

ADDITIVES REPORTING - NEW ZEALAND

It is proposed that each company should file a return in the format requested by the Department of Health in its letter dated 10 December 1992 (copy attached).

This proposal involves each company filing a return showing:

*A checkbook
Used
duration
pre-1992/1993*

(i) Weight of tobacco products sold (including additives and moisture) in each product class.

*Wts
- separate brand
- added up
- separate*

*material
- tobacco*

(ii) Weight of each additive in each product class.

*100%
Vigen*

(iii) List of additives in each product class and maximum use level.

100% at

No objections by the companies or the industry should be expressed in relation to the release of this information to the public under the Official Information Act.

The returns will also show the quantity of each brand and brand variant released for sale. This is commercially valuable information and the Department of Health should be asked to confirm that it will not release this information under the Official Information Act.

Although not required to do so, the companies will continue to file the combined list which has been filed in the past, as this serves to establish a criteria under which additives have been used.

ADVANTAGES

- 1 The proposal does not require any alteration to existing law. (Such alteration could result in the imposition of a less acceptable reporting regime.)
- 2 The proposal does not require the Department to concede any further point. (Seeking further concession could result in the Department seeking to alter the law.)

DISADVANTAGES

- 1 The Department might one day ask for brand disclosure.
- 2 The proposal is not the ideal international precedent.

COMMENTS ON DISADVANTAGES

- 1 When advising the Department of the intention to file returns in the requested format the covering letter could reserve the right to dispute any request for brand disclosure.
- 2 Depending on what the industry sees as the ideal international precedent, it might be possible to argue that the New Zealand requirement is not as suitable as the preferred option.

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EACH COMPANY TO FILE RETURN SHOWING, BY PRODUCT CLASS.

1. TOBACCO WEIGHT = ... kg (company figure)
2. WEIGHT OF ADDITIVES IN TOTAL = kg (company figure)
3. QUANTITIES NOT EXCEEDED FOR EACH ADDITIVE (3 company composite)
4. BRAND SALES (company figures).

CERTIFICATION: (a) No additive has been used which has not been listed & no additive has been used above the stated level
(b) This return is correct for all purposes of the Regs.

COVERING LETTER:

HEREWITH RETURN IN COMPLIANCE WITH THE REGS. [ITEM 3 SHOWS THE ADDITIVES ACTUALLY USED BY PHILIP MORRIS, WILLS AND ROY-MANS BUT EACH COMPANY IS NOT NECESSARILY USING ALL THE ADDITIVES SHOWN. WE ARE ADVISED THAT RETURNS IN THIS FORMAT COMPLY WITH THE REGULATIONS.

NOTES:

EACH COMPANY TO AFFIX COMMON SEAL (RATHER THAN HAVE AN INDIVIDUAL SIGN (NO ONE INDIVIDUAL MAY HAVE PERSONAL KNOWLEDGE

SAFETY ASSESSMENTS TO BE PRODUCED AS SOON AS POSSIBLE (TO BE HELD IN READINESS).