

Clare Haughey MSP
Convenor
Health, Social Care and Sport Committee



Dear Clare,

I am writing on behalf of NCD Alliance Scotland to raise concerns about the Tobacco and Vapes Bill Legislative Consent Memorandum evidence session on Tuesday 21 May including witnesses representing the UK Vaping Industry Association and Scottish Grocers' Federation.

NCD Alliance Scotland is a coalition of 24 health organisations who are working together to reduce the health burden of non-communicable diseases (NCDs) through action on alcohol, tobacco and high fat, salt and sugar (HFSS) products.

Providing this opportunity to influence health policy development runs contrary to Scotland's position of supporting the World Health Organisation's Framework Convention of Tobacco Control Article 5.3 to which the UK is a signatory, and the Scottish Government has committed to upholding since 2013.

The tobacco industry is not permitted to lobby on health policies under the WHO FCTC Article 5.3. The WHO describes tobacco industry interests as 'fundamentally and irreconcilably opposed' to the aims of public health, and they and their vested or commercial interests are permitted to engage only to the extent necessary to implement regulations.

In the Scottish Government's Tobacco and Vaping Framework published in November 2023, it states: 'Scotland remains firmly committed to article 5.3, and improving transparency and accountability.' And 'Running through the framework is our commitment to Article 5.3 of the World Health Organization (WHO) Framework Convention of Tobacco Control (FCTC). Article 5.3 is clear that Governments must take steps to ensure the development of public health policy is protected from the interests of the tobacco industry. In line with this, we interact with the tobacco industry only when necessary to effectively regulate the industry and its products.'

The Tobacco Tactics website published by the Tobacco Control Research Group at the University of Bath contains the following two entries regarding the [UKVIA](#) and the [Scottish Grocers' Federation](#).

Whilst the Scottish Parliament's Health, Social Care and Sport Committee is not tied to the policy of Article 5.3, we ask that follows the internationally agreed principle by withdrawing its invitations to the UKVIA and the Scottish Grocers' Federation.

The Committee's current inclusion of those representatives is in stark contrast to the position adopted by the House of Commons' Committee which did not permit the UKVIA to participate in their recent evidence sessions scrutinising the Tobacco and Vapes Bill.

Thank you for your consideration of this important matter and we look forward to your reply.

Kind regards,
David McColgan

A handwritten signature in black ink, appearing to be 'David McColgan', written over a light blue horizontal line.

Chair,
NCD Alliance Scotland