly excessive and restrictive regulation.

"The government made up its mind that plain packaging is what it wants to do. It is using the legislative process as a self-justification exercise, not as the checks and balances process that it is intended to be," said Gitto.

In addition, the company believes plain packaging amounts to a deprivation of substantial intellectual property rights and constitutes a clear violation of freedom of expression, a right so fundamental it has been entrenched in the Canadian Constitution.

The government has no justification to undermine the Constitution. Plain packaging is not necessary given the multitude of tobacco control measures already in place in Canada, the widespread awareness of the risks of smoking and the existence of other more effective and less restrictive means to reduce smoking rates and protect youth.

"This is bad public health policy that is being driven, not by sound research and facts, but by public interest groups who are more anti-industry than pro-health," concluded Gitto. "If the government was serious about the health of Canadians, it would acknowledge the harm reduction potential of e-cigarettes and table clear regulations around these products."

On May 31st, 2016, the government of Canada announced its intention to introduce legislation requiring tobacco products be sold in plain packaging. A three-month public consultation period began on the same day and Imperial Tobacco Canada welcomes the opportunity to provide more detailed briefing about its submission.

- 30 -

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