Public health: prevention of smoking and initiatives to improve tobacco control

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PURPOSE : to adopt a Council Recommendation on the prevention of smoking and on initiatives to improve tobacco control. COMMUNITY MEASURE : Council Recommendation 2003/54/EC on the prevention of smoking and on initiatives to improve tobacco control. CONTENT : the Council agreed by qualified majority, the German delegation voting against, on the Council Recommendation on the prevention of smoking and on initiatives to improve tobacco control. This text is intended to supplement a number of Community measures on tobacco control, notably the tobacco products Directive and the draft Diretcive on tobacco advertising and sponsorship, by addressing aspects of tobacco control which are the responsability of the Member States. More specifically, this Recommendation calls on the Member States to : - adopt appropriate legislative and/or administrative measures in accordance with national practices and conditions to prevent tobacco sales to children and adolescents, including, inter alia: requiring vendors of tobacco products to establish that tobacco purchasers have reached the age for purchase of such products required in national law, where such an age limit exists, removing tobacco products from self-service displays in retail outlets, restricting the access to tobacco vending machines to locations accessible to persons over the age set for purchase of tobacco products in national law, where such an age limit exists, or otherwise regulating the access to the products sold through such machines in an equally effective way, restricting tobacco distance sales for general retail, such as sales via the Internet, to adults by using adequate technical means, prohibiting the sale of sweets and toys intended for children and manufactured with the clear intention that the product and/or packaging would resemble in appearance a type of tobacco product, prohibiting the sale of cigarettes individually or in packets of fewer than 19 cigarettes; - adopt appropriate legislative and/or administrative measures to prohibit, in accordance with national constitutions or constitutional principles, the following forms of advertising and promotion: the use of tobacco brand names on non-tobacco products or services, the use of promotional items (ashtrays, lighters, parasols, etc. and tobacco samples, the use and communication of sales promotion, such as a discount, a free gift, a premium or an opportunity to participate in a promotional contest or game, the use of billboards, posters and other indoor or outdoor advertising techniques (such as advertising on tobacco vending machines), the use of advertising in cinemas, and any other forms of advertising, sponsorship or practices directly or indirectly addressed to promote tobacco products; - adopt appropriate measures, by introducing legislation or by other methods in accordance with national practices and conditions, in order to require manufacturers, importers and large-scale traders in tobacco products and in products and services bearing the same trademark as tobacco products to provide Member States with information concerning the expenditure they incur on advertising, marketing, sponsorship and promotion campaigns not prohibited under national or Community legislation; - implement legislation and/or other effective measures inaccordance with national practices and conditions at the appropriate governmental or non-governmental level that provide protection from exposure to environmental tobacco smoke in indoor workplaces, enclosed public places, and public transport. Priority consideration should be given to, inter alia, educational establishments, health care facilities and places providing services to children; - continue developing strategies and measures to reduce the prevalence of smoking, such as strengthening overall health education, particularly in schools, and general programmes to discourage the initial use of tobacco products and to overcome tobacco addiction; - make full use of young people's contributions to youth health-related policies and actions, especially in the field of information, and encourage specific activities which are initiated, planned, implemented and evaluated by young people; - adopt and implement appropriate price measures on tobacco products so as to discourage tobacco consumption; - implement all necessary and appropriate procedures to verify compliance with the measures set out in this recommendation; - inform the Commission every two years of action taken in response to this recommendation. Moreover, the Commission is invited to monitor and assess the developments and the measures undertaken in the Member States and at Community level; to report on the implementation of

the proposed measures, on the basis of the information provided by Member States, not later than one year after receipt of Member States' information submitted in accordance with this recommendation; to consider the extent to which the measures set out in this recommendation are working effectively, and to consider the need for further action, particularly if internal market disparities are identified in the areas covered by this recommendation.