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Written Evidence from Cigars Unlimited by Mr Juan Pablo Garcia, Senior Store Manager – Company registration No. 14445969 – 129 Walham Green Court, Moore Park Road, Fulham, London, SW6 2PX

Executive Summary:

- The effect of the Generational Smoking Ban (GSB) on retailers of Other Tobacco products (OTP's) will be wholly negative and damaging to the economy and personal freedom.
- OTP's are legal products sold by responsible retailers.
- No impact assessments have been made on the Bills in relation to OTP's.
- The sale and consumption of OTP's is not the primary target for this legislation.
- The unnecessary collateral damage caused can be easily avoided by excluding OTP's from the legislation as with the packaging rules.

We are a retailer of 25+ years located in the Fulham area in London. The shop has been present in the community for many years and has adapted its product range over those years to remain a key part of the local economy.

We employ 3 staff and have a turnover of £600k p/a through the sale of OTPs, smoking accessories, and giftware.

Tobacco and its nicotine derivatives have been an essential part of the offering made and has adapted to the constantly changing regulation and customer driven preferences. To comply with the law, we have invested extensively in the infrastructure needed to sell tobacco and the operational specifics such as age verification. We have a fitted walk-in humidor for the legal display of cigars and have an adjacent sampling area with a complete air cleaning system.

The turnover from Other Tobacco products now accounts for 90% of my business.

People who smoke OTPs are doing only on occasional basis, different to those who smoke cigarettes and RYO. We do not sell neither cigarettes nor RYO products.

This legislation will ultimately cause the total closure of the business.

We have always been responsible retailers within the community and diligently apply the age restrictions to any of the appropriate products.

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The GSB on cigarettes will cause great difficulty in administering and enforcing but may have a reasonable chance of preventing new smokers getting a cigarette addiction if the illicit market can be curtailed.

On the other hand, the GSB on OTP's will cause disproportionate harm to small businesses who are invariably central to the local economy and will turn these law abiding, tax paying economic units into potential criminals facing the extinguishing of their livelihood.

Cigars are certainly a cultural product with a very traditional heritage, particularly for the United Kingdom. It is an unashamedly premium product for a select clientele. The lineage of some retailers stretches back 230 years supplying fine cigars to Royalty and dignitaries from around the world. It is, without doubt, a lifestyle product and there is no evidence of early usage by underage smokers, no evidence that it is a gateway to the far more addictive cigarette smoking and no evidence to date that OTP's generally pose any significant health threat to consumers.

Yet this legislation will slowly strangle this industry. It is not the target of this legislation. "Stopping the start" is not applicable to the cigar industry as it is not in this arena that youth smoking begins. Cigar smokers are usually occasional users not habitual ones. Enjoying a fine cigar in an allocated space is totally different from a cigarette on the office steps.

There is already ample precedent to create regulation that differentiates between "Big Tobacco" (cigarettes and hand rolling tobacco) and OTP's (Other tobacco products) as evidenced by the differing rules on packaging, smoking in sampling rooms.

Conclusion: Other Tobacco products must be excluded from this legislation to prevent the collateral damage by wiping out this unique industry. The Government must not "accidentally" destroy a market which employs so many, contributes so much, is a centre of excellence and is the envy of the world.

Mr Juan Pablo Garcia Arteaga
Senior Manager
Cigars Unlimited

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