Tobacco: manufacture, presentation and sale of products (recast of Directives 89/622/EEC, 92/41 /EEC, 90/239/EEC)

1999/0244(COD) - 05/06/2001 - Final act

PURPOSE: to approximate Member State legislation concerning the manufacture, presentation and sale of tobacco products. COMMUNITY MEASURE: Directive 2001/37/EC of the European Parliament and of the Council on the approximation of laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco products. CONTENT: The aim of this Directive is to approximate the laws, regulations and administrative provisions of the Member States concerning the maximum tar, nicotine and carbon monoxide yields of cigarettes and the warnings regarding health and other information to appear on unit packets of tobacco products, together with certain measures concerning the ingredients and the descriptions of tobacco procducts, taking as a basis a high level of health protection. Against this background, the Directive contains the following provisions: Cigarettes: from January 2004, the yield of cigarettes released for free circulation, marketed or manufactured in the Member States, shall not be greater than 10mg per cigarette for tar; 1 mg per cigarette for nicotine and 10 mg per cigarette for carbon monoxide. Member States may apply the yield limits as from 1 January 2005 but shall in any event do so by 1 January 2007 at the latest. Greece shall have a derogation until 1 January 2007. Measurement methods: the tar, nicotine and carbon monoxide yields of cigarettes shall be measured on the basis of the ISO standards 4387 for tar, 10315 for nicotine and 8454 for carbon monoxide. The accuracy of the tar and nicotine indications on packets shall be verified in accordance with the ISO standard 8243. Member States shall send the Commission a list of approved laboratories, specifying the criteria used for approval and the methods of monitoring applied, by 30 September 2002, and whenever the change is made. Labelling: Specfic labelling requirements are laid down in the Directive (please refer to outcome of the Conciliation Committee). In addition to the percentages decided,in the case of unit packets intended for products other than cigarettes, the most visible surface of which exceeds 75 cm2, the warnings referred to shall cover an area of at least 22,5 cm2 on each surface. That area shall be increased to 24 cm2 for Member States with two official languages and 26,25 cm2 for Member States with three official languages. There are also provisions relating to the font used in text warnings. Imports: Member States may not, for considerations relating to the limitation of tar, nicotine or carbon monoxide yields of cigarettes, to health warning and other indications or to other requirements of this Directive, prohibit or restrict the import, sale and consumption of tobacco products which they deem necessary in order to protect public health, insofar as such rules do not prejudice the rules laid down in this Directive. ENTRY INTO FORCE: 18.07.2001.