



Basic information	
<b>2001/0063(CNS)</b>  CNS - Consultation procedure Directive	Procedure completed
Excise duty: structure and rates applied on manufactured tobacco	
Amending Directive 95/59/EC <a href="#">1994/0204(CNS)</a>  <b>Subject</b>  2.70.02 Indirect taxation, VAT, excise duties 3.40.12 Luxury products industry, cosmetics	

Key players			
European Parliament	<b>Committee responsible</b>		<b>Rapporteur</b>
	<div>ECON</div> Economic and Monetary Affairs		KATIFORIS Giorgos (PSE)
	<b>Former committee responsible</b>		<b>Former rapporteur</b>
	<div>ECON</div> Economic and Monetary Affairs		KATIFORIS Giorgos (PSE)
	<b>Former committee for opinion</b>		<b>Former rapporteur for opinion</b>
	<div>CONT</div> Budgetary Control		The committee decided not to give an opinion.
	<div>JURI</div> Legal Affairs and Internal Market		WIELAND Rainer (PPE-DE)
	<div>ENVI</div> Environment, Public Health, Consumer Policy		MAATEN Jules (ELDR)
Council of the European Union	<b>Council configuration</b>		<b>Meetings</b>
	Economic and Financial Affairs ECOFIN		2382
	Economic and Financial Affairs ECOFIN		2407
European Commission	<b>Commission DG</b>		<b>Commissioner</b>
	Taxation and Customs Union		

Key events			
Date	Event	Reference	Summary
14/03/2001	Legislative proposal published	COM(2001)0133	<a href="#">Summary</a>
05/04/2001	Committee referral announced in Parliament		
16/10/2001	Vote in committee		<a href="#">Summary</a>
16/10/2001	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A5-0352/2001</a>	
06/11/2001	Debate in Council		
14/11/2001	Debate in Parliament		
15/11/2001	Decision by Parliament	<a href="#">T5-0606/2001</a>	<a href="#">Summary</a>
15/11/2001	Report referred back to committee		
16/01/2002	Additional information		<a href="#">Summary</a>
22/01/2002	Vote in committee		<a href="#">Summary</a>
22/01/2002	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A5-0016/2002</a>	
05/02/2002	Decision by Parliament	<a href="#">T5-0032/2002</a>	<a href="#">Summary</a>
05/02/2002	Debate in Parliament		
12/02/2002	Act adopted by Council after consultation of Parliament		
12/02/2002	End of procedure in Parliament		
16/02/2002	Final act published in Official Journal		

Technical information	
Procedure reference	2001/0063(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Directive
Amendments and repeals	Amending Directive 95/59/EC <a href="#">1994/0204(CNS)</a>
Legal basis	EC Treaty (after Amsterdam) EC 093
Stage reached in procedure	Procedure completed
Committee dossier	ECON/5/15444 ECON/5/14593

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A5-0352/2001</a>	16/10/2001	
Text adopted by Parliament, partial vote at 1st reading		<a href="#">T5-0606/2001</a>		

/single reading		OJ C 140 13.06.2002, p. 0380-0533 E	15/11/2001	<a href="#">Summary</a>
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A5-0016/2002</a>	22/01/2002	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T5-0032/2002</a> OJ C 284 21.11.2002, p. 0024-0107 E	05/02/2002	<a href="#">Summary</a>

#### European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2001)0133 OJ C 180 26.06.2001, p. 0235 E	14/03/2001	<a href="#">Summary</a>

#### Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	<a href="#">CES1330/2001</a> OJ C 036 08.02.2002, p. 0111	18/10/2001	

#### Additional information

Source	Document	Date
European Commission	<a href="#">EUR-Lex</a>	

#### Final act

<a href="#">Directive 2002/0010</a> <a href="#">OJ L 046 16.02.2002, p. 0026-0028</a>	<a href="#">Summary</a>
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## Excise duty: structure and rates applied on manufactured tobacco

2001/0063(CNS) - 12/02/2002 - Final act

AIM: To amend Community legislation on the taxation of manufactured tobacco. COMMUNITY MEASURE: Council Directive 2002/10/EC. CONTENT: The Council has adopted amendments to Directives 92/79/EEC, 92/80/EEC and 95/59/EEC regarding the excise duty applied to manufactured tobacco and has minuted a declaration by Sweden and a declaration by the Commission. The aims of the new provisions are to reduce the considerable divergences that still exist between Member States with regard to the taxation of tobacco products and to help, through closer convergence of the rates applied in the Member States, to reduce fraud and smuggling within the Community. ENTRY INTO FORCE: 8 March 2002 IMPLEMENTATION: 1 July 2002. Germany, Spain and Greece may postpone the implementation of certain provisions until 1 January 2008 at the latest.

## Excise duty: structure and rates applied on manufactured tobacco

2001/0063(CNS) - 05/02/2002 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 325 to 151 with 50 abstentions, the report by Mr Giorgos KATIFORIS (PES, GR). In a second consideration of a Commission proposal to set a minimum excise duty of 57% of the retail sale price and EUR 70 for 1000 cigarettes, MEPs voted to recommend a rate of 57% of the retail sale price and a reduced rate of EUR 60 for 1000, or an alternative option of allowing the Member States to charge 71% of the retail sale price. Parliament's non-binding amendment seeks to introduce an element of flexibility and allow the Member States to choose the most appropriate method suited to their needs. Another non-binding amendment approved seeks to reduce the impact of the on East European candidate

countries by providing for a EUR 85 excise duty per 1000 cigarettes under which countries would not have to impose the maximum 57% of retail price figure rather than the EUR 100 proposed by the Commission. Other non-binding amendments approved concern the definition of cigars and cigarillos and emphasise the need for the Commission to come up with proposals to tackle cigarette smuggling. Proposed amendments taking up health issues were rejected. Furthermore, Commissioner Fritz BOLKESTEIN stated that he could not however accept the amendments, arguing that the Parliament's approach would lead to less rather than more harmonisation of tobacco taxes and that this would even make it possible for a number of Member States, including Member States applying relatively low tax levels to lower their rates. The Commission, he added, was now proposing a limited number transitional period to allow candidate countries to reach the minimum rate of taxation.

## **Excise duty: structure and rates applied on manufactured tobacco**

2001/0063(CNS) - 14/03/2001 - Legislative proposal

PURPOSE : to amend Directive 92/79/EEC, Directive 92/80/EEC and Directive 95/59/EC as regards the structure and rates of excise duty applied on manufactured tobacco. CONTENT : this proposal for a Directive suggests a number of important amendments to existing Community legislation on the taxation of manufactured tobacco, while keeping the main pillars of the *acquis* unchanged rather than establishing a new system. The proposed amendments are the result of an in-depth examination by the Commission of the rates and structure of excise duty on tobacco products carried out in response to a request from a large number of Member States in a statement entered in the minutes when Council Directive 1999/81/EC was adopted. An analysis of the changes of prices and excise rates for tobacco products in the Community shows that there are still considerable differences between Member States which may disturb the operation of the internal market. Therefore greater convergence between the tax rates applied in the Member States would help reduce fraud and smuggling within the Community. Therefore, Directive 92/79/EEC has been amended to provide that each Member States shall apply an overall minimum excise duty, the incidence of which shall be set at 57% of the retail selling price and EUR 70 per 1000 cigarettes of the price category most in demand. Member States which levy a total excise duty of at least EUR 100 per 1000 cigarettes for cigarettes of the price category most in demand need not comply with the 57% minimum incidence requirement. Furthermore, Directive 92/80/EEC is amended in order to avoid a fall in the value of the Community minimum rates on duty on cigars, cigarillos, fine-cut tobacco intended for the rolling of cigars and other smoking tobaccos, a phased increase in the minimum rates, expressed as a specific amount, is needed. Finally, in the interests of uniform and fair taxation, the definition of cigars and cigarillos, set out in Council Directive 95/59/EC on taxes other than turnover taxes which affect the consumption of manufactured tobacco, shall be adapted to so that a type of cigar which is similar in many respects to a cigarette is treated as a cigarette for excise purposes.

## **Excise duty: structure and rates applied on manufactured tobacco**

2001/0063(CNS) - 15/11/2001 - Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament has sent the report by Mr Giorgos KATIFORIS (PES, GR) back to committee after the proposal was rejected by 136 for, 330 against and 24 abstentions.