



15 NOV, 2019

BAT seeks judicial review of Health Ministry decision

The Sun, Malaysia

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PETALING JAYA: British American Tobacco (Malaysia) Bhd's (BAT) wholly-owned subsidiary Commercial Marketers and Distributors Sdn Bhd (CMD) has filed an application for judicial review against the revocation decision by the Health Ministry (MoH) to recategorise Dunhill HTL-cigarillo as a cigarette and to revoke its approval for sale as a non-cigarette tobacco product.

With the revocation, the product is required to comply with the restrictions applicable to cigarettes under the Control of Tobacco Product Regulations 2004.

BAT managing director Erik Stoel said the unexpected "u-turn" decision made by MoH without prior notice highlighted the challenging and unreasonable parameters imposed on a legal tobacco company to operate in this country.

"This product was approved

as a non-cigarette not only by MoH for sale a year ago but also by the Royal Malaysian Customs. Revoking it unilaterally without any chance of consultation is against any reasonable expectation of a legal business, let alone a public listed company like us," he said in a press release yesterday.

Stoel also disclosed that MoH had conducted a coordinated raid in East Malaysia affecting over 100 retailers, weeks before the revocation letter was issued to the group.

"This deprived the company any chance to comply with the MoH revocation letter, which allowed the company a month to remove the product from market."

CMD is seeking declarations that the Health Ministry's decisions are null and void as well as assessment on damages in respect of all loss and injury sustained.



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SUMMARIES

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