



Dr Carolyn Wilkins
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30 October 2014
By post and email

Dear Dr Wilkins

I am writing on behalf of the Broadcast Committee of Advertising Practice (BCAP).

I am in receipt of your letter of 26 October in which you share a summary of the recent World Health Organisation (WHO) report on electronic nicotine delivery systems. I note that you request that we rescind the recent changes to the BCAP Code which will, amongst other things, allow advertisers to show e-cigarettes on television.

It is important to note that our recent work produced strict new rules for advertising across all media; not just on television, and only after a full public consultation conducted earlier in the year. That consultation received responses from a wide variety of public health bodies and charities, government departments, industry and other regulatory bodies and BCAP considered those responses carefully before finalising the new rules. We have published a Regulatory Statement which explains the rationale for all the rule changes and in particular the decision to allow products to be shown in television advertising. In a separate document we have published a response to all the significant points made during the consultation. When BCAP announced the rules they undertook to conduct a formal review of the effect of the rules after 12 months.

The WHO report came after the new rules had been finalised and, while I do not propose to give a formal response to it here, I do note that there are a number of well-informed views and voices at variance with the WHO's recommendations. It is perhaps for this reason that none of the major public health bodies with whom we are in dialogue have yet suggested to us that we need to consider the report with any urgency.

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Notwithstanding that, I am grateful to you and your Council members for taking the time to consider this issue and raise it with us. I have asked BCAP's Regulatory Policy team to ensure that your letter is considered as a formal submission to our 12-month review and we will be able to write to you again at the outcome of that process.

Yours sincerely

A handwritten signature in black ink, appearing to read "S. Coupal". The signature is written in a cursive style with a large initial "S" and a long, sweeping underline.

Shahriar Coupal
Director of the Committees, CAP and BCAP