

Tobacco products: advertising and sponsorship by press, radio, television

1989/0194(COD) - 30/11/1995

‘The Presidency notes that the Commission’s amended proposal completely prohibiting direct and indirect advertising has not yet obtained the support of a qualified majority. The Council has examined a proposal submitted by the Presidency. This proposal, which does not yet have the support of a sufficient majority, was regarded by a large number of delegations as an appropriate basis for continuing discussions with the aim of reaching an agreement during the next Presidency. The basic elements of the agreement should be the following: - Article 100a should be retained as the legal basis, to be supplemented by Articles 57 and 66; - prohibition of cross-border advertising broadcast by radio; - prohibition of advertising in written publications or in other media distributed in more than one Member State. This general principle will be implemented by the necessary provisions ensuring compliance with the principles of proportionality and right to information. Likewise, the possibility of putting into practice these provisions by means of voluntary agreements will have to be considered. - possibility for the Member States to maintain stricter provisions, including the total ban on advertising in accordance with the Treaties; - inclusion of a review clause in the Directive which will comprise, among other items, the ban on indirect advertising in accordance with a specified schedule, with the ultimate aim of introducing a total ban. Furthermore, the Presidency notes that a large number of Member States would like a total ban on tobacco advertising at European level.’