



MALAYSIAN INTERNATIONAL CHAMBER OF COMMERCE AND INDUSTRY (16841-V)

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16<sup>th</sup> March 2018

**Ministry of Health, Singapore  
College of Medicine Building  
16 College Road  
Singapore 169854  
(Attn.: Director, Epidemiology and Disease Control Division)**

Dear Sir,

**PUBLIC CONSULTATION ON PROPOSAL TO INTRODUCE STANDARDISED  
PACKAGING OF TOBACCO PRODUCTS IN SINGAPORE**

We refer to the above.

We read that the Singapore Government is currently conducting public consultation on standardised packaging for tobacco products.

The Malaysian International Chamber of Commerce and Industry (MICCI) is the most established chamber in Malaysia representing close to 1,000 corporate members in from 30 different countries. We believe in the development of a transparent regulatory framework that is conducive to the business environment and therefore we welcome the Singapore Government's move to conduct a public consultation on the subject matter.

**MICCI'S VIEWS ON STANDARDISED PACKAGING OF TOBACCO PRODUCTS**

MICCI recognises that governments have the right to regulate on issues of public interest and believe it should be done in a manner that protects high standards of intellectual property rights and business principles. However, by reducing the ability of manufacturers and brand owners to use branding and distinguish their products through standardised packaging has broad implications. In essence, our views concern the impact of the proposed standardised packaging for tobacco products on intellectual property rights and counterfeiting issues.

From a global and trade perspective, a standardised packaging on any product would deprive companies of their valuable property and have the real potential to diminish Singapore's reputation in preserving intellectual property rights that would send negative messages to the business community. Further, it is anti-competitive as it denies companies the use of their intellectual property rights to differentiate their brands and products. The fundamental functions of trademarks are impaired and it inadvertently enables counterfeit products to be easily produced, distributed and sold.

The Singapore Government has worked very hard to create a conducive business environment for both local and international businesses to invest in, develop and benefit from intellectual property rights. MICCI therefore believes it is highly important to carefully consider the proposed standardised packaging within the wider context of IP policies and laws and the impact on business community at large and the regional impact within the ASEAN community.

## **MEASURE COULD SET PRECEDENT FOR OTHER PRODUCTS**

MICCI has a view that this measure sets a very dangerous precedent on other products. We are concerned that should the measure be adopted, the precedence is set and opens a floodgate of similar measure on other products.

This potential threat is real as the Indonesian Government has in the past indicated that it will introduce similar extreme packaging restrictive measure on alcoholic beverages as retaliatory move<sup>1</sup>.

This precedent is also stressed by the representatives of the World Health Organization (WHO): *"We are also watched by sugar and alcohol products manufacturers, who see the tobacco control movement as a precursor to threats they now face from public health campaigns. These industries fear a united international community acting on behalf of consumers. In the coming days, I hope their fears will be fully justified as we take further steps to end the tobacco epidemic"*.<sup>2</sup>

As a business chamber representing the interest of the business communities, we do not believe that this is the right move, especially when there are potential threats that such measure will spread to other businesses.

We humbly request to the Singapore Government to review this issue in the light of all the above points.

Thank you for your attention to our concerns above.

Yours sincerely,



**Datuk Wira Jalilah Baba**  
**President**  
**Malaysian International Chambers of Commerce and Industry (MICCI)**

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<sup>1</sup> <http://www.abc.net.au/news/rural/2014-05-13/plain-packaging-wine/5449490>

<sup>2</sup> See statement by the Head of the Secretariat of the WHO Framework Convention on Tobacco Control (FCTC) during the Seventh session of the Conference of the Parties to the FCTC in November 2016 at: <http://www.who.int/fctc/secretariat/head/statements/2016/cop7-head-secretariat-speech/en/>.