

DAN Heck

**INTERNATIONAL INGREDIENTS MEETING
MAY 3, 1995; DUESSELDORF, GERMANY**

SUMMARY: Updates on worldwide ingredients regulatory developments were presented. All companies were asked to submit to Clausen Ely a response to the following question:

Does your company agree in principle to participate in the creation of a worldwide ingredients list for use in addressing regulatory requirements for ingredients disclosure? The world list will be assembled by C&B under an agreement similar to that drawn up previously by the major U.S. companies. A response within 2 weeks was requested. Dr. Ohkawa will host the next meeting, which has been tentatively scheduled for November 6-7, 1995, in Tokyo.

The meeting of the international ingredients group, hosted by RJR Tobacco International, was attended by 27 representatives of over a dozen companies [Lorillard, RJR, PM, Reemtsma, BAT, BAT Germany, Rothmans, Gallaher, Seita, Japan Tobacco, B&W, Swedish Tobacco, Scandinavian Tobacco]. Several new representatives were present; an attendees list is to be sent out soon.

WORLDWIDE UPDATES

Germany

Steven Sears, recently assigned to the RJR Cologne office, reviewed the key elements of the German ingredients regulations. The three tobacco-related ordinances (product definitions, labeling, residues) within the Law on Foods, Tobacco Products, Cosmetics, and Consumer Products seem to be used frequently as models for new legislation around the world. Notable provisions include prohibition of irradiation of tobacco products and legal authority for the creation of 'approved' and 'prohibited' lists as well as for a requirement for quantitative ingredients disclosure. This latter provision is on the books but has never been enacted. J.D. Heck has additional details in file.

United Kingdom

A. Nelmes reviewed the history of the Independent Scientific Committee since its formation in 1973. The most recent and final list of approved ingredients was published in a revised format in February, 1995.

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A new committee, the Scientific Committee on Tobacco and Health ("SCOTH"), was appointed by the Department of Health on Feb. 7, 1994. This group's areas of activity will be largely similar to those of the discontinued Hunter/Froggatt committee; ETS issues will also be covered by SCOTH.. A Technical Advisory Group reporting to the new SCOTH is developing a status report on ingredients; an additives toxicology subcommittee met on May 2 to discuss, among other ingredients issues, possible inhalation test requirements for tobacco ingredients. [Note: Animal testing of tobacco products is essentially prohibited in the U.K. by the Animal Welfare Act]. An opinion on this subject may be issued in July.

The U.S. F.D.A. has reportedly contacted a Mr. Browning (Health Secretary?) on the subject of ammonia/ammonium compounds as additives.

Nelmes reports that a dialogue between the industry and the new government committees is continuing. However, the industry is not completely informed of all activities. His projection is that some reasonable balance between government needs and industry concerns will come about.

SWITZERLAND

Jean-Bernard Boder reported that the new and very reasonable reasonable Swiss food & tobacco laws, which conform to E.C. guidelines, went into effect 2 months ago. A generous 'permitted' list of categories ("nature-identical", etc.) is provided. J.D. Heck has additional information on file.

FRANCE

The revised ingredients list (on file) is still not official yet: comments from other E.C. members are permitted and are due by June, 1995. Trade issues relating to the free movement of goods among E.C. states have arisen when, for example, adjacent countries have different ingredients laws. The new French law is anticipated to give rise to such problems. Health-related labels are an exception: they must be in the language and format of the country of sale, regardless of practice in the country of manufacture.

C.E.C.C.M. DOCUMENT STATUS

Dave Rowland reported that this much-anticipated summary and synthesis of all E.C. tobacco and ingredients regulations is still not finished. Some extensive spreadsheets and tables comprising a large part of the document were briefly displayed. He expects to distribute it at the next meeting (Tokyo, Nov.6-7). This document should be a valuable reference resource if it is ever completed. Rowland expects to present the draft to the CECCM Board by the end of the month; it should be available to interested companies at that time.

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AUSTRIA

A new tobacco law which conforms to E.C. guidelines is now in Parliament. The Health Minister, Ms. Krammer, is an activist. Severe advertising and public smoking prohibitions are included; some moderation may occur in Parliament in the next year.

EASTERN EUROPE & FORMER USSR

Czech Republic- A new tobacco law is now in effect; this is a revision of the "law to prevent alcoholism and drug abuse". Provisions include new restrictions on smoking in public and at large audience events, age 18 to purchase (was 16), new multiple pack warnings. A. Confer (PM) has been advised of a lowering of tar limits for imports (15 mg by 1997; subject to confirmation).

Czechoslovakia- A new law has been proposed; includes pesticide and ingredients lists; based on E.C. guidelines and German ordinances. Ministries will meet to discuss next month.

Hungary- Status unchanged; new legislation pending. Lists similar to Slovakia; Industry had input (PM, BAT, RJR, Reemstma).

Slovenia- A small but active anti movement; new law still pending-possibly to Parliament this year; features tar limits, ad limits, public restrictions.

Ukraine- Status unclear: 'ghost standards' issued by a major ministry, but unclear just what, if anything, is enforced.

Russia- Tar limit on imports effective March 1995: 15 mg, like E.C. Domestic must reduce tar from about 25 to about 20 mg. A nicotine limit of 1.3 mg is in effect.

Latvia- P. Madsen characterized the entire country as "thoroughly corrupt". Only one factory there, a 50/50 venture of Scandinavian Tobacco and government. They have 5-10% market, rest is smuggled. A total ban on nonfilters (majority of current market) is effective 1996.

U.S. & CANADA

The North American situation was briefly reviewed. Canada was described as a 'worst-case' ingredients regulatory scenario which could occur elsewhere as a result of industry inaction.

JAPAN

J.T. appears to be making a conscious effort toward a higher profile at this meeting.

Dr. Akiyama briefly reviewed Japanese regulations. Other recent

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events in Japan have overshadowed tobacco issues.

The Health and Welfare Ministry published a new Tobacco Action Plan on March 29, 1995. This plan seems to be a typical package of increased restrictions on public smoking, advertising, vending machines, etc. An English translation was offered to interested persons by Dr. Akiyama (attached).

A new Japanese product liability law will be effective in July, 1995. Tobacco products will be affected.

Akiyama anticipates no new ingredients activity for a few years, except perhaps on individual ingredients which receive attention secondary to food or other uses.

AUSTRALIA & NEW ZEALAND

Australian Senate hearings began in June, 1994. PM submitted the U.S. list of 599 to the Senate in response to a request for a list.

The controversial qualitative and quantitative 1994 ingredients submissions to the New Zealand government were made by the January 31, 1995 deadline. The discussions held at the Greensboro meeting last year resulted in two different approaches: PM, RJR, and Japan Tobacco submitted a joint list after the U.S. model, while Rothmans and other companies submitted a combined list of 5 published lists from other countries as their report to the NZ government. No response regarding the adequacy of either of these reporting strategies has been received.

An Australian activist organization has made a freedom of information request to the NZ government for the 3 company combined list.

THAILAND

Brand-specific disclosure pressure continues. Aggressive Canadian regulators are reportedly advising the Thai authorities. The company list submission strategy may still have a chance; the industry list approach does not.

NICOTINE ISSUES

An article concerning snuff pH and nicotine absorption, which appeared in the press on Friday, April 28, 1995, was discussed. Swedish Tobacco's quotes on the subject were sharply divergent from statements by UST. Kass and Aulin said that the quotations were an accurate reflection of Swedish Tobacco's rather unique views on this and other controversial subjects. A commenter reminded Swedish Tobacco that uninformed readers may confuse the dramatically different conditions of smoking tobacco and snuff.

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WORLD-WIDE LIST

Dr. Carchman proposed that all the companies in attendance contact C. Ely within the next few weeks to indicate whether they would be willing to participate in a world-wide ingredients list after the U.S. model. Discussion ensued regarding the problems which such an effort would create, as well as the reasonableness of this approach in addressing both industry and governmental concerns. Companies agreed to consider ingredients of only the cigarette product category as a first step.

CODEX ALIMENTARIUS COMMISSION

PM and CORESTA are reportedly cautiously exploring the possibility of seeking to have tobacco pesticide residues included along with the food residues which are addressed by the Codex Commission. The thinking is that having tobacco residues considered by this independent and respected third party organization could facilitate world-wide solutions to tobacco residues issues rather than an inefficient and inconsistent country-by-country approach.

NEXT MEETING

Dr. Ohkawa announced that Japan Tobacco will host the next meeting of this group, most likely on November 6 and 7, 1995, in Tokyo. He indicated a desire to show everyone his new (and apparently impressive) building.

MISCELLANEOUS ISSUES

A proposed total E.C. ad ban was blocked by Germany, Netherlands, U.K., Denmark, and another member state.

Dr. Kass reports that the new E.C. health minister is a Swede; his circle of advisors are reportedly vocal proponents of in vitro toxicity test methods as opposed to animal inhalation studies.

Greece has been granted an extension until 2005 to get its current market average 20mg tar level down to the E.C. 12 mg limit.

Discussion brought forth a question about existing nicotine limits. A nicotine limit of 0.8 mg was reported to be in effect currently in "Gulf countries". A Russian limit of 1.3 mg was cited.

Other issues were deferred as time ran out.

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