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***Philip Morris Comments on the Consultation on Smoke-Free Premises and Vehicles  
11 October 2006***

Philip Morris Limited (PML)<sup>1</sup> welcomes this opportunity to provide comments to the Department of Health, Social Services and Public Safety on the consultation on smoke-free premises and vehicles -- proposed regulations to be made under the powers in the Draft Smoking (Northern Ireland) Order 2006.

Governments and public health officials have concluded that second-hand smoke causes disease in nonsmokers. The public should be guided by these conclusions in deciding whether to be in places where secondhand smoke is present, or if they are smokers, when and where to smoke around others. Particular care should be exercised where children are concerned, and adults should avoid smoking around them. Consistent with this view, public smoking should be restricted and banned in certain places.

**Draft Smoke-free (Exemptions, Vehicles, Penalties and Discounted Amounts) Regulations (Northern Ireland) 2007**

**Regulation 8: Research and testing facilities**

We agree with the Government's proposal to exempt research and testing facilities for certain tests, however we would request that this exemption be expanded to include facilities owned by tobacco companies, or entities working on their behalf, for the purpose of permitting consumer testing of tobacco products.

For instance, a manufacturer, under the current exemption, will be allowed to test a product to determine if it is 'less dangerous.' Before a manufacturer could consider launching such a product, it would need to test this product with consumers to determine if it is acceptable. This testing may be conducted either by the manufacturer itself or a research agency on their behalf in its facility. In either case, this would be conducted in a room, which in general terms, would not be considered a 'laboratory'. Thus, we would suggest amending the exemption to allow for a separate room that meets the criteria outlined in the draft regulation to conduct research. This would provide a manufacturer with the opportunity to not only develop a product from a scientific perspective, but also determine if consumers would accept or use the product.

In addition to development of potentially 'less dangerous' tobacco products, developing new tobacco product brands, modifying existing brands and assessing competitors' brands are also essential components of a tobacco business. Adult smokers need to be able to evaluate new, different or competitive tobacco blends or tobacco products. It is also necessary for tobacco companies or consumer research companies that work for them to get input from adult smokers about their taste preferences and perceptions of different cigarette brands.

We therefore request that the exemption for a tobacco company, or a marketing research company working on its behalf, should therefore be amended to permit smoking indoors for the purpose of evaluating and testing tobacco products in designated areas/rooms.

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We look forward to additional opportunities to discuss tobacco related issues with the Department of Health, Social Services and Public Safety.

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<sup>1</sup> Philip Morris Limited is the UK affiliate of Philip Morris International. ([www.philipmorrisoninternational.com](http://www.philipmorrisoninternational.com)). Philip Morris Limited is not a member of the Tobacco Manufacturers' Association.