



U.S. CHAMBER OF COMMERCE

1615 H Street, NW
Washington, DC 20062-2000
www.uschamber.com

January 21, 2015

H.E. Oscar Ortiz
Vice President
Republic of El Salvador
Alameda Doctor Manuel Enrique Araujo No 5500
San Salvador, El Salvador, C.A.

Dear Mr. Vice President:

On behalf of the U.S. Chamber of Commerce, I write to share with you our concern regarding recent actions taken by officials at the Ministry of Health with relation to implementation of the Law for Tobacco Control, Decree 771 of June 23, 2011. While the U.S. Chamber of Commerce supports measures to achieve public health objectives, we believe the actions taken go beyond the scope of the legislation, undermine legal certainty in El Salvador, and are inconsistent with the principles of the rule of law.

Some of the arbitrary actions of concern to us include a requirement to print graphic health warnings on tobacco shipping cases and in advertising materials, the requirement for approval by the Ministry of Health of cigarette pack designs, and requiring retailers of tobacco to obtain a Distribution License.

The U.S. Chamber of Commerce is the world's largest business federation, representing the interests of more than 3 million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations. We believe there are few factors more critical to investment and economic growth than the legal certainty and predictability fostered by a strong rule of law environment. For these reasons, we feel compelled to share our concerns with you and respectfully request your assistance in working with the Ministry of Health to revise these actions and to ask that it refrain from applying measures not supported by the governing legislation.

One means to avoid such problems could be an inter-agency procedure that would enable other relevant government stakeholders such as the Ministry of Economy to provide input with regard the actions by other ministries that could have

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a potential impact on the economy and protection of intellectual property. As El Salvador considers any potential implementing regulations for the Law of Tobacco Control, we encourage it to ensure they are adopted in a fair and transparent manner involving all relevant stakeholders.

The U.S. Chamber of Commerce stands ready to engage in a constructive dialogue with the government of El Salvador.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jodi Hanson Bond', with a stylized flourish at the end.

Jodi Hanson Bond
Vice President, Americas
U.S. Chamber of Commerce