

PRESS RELEASE



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The battle against the Smoking Ban in the HoReCa goes European: HorecaClaim Europe has been founded

Smoking Ban for HoReCa in Europe will not stand ...

Investigations carried out by various prominent specialists in constitutional law throughout Europe indicate that the smoking ban for HoReCa in Europe can no longer stand. "This is good news," indicates Frederick Matthaei, President of Horecaclaim Netherlands and Vice President of Horecaclaim Belgium. The initiator of Horecaclaim Europe, he says that the foundation of Horecaclaim Europe is more than justified. "The articles of association of Horecaclaim Europe have been signed and the board of directors has been chosen."

Board of Directors

Besides Mr. Frederick Matthaei, the board of directors is also composed of Mr. Wiel Maessen, committed campaigner from the beginning, and involved in the subject since 1999. Also, Maessen is one of the organizers of the resistance against the smoking ban in the Netherlands (via Foundation KHO) and special advisor for Horecaclaim Netherlands and Belgium. Maessen is the president of Forces Nederland, president of Forces International and Board Member of The International Coalition Against Prohibition (TICAP). Because of the international impact, Mr. Erik Beunckens (Delegated Manager, FedCaf Belgium) will also be part of the board of directors. Erik Beunckens fights with FedCaf Belgium, the new federation of pub operators, against the smoking ban, which is considered to be in conflict with the Belgian Constitution and free trade rights. There will also be a Council of Supervision, comparable with a Board of Commissioners.

Objective

Abolishing the smoking ban in the HoReCa sector is only a matter of time, money and the best people in the right places.

An abundance of persons and organizations connected with HoReCa in various European countries have indicated through Forces International their interest in joining Horecaclaim Europe. So much interest has been shown that we can expect to create a wide front throughout the whole of Europe within a relatively short period of time.

Private Investment Fund Horecaclaim

If the State of the Netherlands will not agree to a compensation payment for HoReCa, enough resources are available through the Private Investment Fund Horecaclaim for a claim against the State. A professional claim organization has been created. "The authorities win almost all the battles against citizens, because citizens don't have the time nor the resources to successfully engage in the struggle. We have the resources, so the authorities cannot 'fumigate' us," says Frederick Matthaei.

In the next months, the Private Investment Fund Horecaclaim will be enlarged in order to create a Horecaclaim organization in each European country, to enable its participants to give financial support to the battle against the smoking ban and to finance legal proceedings in the European Union throughout Europe. The Fund investors are all wealthy people. The Investment Fund is not public, and people can only participate on an invitation basis. So far everyone who has been invited has participated in the Investment Fund.

Besides an attractive ROCE (return on capital employed) all investors are convinced that authorities throughout Europe are destroying citizens' culture. HoReCa also believes that the smoking ban is not fair on hard-working independent pub operators and is taking the bread out of their mouths. The smoking ban policy is simply incorrect. Entrepreneurs should be able to decide for themselves whether or not to admit smoking on their own HoReCa company premises. All Fund investors believe that the authorities should take responsibility if measures taken turn out to be mistakes that cause damage, just as when measures taken in private industry turn out to be errors, the damages need to be compensated.

The second-hand smoking fraud

The smoking ban in Europe has been introduced because authorities have accepted information from the anti-smoking organisations at face value. This has created a *second-hand smoking fraud*, in order to influence public opinion. Many lies have been published by anti-smoking organisations. They have invented stories of second-hand smoke causing thousands of fatalities, but these stories have never been proven scientifically and they are based on nothing. Moreover, the lies of anti-smoking organisations have been financed with public funds, subsidies and massive capital injections by the pharmaceutical multi-nationals that are involved in the nicotine market. In a detailed summary, as well as the complete survey report, the World Health Organization (WHO) has admitted that *no relationship could be found between second-hand smoke and lung cancer or cardiovascular diseases*. The largest investigation ever regarding second-hand smoke (Enstrom & Kabat, BMJ 2003) is being viciously attacked by anti-smoking organisations, who personally attack investigators and exclude them from the medical community. Scientific arguments are not employed in order to achieve this goal.

Actual situation The Netherlands/Belgium

HoReCa traders are invited through a mass mailing to inform us regarding the damage to their businesses caused by the smoking ban. The registration and inventory of thousands of claims in The Netherlands will take another two to three months. After verification by an accountant, the State will be summoned in order to start the claim procedure, unless it is ready to agree to an arrangement.

If we have to summon the State to recuperate the HoReCa traders' damages through a claim procedure, it is essential that we can justify the real damages to the Court. We don't want to start a procedure based only on general statistical information; it must be based on actual damage using indisputable proof.

We are also investigating the possibility of suing other interest groups that have collaborated with this fraud.

Huge costs for the authorities

In Belgium, the smoking ban has cost more than one billion euro to the Federal authorities ... What does it cost the other countries?

The Belgian authorities can save over a billion euros if they take the correct decisions, modify the smoking ban for pubs and accept their responsibility to compensate the losses of the pub trade.

This has been concluded by investigations conducted by FedCaf Belgium, in alliance with Horecaclaim Belgium. FedCaf Belgium has proposed to the Belgian authorities its own model of a law restricting smoking, and is actually waiting for a decision to be taken in the next months.

For those who are interested, two files regarding second-hand smoke and HoReCa damage are available, proving our statements.

END OF PRESS RELEASE

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