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

1999/0244(COD) - 16/01/2001 - Commission opinion on Parliament's position at 2nd reading

The Commission accepts 22 out of the 32 amendments adopted by the Parliament on second reading and consequently modified its proposal. The amendments not accepted by the Commission concern in particular a reference to GMO tobacco, health warnings on vending machines, detailed rules on how manufacturers have to declare tobacco additives, the requirements to propose a common additive list by a fixed date, and while this list is being prepared, a ban on additives that increase addiction. In adopting its position on the amendments proposed by the Parliament, the Commission has taken due account of the judgement of the Court of Justice of the European Communities of 5 October 2000 in case C-376/98, Germany against Parliament and Council. This judgement annulled Directive 98/43/EC on tobacco advertising and clarified the requirements for the adoption of directives under the legal basis provided by Article 95 of the EC Treaty.