Tobacco and related products: manufacture, presentation and sale

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The Committee on the Environment, Public Health and Food Safety adopted the report by Linda McAVAN (S&D, UK) on the proposal for a directive of the European Parliament and of the Council on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products.

The committee recommends that the European Parliament's position at first reading following the ordinary legislative procedure should amend the Commission's proposal as follows:

Aims of the Directive: according to Members, the Directive should also aim to **prohibit cross-border distance sales** of tobacco products.

The overall objective is to meet obligations under the WHO Framework Convention for Tobacco Control (FTCT) and in order to facilitate the functioning of the internal market in tobacco and related products, taking as a base a high level of health protection, especially for young people.

Maximum tar, nicotine, carbon monoxide and other yields: Members call for the accuracy of the indications for the other emissions of other combustible tobacco products to be verified **in accordance with ISO standard 8243**.

Tests verifying the validity of the result supplied by the tobacco companies shall be done on a regular basis by independent testing laboratories monitored by the competent authorities of the Member States.

The Commission shall be empowered to adopt delegated acts to **reduce the maximum yields**, where necessary, in order to take into account scientific development and internationally agreed standards. In addition, the Commission shall ask the International Organization for Standardization (ISO) to **develop a standard to measure Polonium 210 in tobacco**.

Ingredients: Members consider that an assessment should be carried out on the safety of **additives** for use in tobacco products. Additives should only be allowed in tobacco products if they are included in a Union **list of authorised additives**. Tobacco products containing additives not included in the Union list or used in a manner that does not comply with this Directive should not be placed on the Union market.

Additives associated with energy and vitality (e.g. caffeine and taurine), or creating the impression that products have health benefits (e.g. vitamins) are prohibited.

Additives which are essential for the manufacture of tobacco products may be approved (such as sugar).

In order to obtain the approval of an additive, manufacturers and importers shall make an application to the Commission.

Labelling and packaging: Members propose that Member States shall ensure that the health warnings on the **fields of vision on all sides** of the unit packet and any outside packaging are fully visible.

The labelling of a unit packet and any outside packaging and the tobacco product itself and / or its brand name shall not include any element or feature that suggests that a particular tobacco product is less

harmful than others or has vitalising, energetic, healing, rejuvenating, natural, organic or otherwise positive health or lifestyle effects.

Labels shall not include any information about nicotine, tar or carbon monoxide content.

Considering the Directive's focus on young people, tobacco products other than cigarettes, roll-your-own tobacco and water-pipe tobacco which are mainly consumed by older consumers, should be granted an exemption from certain ingredients requirements.

Traceability and safety: an amendment states that Member States shall ensure that all unit packets and any outside transport packaging of tobacco products shall be marked with a **unique identifier**. The unique identifier shall determine the intended and actual shipment route from the place of manufacturing to the first retail outlet, including all warehouses used, the shipment date, shipment destination, consignee and point of departure.

Age limit: Member States should be encouraged, if they have not already done so, to formulate their national laws on the protection of young people in such a way that tobacco products may not be sold to, or consumed by, young people under the age of 18. They should also ensure that such prohibitions are respected.

Member States shall report every two years to the Commission, in particular with regard to age limits set in national legislation, as well as their plans to increase the age limit to achieve the goal of a "smoke-free generation".

Electronic cigarettes: the report stresses that Members States have taken different different regulatory approaches to address health and safety concerns associated with these products. There is a **need for harmonised rules**, and all nicotine-containing products should be regulated through a medicines regime which recognises the well-established use of nicotine. Given the potential of such products to aid with smoking cessation, Member States should ensure that they can be made available outside pharmacies.