Basic information

2002/2167(INI) INI - Own-initiative procedure	Procedure completed
Public health: prevention of smoking and initiatives to improve tobacco control **Subject** 4.20.03 Drug addiction, alcoholism, smoking	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ENVI Environment, Public Health, Consumer Policy	MAATEN Jules (ELDR)	10/07/2002

Committee for opinion	Rapporteur for opinion	Appointed
JURI Legal Affairs and Internal Market	LECHNER Kurt (PPE-DE)	10/09/2002

Council of the European Union

Council configuration	Meetings	Date
Employment, Social Policy, Health and Consumer Affairs	2470	2002-12-02

European Commission

Commission DG	Commissioner
Health and Food Safety	

Key events

Date	Event	Reference	Summary
17/06/2002	Non-legislative basic document published	COM(2002)0303	Summary
10/10/2002	Committee referral announced in Parliament		
05/11/2002	Vote in committee		Summary
05/11/2002	Committee report tabled for plenary	A5-0378/2002	
21/11/2002	Decision by Parliament	T5-0559/2002	Summary
21/11/2002	End of procedure in Parliament		
29/01/2004	Final act published in Official Journal		

Technical information	
Procedure reference	2002/2167(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 55
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/5/16819

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A5-0378/2002	05/11/2002	
Text adopted by Parliament, single reading		T5-0559/2002 OJ C 025 29.01.2004, p. 0221-0337 E	21/11/2002	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(2002)0303	17/06/2002	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
CofR	Committee of the Regions: opinion	CDR0226/2002 OJ C 073 26.03.2003, p. 0008-0012	20/11/2002	
EU	Implementing legislative act	32003H0054 OJ L 022 25.01.2003, p. 0031-0034	02/12/2002	Summary

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

2002/2167(INI) - 21/11/2002 - Text adopted by Parliament, single reading

The European Parliament adopted the resolution drafted by Jules MAATEN (ELDR, Netherlands) on the anti-tobacco campaign with 402 votes for, 36 against and 21 abstentions. (Please refer to the document dated (05/11/02). In addition, Parliament made the following amendments: -studies had shown a strong correlation between the acceptance of political donations from tobacco companies and opposition to tobacco control legislation; -effective tobacco measures would reduce tobacco consumption, and therefore run counter to the interests of a powerful economic sector, i.e. the tobacco industry. -a system must be implemented of recording, monitoring and reviewing the donations made by tobacco companies to European political groups, individual Members of the European Parliament, Commissioners and former Commissioners; -a system must also be implemented of recording, monitoring and reviewing the donations made by tobacco companies to political parties and individual politicians.

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

2002/2167(INI) - 17/06/2002 - Non-legislative basic document

PURPOSE : to present a proposal of a Council Recommendation on the prevention of smoking and on initiatives to improve tobacco control. CONTENT : to recall, the European Parliament and the Council adopted a Directive recasting the existing Community Directive on tobacco product regulation, and introducing several new elements particularly concerning tobacco additives and misleading descriptors, on 5 June 2001. Moreover, the Commission adopted on 14 May 2001, a proposal for a Directive on tobacco advertising and sponsorship which is currently being examined by the European Parliament and the Council under the co-decision procedure. Both these texts have as their objective the improvement of the conditions for the establishment and functioning of the Internal Market and the elimination of obstacles to its smooth operation, taking as a basis a high level of health protection. The present Commission proposal for a Council Recommendation deals with further aspects of tobacco control, which concerns the improvement of public health, the prevention of human illnesses and diseases, and obviating sources of danger to human health. It also takes account of the negotiations for the establishment of a World Health Organisation Framework Convention on Tobacco Control, and the need to ensure coherence with other actual or proposed acts. A further element of the proposed Recommendation which complements the measures foreseen in the Commission proposal for a Directive on tobacco advertising and sponsorship is that Member States should evaluate the expenditure by the tobacco industry on the promotion of their products, in order to ensure better monitoring of the application of advertising restrictions and their eventual circumvention. As stated before, the proposal for a Directive on tobacco advertising had to limit its scope to certain types of advertising with cross-border effects. In 1999, a World Bank report concluded that advertising increases cigarette consumption and that legislation banning advertising would reduce consumption provided that it is comprehensive, covering all media and uses of brand names and logos. Such a reduction on cigarette consumption would have immediate short-term and long-terms benefits for public health. In order to be able to evaluate the public health consequences of both Member States and European Community legislation in tobacco advertising as well as of any voluntary restrictions on tobacco advertising, it is important to monitor advertising, sponsorship and similar promotional activities. In fact, such information is needed for future planning of tobacco control activities by both national authorities and the European Community, with the ultimate objective of an improved protection of the European citizens' health. Particular mention should be made of the issue of availability of tobacco products to children and adolescents. This includes the application of age criteria to sales, as well as vending machines sales, self-service sales, distance sales (such sales through the Internet, which should be restricted to sites protected by adult verification methods, using effective mechanisms for identifying the age of the buyers) and sales of cigarettes in packets of less than 20 pieces (in order to avoid lower packet prices, which would make cigarettes more easily accessible for children and adolescents). Furthermore, vending machines should not be used as advertising sites since they are seen indiscriminately by consumers and non-consumers alike. The measures outlined in the proposed Recommendation are entirely in line with the negotiations for the establishment of a World Health Organisation Framework Convention on Tobacco Control (FCTC). In fact, the draft elements of the FCTC presently under discussion include i.a. provisions aiming at a total ban on all forms of direct and indirect advertising, the restriction of access by minors to tobacco vending machines, the prohibitions of the sale of cigarettes individually or in packets of fewer than 20, and the requirement for tobacco companies to disclose expenditures on advertising.

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

2002/2167(INI) - 02/12/2002 - Implementing legislative act

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.

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

2002/2167(INI) - 02/12/2002

The Council heard a report from the presidency and the Commission on the outcome of the fifth session of the Intergovernmental Negotiating Body (INB5) of the World Health Organisation Framework Convention on Tobacco Control, which took place in Geneva from 14 to 25 October 2002. One of the main outstanding issues for the Community and the Member States at this stage concerns tobacco advertising, promotion and sponsorship, which was discussed by the Council at its meeting on 8 October. The Presidency and the Commission emphasised the importance of finalising a position at INB6, which is planned for 17-28 February 2003. The Commission also informed the Council that it is planning a round table conference on tobacco control at the beginning of February 2003, in collaboration with the WHO and the World Bank, at which the Member States will be invited to participate. The Council agreed by qualified majority, the German delegation voting against, on a Council Recommendation on the prevention of smoking and on initiatives to improve tobacco control. The text is intended to supplement a number of Community measures on tobacco control, notably the tobacco products Directive and the draft Directive on tobacco advertising (agreed on by the Council at the same session) and sponsorship, by addressing aspects of tobacco control which are the responsibility of the Member States. This concerns in particular tobacco sales to children and adolescents, tobacco advertising and promotion that has no cross-border effects, the provision of information on advertising expenditure, and the environmental effects of tobacco smoke. The Recommendation also aims to be consistent with the anticipated World Health Organisation Framework Convention for Tobacco Control.