

# Flash Report

## Expert Group on Tobacco Policy under the Expert Group on Public Health

### 3 May 2023

The Expert Group on Tobacco Policy held a virtual meeting, chaired by DG SANTE. The representatives of 26 Member States, plus Iceland and Norway, attended the meeting.

#### Revision of the Council Recommendation on Smoke-free Environments

DG SANTE informed participants about the revision of the Council Recommendation on Smoke-free Environments regarding the inclusion of emerging products and specific outdoor spaces. During the tour de table, discussions encompassed the possible inclusion of emerging products, both products that emit smoke/aerosols and those that do not. The importance of future-proofing the text and product definitions was mentioned. The discussion also included the specific outdoor spaces to be considered for inclusion in the revised Recommendation. The majority of Member States agreed to the proposed approach of inclusion of products and spaces. Several countries also noted that they have already adopted similar approaches within their national legislation. Member States were invited to submit written feedback and any additional evidence by 17 May 2023.

#### Conference of the Parties (COP10)

Member States were informed about the preparations for the 10<sup>th</sup> session of the FCTC Conference of the Parties which will take place in Panama in November 2023. The Spanish Presidency to lead the Council preparations on the positions; the formal procedure under Article 218(9) TFEU needs to be applied for the establishment of EU positions on COP decisions with legal effect. Member States were invited to share their views.

#### Evaluation of the legislative framework for tobacco control

DG SANTE presented the status of the evaluation process and outlined various stages foreseen by "Better Regulation". Member States were encouraged to engage in the ongoing consultation activities; the purpose of the public consultation and the targeted consultation were outlined. The deadline is 16 May 2023.

#### Commission Delegated Directive (EU) 2022/2100

DG SANTE reminded Member States of the upcoming deadline for the transposition of the Delegated Directive (23 July 2023). Member States are to communicate the text of those provisions and then the standard procedure compliance assessment will start. DG SANTE also reminded about a communication to the members of the Expert Group of 17 February where questions on the transposition were addressed. The participants were informed about the ongoing court cases related to the Delegated Directive.

#### Conclusions and AOB

The Chair then thanked everyone for their attention and valuable contributions. Participants were encouraged to raise topics<sup>1</sup> that they would like to discuss at the next meetings.

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